

Agenda

Council Meeting

Monday, 22nd February 2021

Commencing at 7.00pm

Via the Zoom Platform

kingston.vic.gov.au

Paul Franklin
Acting Chief Executive Officer
Kingston City Council

Notice is given that a Meeting of Kingston City Council will be held at 7.00pm via the Zoom Platform, on Monday, 22 February 2021.

1. Apologies

2. Confirmation of Minutes of Previous Meetings

Minutes of Ordinary Council Meeting 27 January 2021

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

Note that any Conflicts of Interest need to be formally declared at the start of the meeting and immediately prior to the item being considered – type and nature of interest is required to be disclosed – if disclosed in writing to the CEO prior to the meeting only the type of interest needs to be disclosed prior to the item being considered.

4. Petitions

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5. Presentation of Awards

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8. Planning and Development Reports

22 February 2021

Agenda Item No: 8.1

AMENDMENT C190 - PUBLIC ACQUISITION OVERLAY 249 AND 251-253 CHARMAN ROAD, CHELTENHAM

Contact Officer: Amber Swales, Strategic Planner

Purpose of Report

The purpose of this report is to inform Council of the exhibition outcomes of Amendment C190 to the Kingston Planning Scheme. The report recommends that Council adopt Amendment C190 as exhibited and submit it to the Minister for Planning for approval.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That Council adopt Planning Scheme Amendment C190 to the Kingston Planning Scheme as exhibited and submit the Amendment to the Minister for Planning for approval.

1. Executive Summary

Following the announcement of the Cheltenham Level Crossing Removal in February 2017 Council prepared and adopted the Cheltenham Structure Plan Review (December 2017). This proposed an expanded station forecourt and open space connection between Charman Road and Cheltenham Park requiring acquisition of land at 245-247, 249 and 251-253 Charman Road.

In July 2018 Council resolved to purchase the properties at 245-247 Charman Road with sites secured in early 2019. Further strategic investments to implement the structure plan were also made by Council at this time including contributions to an expanded deck and additional car parking.

Recognising the Council's commitment to the Structure Plan vision, the Southern Program Alliance prepared a masterplan concept for delivery of the entire station forecourt, incorporating the properties at 249 and 251-253 Charman Road as identified in the Cheltenham Structure Plan Review (2017). Concurrently officers engaged with the landowners of the remaining sites at 249 and 251-253 Charman Road. At the time both owners did not wish to pursue discussions for the sale of their land.

At its Ordinary Meeting of Council on 9 December 2019, Council resolved to seek authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment C190. The Amendment proposes to apply a Public Acquisition Overlay (PAO4) to land at 249 and 251-253 Charman Road, Cheltenham to facilitate Council's acquisition of the properties. The location of the subject land is provided at Appendix 1.

Amendment C190 was placed on public exhibition for a period of 4 weeks between Thursday 6 August to Monday 7 September 2020. During exhibition of the Amendment 3 submissions were received which raised no objection to the amendment.

It is recommended that Council adopt Amendment C190 and submit it to the Minister for Planning for approval. Subject to the Ministers approval and application of the PAO, Council would have the option to then proceed with the acquisition of the properties.

2. Background

On 26 July 2010, Council adopted the Cheltenham Structure Plan (SP). Properties on Charman Road were nominated as future open space for a proposed new station forecourt with terraced plaza. This designation was made prior to any announcements in relation the Level Crossing Removal Project.

On 21 March 2013, the Structure Plan was implemented into the Planning Scheme with the gazettal of Amendment C117. This implemented the Activity Centre Zone Schedule 1 which provided future direction for the Cheltenham Activity Centre.

The precinct map at 5.3-1 of the ACZ1 highlights the proposed open space with objectives at 5.3-2 seeking *"to create a public urban space / plaza adjoining the Cheltenham railway station with convenient access from Charman Road, Station Road and the railway."*

In February 2017, State Government announced the removal of level crossings at Park and Charman Roads. Recognising the opportunities arising from the major infrastructure investment, Council reviewed the 2010 Structure Plan, focussing on the railway precinct, retail core and multideck car park areas.

Adopted on 11th December 2017, the SPR expanded on the open space opportunity from the original Structure Plan, seeking:

- An expansion of the original forecourt through the progressive assembly of properties at 245-247 Charman Road as well as the previously identified properties at 249 and 251-253 Charman Road
- Development of decking over the rail trench to create an open space linkage between the expanded Charman Road forecourt and Cheltenham Park, and
- Preservation and enhancement of view lines from Charman and Station Roads to Cheltenham Park.

The 11 December 2017 Council resolution also required officers to:

- *'Actively commence exploring the assembly of land at 245-253 Charman Road, Cheltenham to allow for the creation of the new open space link in accordance with the objectives of the Cheltenham Structure Plan Review'.*
- *'Engage with the Level Crossing Removal Authority to determine how Council can best assist the State Government in delivery of key open space and landscape design outcomes sought through the Strategic Planning Work'.*

Acting on the above resolution, Council resolved to purchase two of the sites in July 2018 with ownership of 245-247 Charman Road now secured.

In May 2019, Council resolved to make a significant financial contribution to the Level Crossing Removal Project (\$2.9M total) for works in Cheltenham and Mentone. This included the expansion of the deck above the rail aligning with the intersection of Station and Charman Roads in Cheltenham, providing a meaningful cross corridor connection into Cheltenham Park.

Following Council's purchase of the properties at 245-247 Charman Road in February 2018, officers met with representatives of the LXP and Southern Program Alliance to discuss the opportunity that this presents to future proof the delivery of this new open space connection and integrate it with the works currently being undertaken by LXP.

A masterplan outcome was subsequently prepared by the Southern Program Alliance for Council consideration which included the properties acquired by Council and future proofed Council's future delivery of an expanded forecourt following future acquisition of properties at 249 and 251-253 Charman Road.

On 28 October Council confidentially resolved the following to enable the first stage of the masterplan including VicTrack land and Council owned land at 245-247 Charman Road:

2. *Authorise the CEO or her delegate to do all things necessary to deliver Stage 1A of the Cheltenham Forecourt Master Plan to a maximum capital contribution of \$1,700,000, with the final contribution to be determined by the Actual Outturn Cost to deliver this work.*
3. *Authorise the CEO or her delegate to purchase the leasehold for 245 and 247 Charman Road, Cheltenham to a maximum value of \$500,000 (to be confirmed) to enable the demolition of this property by July 2020 to enable the delivery of Part 2 above.*

Recognising that the delivery of the ultimate masterplan (Appendix 3) clear connections and desired view lines from Station Road to Cheltenham Park would require the acquisition of the properties at 249 and 251-253 Charman Road, Council also resolved to:

5. *Receive a report to the December Ordinary Council Meeting that provides strategic advice on commencing a Planning Scheme Amendment to introduce a Public Acquisition Overlay over land at 249 and 251-253 Charman Road, Cheltenham including the options available to retain the existing businesses until such time as a mutually agreed relocation can be arranged.*

At its Ordinary Meeting of Council on 9 December 2019, Council resolved to:

1. *Request Authorisation from the Minister for Planning to prepare a Planning Scheme Amendment to apply a Public Acquisition Overlay (PAO) on the following properties:*
 - *249 Charman Road;*
 - *251-253 Charman Road*
2. *Subject to Authorisation being granted, in its capacity as Planning Authority prepare and place the Amendment on public exhibition pursuant to Section 19 of the Planning and Environment Act 1987.*
3. *Determine, in accordance with section 77(2) of the Local Government Act 1989 that parts 1 and 2 of the resolution not be confidential when written confirmation is received from the Minister for Planning providing authorisation to prepare the Amendment.*

3. Discussion

3.1 Council Plan Alignment

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

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

Amendment C190 is considered to be consistent with the Council Plan as it facilitates the future acquisition of the land to create public open space adjacent to the Cheltenham Station Concourse and station access, which has recently undergone crossing removal.

3.2 Consultation/Internal Review

Comprehensive community consultation was undertaken during the development of the 2010 Structure Plan and subsequent 2017 Structure Plan Review. This included engagement with the landowners and business operators of the subject sites.

Amendment C190 was placed on public exhibition for a period of 4 weeks between Thursday 6 August to Monday 7 September 2020. Notice was given as follows:

Date 2020	Notice Given
Friday 31 July	<ul style="list-style-type: none"> • Manager Property phoned owners of the subject land to advise them they would be receiving formal notice of the amendment. • Direct notification was sent via ordinary mail to: <ul style="list-style-type: none"> ○ Surrounding business operators in the Activity Centre ○ Tenants of the subject sites ○ Referral Authorities and Prescribed Ministers
Monday 3 August	<ul style="list-style-type: none"> • Notification was delivered via courier to owners of affected properties. • Amendment documentation (including the December 2019 resolution of Council) were made available on Council's website and on the Department of Environment, Land, Water and Planning website
Tuesday 4 August	<ul style="list-style-type: none"> • Officers from Council's Strategic Planning and City Economy and Innovation teams met with tenants of the subject sites.
Wednesday 5 August	<ul style="list-style-type: none"> • Notice of the Amendment was published in The Age Newspaper.
Thursday 6 August	<ul style="list-style-type: none"> • Notice of the Amendment was published in the Victorian Government Gazette.
Thursday 12 November	<ul style="list-style-type: none"> • Letter sent to occupiers and owners of the sites providing an update on the amendment and notifying them that a report would proceed through the December meeting cycle.
Jan 2021	<ul style="list-style-type: none"> • A letter was sent to occupiers and owners of the sites notifying them of the changed date for Council's consideration of the Amendment.

3.3 Operation and Strategic Issues

3.3.1 Submissions to Amendment C190

A total of 3 submissions were received during the exhibition period. Two were from water authorities, advising they had no objection to the Amendment and the third was from a resident who supported the Amendment. A copy of the submissions received is provided at Appendix 2.

3.3.2 Strategic Justification for the Amendment

State Planning Policy Framework:

The Amendment is consistent with the objectives of the Planning Policy Framework:

- Clause 11 (Settlement), which states that planning is to anticipate 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.
- Clause 19.02-6S (Open Space), which aims '*...to establish, manage and improve a diverse and integrated network of public space that meets the needs of the community*'.

Local Planning Policy:

The Amendment is consistent with the following Clauses of the Local Planning Policy Framework in the Kingston Planning Scheme:

- Clause 21.01-3 Strategic Vision, Settlement, which lists a priority as 'open space provision meets the changing leisure and recreation needs of Kingston's growing population'.
- Clause 21.02-4 Open Space, which notes that open space areas need to be flexible and multi-functional so as to adapt to meet a variety of users as well as changes in demand and needs over time. Objective 1 of Clause 21.02-4 seeks to '*...provide fair and equitable access to a range of high quality open space areas*'.

Strategic Plans and Studies

Council has prepared and adopted several strategic plans and studies which directly support the application of a PAO over the subject sites as follows:

- *Moorabbin to Mordialloc Integrated Framework Plan (P.L.A.N)*
In July 2008 Council adopted the Moorabbin to Mordialloc Integrated Framework Plan which provides a sustainable land use and development framework for the Moorabbin, Cheltenham and Mentone Activity Centres.

Within Cheltenham, key directions at page 48 of the P.L.A.N support:

'The creation of urban public open space within the centre to provide for the increased residential development and amenity of the centre for its users'.

The subject sites are identified as open space opportunities within the precinct mapping in the Framework Plan.

- *Cheltenham Structure Plan 2010*
The Cheltenham Structure Plan (2010) identified the need to expand opportunities for people to meet and relax in new public spaces within the centre. The concept strategy plan nominated a key opportunity for a station forecourt, with the meeting place detailed further at 3.3.3 of the plan.

In implementing the vision, section 4.2 of the Cheltenham Structure Plan sought for detailed masterplans to be prepared for the forecourt, once land assembly was at an appropriate stage.

- Adoption of the Kingston Open Space Strategy 2012

The subject sites are located within Precinct 4C/6A of Council's adopted Open Space Strategy. The precinct is identified as having a shortfall and suggests that *'Council should identify key sites currently in private ownership in local area 4C/6A, which could in whole or part become publicly accessible open space'*.

Open space recommendations for Precinct 4C/6A include the expansion and enhancement of the railway station forecourt in the Cheltenham Activity Centre, with delivery anticipated between 2016-2030.

- Schedule 1 of the Activity Centre Zone to the Kingston Planning Scheme

The Activity Centre Zone Schedule 1 was applied to the Cheltenham Activity Centre Framework Plan area in 2013. The framework and precinct plans at Sections 1.0 and 5.3-1 of the Schedule identify the subject sites as required for future open space.

More specific direction for the open space proposed for this land is detailed at Clause 5.3-2:

'To create a public urban space/plaza adjoining the Cheltenham Railway Station with convenient access from Charman Road, Station Road and the railway'.

- Cheltenham Structure Plan Review 2017 (SPR)

The Cheltenham Structure Plan Review was initiated in response to the State Government's investment in the Level Crossing Removal Project.

Objectives at section 2.2 of the SPR seek "to create a network of diverse and meaningful open spaces", with the Open Space and Public Realm Strategy supporting the implementation of the station forecourt as identified in the 2010 Structure Plan.

Consistent with the 2010 Structure Plan, the SPR identifies the subject sites as 'proposed open space' in Figure 8 (Updated Public Realm and Open Space Strategy). The SPR notes:

'Future delivery of the 'Station Forecourt' identified within the 2010 Structure Plan requires progressive assembly of private properties including 247-253 Charman Road. The need to assemble these properties to realise the 'Station Forecourt' is essential to realise the Structure Plan objective of 'Celebrating its Heritage' and 'Improve connection to Cheltenham Park' as a consequence of the Grade Separation project. The implementation of the new 'Station Forecourt' will achieve direct visual and physical links to the Heritage Station buildings and importantly, a more meaningful link to Cheltenham Park beyond'.

3.3.3 Exemption from Ministerial Direction 15

Ministerial Direction No.15 requires the planning authority to decide on an amendment within 60 days of the submission closing date. An exemption was sought and granted to this Ministerial Direction due to a decision not being able to be made during the caretaker period.

3.4 Options

Section 29 of the Planning and Environment Act 1987 requires that after complying with Divisions 1 and 2 in respect of an amendment or any part of it, the Planning Authority may adopt the amendment or that part with or without changes.

3.4.1 Option 1

Adopt the Amendment without changes and ask the Minister to approve the amendment as exhibited. **This is the preferred option.**


3.4.2 Option 2


Abandon the Amendment. This is not recommended given the significant amount of strategic work underpinning the Amendment and the significant financial investment already made by Council towards delivery of the first stage of the station forecourt masterplan with the LXP. The additional risk of not pursuing the Amendment is the land could be redeveloped making the future assembly of the land more complicated (eg. multiple new titles created) and consequentially more costly.

4. Conclusion

Amendment C190 has been exhibited and no submissions were received opposing the proposed Amendment. The Amendment is considered to be consistent with State and Local Planning Policy and is required to facilitate delivery of the final stage of the Cheltenham Station forecourt. It is recommended that Council adopt the Amendment and submit it to the Minister for Planning for approval as exhibited.

Appendices

Appendix 1 - Amendment C190 - Subject Sites (Ref 20/251899)  [Download](#)

Appendix 2 - Amendment C190 - Submissions (Ref 20/251892)  [Download](#)

Appendix 3 - Cheltenham Forecourt Masterplan (Ref 21/17860)  [Download](#)

Author/s: Amber Swales, Strategic Planner

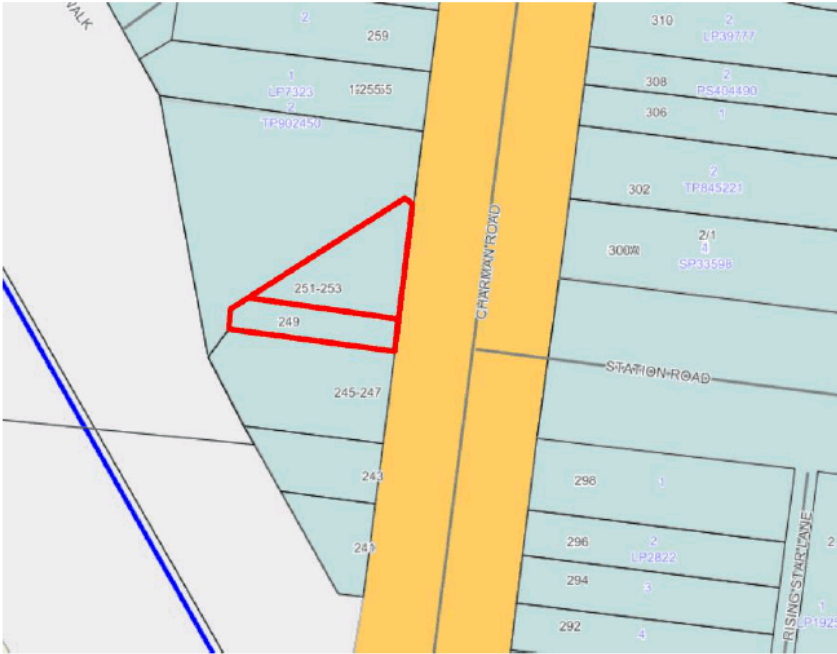
Reviewed and Approved By: Paul Marsden, Manager City Strategy
Jonathan Guttmann, General Manager Planning and Development

8.1

AMENDMENT C190 - PUBLIC ACQUISITION OVERLAY 249 AND 251-253 CHARMAN ROAD, CHELTENHAM

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Amendment C190 – Subject Sites



From: [REDACTED]
To: [StrategicPlanning](#)
Cc: [REDACTED]
Subject: Amendment C190Kings - Cheltenham Shops PAO Submission from [REDACTED]
Date: Wednesday, 2 September 2020 12:51:40 AM
Importance: High

Hi all,

Please accept this email as my submission to Amendment C190Kings -
Cheltenham Shops PAO

Having read through all of the documentation pertaining to this
amendment I wish to advise that I SUPPORT the Amendment in its entirety.

It makes perfect sense to take these actions as this would preserve
the ability of Council to fully realise it's vision for the
Cheltenham Structure Plan and allow for the completing of that vision
with the forecourt of the Cheltenham Station.

Thanks in advance

[REDACTED]

[REDACTED]



20 August 2020

Paul Marsden
Kingston City Council
PO Box 1000
Mentone VIC 3194

Dear Paul,

Proposal: Planning scheme amendment - addition of a partial PAO

Site location: 249 + 251-253 Charman Road, Cheltenham

Melbourne Water reference: MWA-1182434

Date referred: 07/08/2020

Melbourne Water has reviewed the proposed planning scheme amendment and has no objection to the proposal.

For general development enquiries contact our Customer Service Centre on 131722.

Regards,

A handwritten signature in black ink, appearing to be "Ashlee Gaunt", written in a cursive style.

Ashlee Gaunt
Principal Planner (Process and Practice)
Development Planning Services

Debbie Wilson

From: Property Development <propdev@sewl.com.au>
Sent: Thursday, 20 August 2020 5:09 PM
To: StrategicPlanning
Subject: Scheme Amendment Request Response
Attachments: SchemeAmendOutput_36933855_74854444-7B77-4FE7-B691-C96530C8CC5E.pdf

Please refer to the attachment regarding your application as detailed below:

Service Requested: Town Planning Scheme Amendment

Order Number: 36328409

Applicant Reference: Amendment C190

Our Reference: Case Number 36933855 File 20PD2437 Development Location: Scheme Amendment C190

If you have any enquiries please contact us on 9552 3770

SOUTH EAST WATER

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South East Water

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<https://aus01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.southeastwater.com.au%2F&data=01%7C01%7Cstrategic.planning%40kingston.vic.gov.au%7C235fbcc5886540bf6d4008d844d7f41d%7Cfe3c2ef767f34cdfb1a0af8901d1206d%7C0&data=6tjovjWSXuURXf5QWWfg2qnl2Ez5YMiwmZBGs2MWUho%3D&reserved=0>

From: [No Reply Melbourne Water](#)
To: [StrategicPlanning](#)
Subject: Response to your application for Planning scheme amendments - MWA-1182434 - 249 + 251-253 Charman Road Cheltenham
Date: Thursday, 20 August 2020 10:53:53 AM
Attachments: [Melbourne Water Response-20 Aug 2020 1052 AM.pdf](#)

Dear Paul Marsden,

Please refer to the attached correspondence in regards to the following application:

Your Melbourne Water reference number: MWA-1182434

Application purpose: Planning scheme amendments

Application submission date: 11/08/2020

Location: 249 + 251-253 Charman Road, Cheltenham

To respond to us regarding this application, please use

DevConnect@melbournewater.com.au quoting MWA-1182434 in the subject line.

This email is sent from a notification-only email address that does not accept incoming email.

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

Regards,

Development Planning Services | Melbourne Water

T: 131 722 | 990 La Trobe Street, Docklands, VIC 3008 | PO Box 4342 Melbourne VIC 3001 | melbournewater.com.au

Enhancing Life and Liveability

If you have received this email in error, please notify the sender by return email, delete it from your system and destroy any copies.



20 AUGUST 2020

Paul Marsden
E-mail: strategic.planning@kingston.vic.gov.au

Dear Sir/Madam,

Town Planning Scheme Amendment C190 of the Kingston City Council Planning Scheme
Your Reference: Amendment C190
Our Reference: Case Number 36933855 File 20PD2437

I refer to your letter received on 7 August 2020. South East Water as the Water Supply and Sewerage Authority has no objection to the proposed amendment C190 of the Kingston City Council Planning Scheme.

THE FOLLOWING IS OFFERED FOR INFORMATION ONLY:

South East Water will look into more detail in identifying any augmentation work required when detail information becomes available to us.

Please Note: As South East Water has no objection to the Scheme Amendment, we request that both your Council and Planning Panels Victoria do not provide any further correspondence to us regarding the Amendment.

If you have any enquires please contact Carmen McMahon on +613 9552 3499.

Yours sincerely

A handwritten signature in black ink, appearing to read "D Woodward".

Darren Woodward
Team Leader Land Development

South East Water Corporation ABN 89 066 902 547
Internet www.southeastwater.com.au

TP-Amendment



22 February 2021

Agenda Item No: 8.2

CHELTENHAM LEVEL CROSSING REMOVAL - STATION BUILDING

Contact Officer: Claire Audley, Major Transport Project Officer
Tara Bell, Place Manager

Purpose of Report

This report seeks to update the Council regarding recent information received from the Level Crossing Removal Project in relation the status of the former Cheltenham Heritage Station Buildings. It seeks direction from Councillors in relation to the response from the LXR and the options now available in relation the City-bound Heritage Station Building.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That Council:

- 1) Note that the former Frankston-bound Cheltenham Station Building is proposed to be relocated to Cheltenham Park under an agreement between the Level Crossing Removal Project (LXR) and Bayside City Council with the intention to repurpose it as a new multi-purpose facility.
- 2) Write to the Level Crossing Removal Project to advise them that Council has no objection to the LXR's proposal to undertake the relocation of the former City-Bound Heritage Station Building to a railway museum or heritage group, subject to confirmation that the views of City of Bayside have been sought and considered in relation to this matter.

1. Executive Summary

The Cheltenham Level Crossing Removal Project (LXR) works have impacted the existing local heritage listed station buildings. Due to lowering the Frankston Railway Line into a trench, they were unable to be incorporated into the new station precinct. The buildings in question have always been assets in the control of the State Government both through their historical use as station buildings and more recently through the LXR and its contractor in demolishing and maintaining the buildings.

At its Ordinary Council Meeting on 14 October 2019, Council resolved to:

Write to LXR to advise its preferred location for the downside Cheltenham Heritage Station Building is on the land acquired for the project at 260-274 Charman Road, Cheltenham.

On 30 July 2020 correspondence was received from the LXP advising that they were not supportive of the relocation of the downside (Frankston bound) Cheltenham Heritage Station Building onto project land at 260-274 Charman Road due to cost and design implications.

On 7 October 2020, correspondence was received from the LXP advising that an agreement had been reached with Bayside City Council (BCC) on the relocation of this building to Cheltenham Park as part of a new multi-purpose facility (Appendix 1). This is considered an acceptable outcome on the basis it would result in the retention and restoration of the Frankston bound building in a location proximate to Cheltenham Station.

To date, no suitable location has been identified for the upside (city-bound) station building noting that this building is sited within the City of Bayside.

Correspondence received from LXP on 7 October 2020 invited Council to consider whether an appropriate location exists for the upside (city-bound) building within the City of Kingston. It is Council's understanding that a similar request has been made of the City of Bayside. The LXP have also received interest from a railway heritage group.

Officers have considered this request and conducted a site visit of the location where the dismantled city-bound station buildings are currently being stored by LXP. Officers have also engaged architects CohenLeigh to provide an assessment of the viability and cost of reconstruction. This work has indicated that:

- Of the 57.2m length of wall in the original building only 30% (17m) is suitable for retention.
- It will be more expensive to reconstruct the building using existing parts salvaged than creating a replica reconstruction with entirely new materials.
- A new designed and engineered superstructure would likely be required with salvaged wall framing used within a new structure.
- New roof framing and roofing would be required to be designed and constructed.
- The condition, combined with recent rains and poor storage method is contributing to further decay of the building elements.
- The cost of reconstructing the building in a new location has been estimated at \$624,000. However, given the lack of detailed investigation required to ascertain the condition (and extent) of reclaimed building parts it is the view of officer's that final costs could be significantly higher than this.

The project to dismantle and repurpose the station buildings is one which is the LXP's full responsibility. Noting the significant costs associated with the relocation and reconstruction of the building and the uncertainty around its end use, no suitable site has been identified in the City of Kingston for the City-Bound Heritage Station Building.

It is recommended that Council writes to the LXP to:

- Acknowledge their intent to work with the City of Bayside to relocate the Frankston-Bound Station Building into Cheltenham Park.
- Advise them that Council does not object to the LXP's proposed donation of the City-Bound Station Building to a Railway Heritage Group, subject to confirmation that the views of the City of Bayside have been sought and considered in relation this matter.

The LXP originally requested a response from Council by the 29 January 2021 but have subsequently been advised by officers that a response will not be provided until after the February Ordinary Council Meeting.

2. Background

Council adopted the updated Cheltenham Structure Plan in January 2018, outlining an array of strategic focus areas and preferences of Council regarding the Cheltenham Level Crossing Removal Project. Specific reference to the existing Cheltenham Station Buildings include:

“Key open space & public realm initiatives include:

- Deck over rail on the east side of Charman Road to accommodate future open space to potentially accommodate one of the existing heritage station buildings at the key transport node*
- Investigate opportunities to retain heritage station building (west siding) within proximity to the new Cheltenham Station/ future station forecourt*
- Ensure publicly accessible heritage station buildings are retained within the future central open space with their verandahs facing inward”*

Officers subsequently received feedback from the LXR which indicated that the heritage station buildings cannot be viably accommodated on the new decking due to non-compliance with fire life safety regulations.

Having ruled out the option in the Cheltenham Structure Plan review, at its Ordinary Council Meeting on 28 October 2019, Council resolved the following:

- 4. Write to LXR to advise its preferred location for the downside Cheltenham Heritage Station Building is on the land acquired for the project at 260-274 Charman Road, Cheltenham as proposed in the email from the LXR of 25 October and to encourage the building to be sited closer to the railway trench and with the verandah over the footpath as shown in Appendix 4, page 437 of Agenda Item 12.3*

On 25 November 2019, Council received correspondence from the CEO of the Level Crossing Removal Project acknowledging Council's position and preferred location and commitment to continue to work with both Kingston and Bayside Council's to determine the most appropriate locations for both buildings.

On 19 May 2020, Kingston City Council CEO wrote to Kevin Devlin, Level Crossing Removal Project CEO, reinforcing Council's adopted position on the relocation of the Cheltenham Heritage Building and seeking clarity on how this is progressing.

On 30 July 2020, Council received correspondence from the CEO of the Level Crossing Removal Project indicating that:

- The LXR continues to investigate a permanent location for the Cheltenham Station Buildings, but is unsuccessful in finding a suitable location for either building in the immediate station precinct.*
- Relocating one of the buildings to land on Charman Road and using it as a bus shelter, would not achieve active re-use of the building, which has always been a key consideration for repurposing the buildings. The Department of Transport (DoT) has confirmed that this use is not appropriate and is not supported.*
- LXR is continuing discussions with the City of Bayside about relocating one of the former Cheltenham Station buildings to Cheltenham Park as a potential community facility.*
- A further update will be provided once these discussions have progressed and we are able to confirm reuse options for these important assets.*

At its Ordinary Council Meeting on 15th September 2020, Bayside City Council resolved the following:

That Council:

1. *develops and enters into a Memorandum of Understanding with LXP to provide preliminary support for the project at Cheltenham Park and to allow for a feasibility study and community engagement process to be completed;*
2. *requires a financial contribution from LXP of \$1 million in value towards the project and notes that any Council financial contribution will require multi-purpose community use outcomes to be achieved; and*
3. *receives a report at a future Council meeting that outlines the outcomes of the feasibility study, community engagement and proposed project cost.*

On 7 October 2020, Council received correspondence from the CEO of the Level Crossing Removal Project (Appendix 1) advising that:

- *The Level Crossing Removal Project (LXP) and Bayside City Council (BCC) have recently reached agreement on relocating the former Frankston-bound Cheltenham Station building to Cheltenham Park as part of a new multi-purpose community facility.*
- *With the Frankston-bound building now committed to BCC, we propose to formally seek stakeholder interest in the former city-bound building, noting that interest has already been received from a railway heritage group.*
- *While acknowledging KCCs position of not having a suitable location for the building in the Cheltenham area, I am asking Council to consider whether there is any further interest for the city-bound building to be relocated within Kingston.*

3. Discussion

3.1 Council Plan Alignment

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

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

3.2 Consultation/Internal Review

Ongoing internal consultation has been undertaken to establish a whole of Council response to this with inputs from the following teams and departments in relation to the specific items discussed in this report:

- City Transformation
- Strategic Planning
- Property
- Community Buildings

3.3 Operation and Strategic Issues

3.3.1 Original Cheltenham Station Buildings

The original Cheltenham Station Buildings were constructed in 1882 and the city-bound Station Building was extensively modernised and extended in 1992, by which time many of the original decorative elements and some ancillary buildings had been removed. The buildings have a local heritage protection and are identified as HO2 in the Schedule to the Heritage Overlay of the Kingston Planning Scheme (Frankston-bound building) and HO95 in the Schedule to the Heritage Overlay of the Bayside Planning Scheme (City-bound building). As the Level Crossing Removal Program was a State Government infrastructure project the Minister for Planning was the Responsible Authority for considering the impacts on the heritage buildings through the Level Crossing Removal Works.

The Frankston-bound building is located in the City of Kingston and the city-bound building is located within the City of Bayside, with the railway line and Charman Road forming the boundary between these two municipalities. The process to relocate the municipal boundary, as a result of the LXP works in Cheltenham, is still under consideration with the intention to move the municipal boundary to the eastern edge of Cheltenham Park. The LXP provided Council with a photographic record of the original buildings prior to them being dismantled by the project.

Officers have recently inspected the site where the buildings have been managed and stored by the LXP for the last nine months and have engaged CohenLeigh Architects to provide preliminary advice (Appendix 2) on the cost and viability of reconstruction of the city-bound building. The advice also assists in providing a sense of the implications if Council were to retain the buildings in storage until a suitable Council site is identified for their permanent reconstruction. It is noted that the repurposing of the buildings has always been recognised as an LXP responsibility.

3.3.2 Heritage Considerations in Relocation of Building

Officers have sought feedback from Peter Barrett, Architectural Conservation Consultant, who has advised in relation the City-bound Station Building that:

- Usually the removal of a building or object from its original site compromises or at least lessens its heritage value.
- Moving the City-bound building to a railway museum, or another site associated with railways, would meet the requirement that when moving an object, it is relocated to an appropriate setting. It may hold more interpretative value in that setting.
- Alternatively, a new location that was not adjacent to railway infrastructure/museum could be considered if it made good use of the building and in a manner that would ensure its ongoing value to the local community.

3.3.3 New Cheltenham Station Precinct – Level Crossing Removal Works

The new Cheltenham Station precinct has significantly changed over the last year due to the Level Crossing Removal Project works. The train line has now been lowered into a railway trench, with the new station located between two new road bridges at Charman Road and Park Road.

Council has already contributed funding to the LXR to enhance the outcomes presented by this significant infrastructure project. This has included an extension to the decking over the trench and an expanded community green space to open-up and link the main retail area to the new station and neighbouring Cheltenham Park. Five palm trees from outside the original Cheltenham Station were relocated during the works and returned as part of the new station precinct.

3.3.4 Community Consultation

The LXR Cheltenham Community Reference Group have consistently provided feedback to the LXR on the importance of retaining the existing buildings in some form. The group have been advised of the outcomes of the agreement between Bayside City Council and LXR of at least one of the existing buildings being rebuilt within Cheltenham and in close proximity to the new station precinct.

Kingston City Council has received some specific feedback from the community that the former bowling green area, along the Eastern boundary of Cheltenham Park, would be the preferred location for the City-bound building. As Cheltenham Park is within City of Bayside, this would be dependent upon their feasibility process.

3.4 **Options**

Officers have considered the following options regarding the retention of the upside (City-Bound) building. The options have been considered regarding costs to Council, heritage considerations and potential locations.

3.4.1 LXR to arrange donation of the building to a Railway Heritage Group

It is understood that the LXR have received expressions of interest from groups interested in pursuing the relocation of the heritage station buildings. Potentially interested groups include local historical associations and railway museums. The details of the exact alternate locations are not known to Council officers however are likely to be outside of the City of Kingston. The process of relocating the assets is a responsibility of the LXR.

Although the relocation of the building outside of the municipality is seen as a last resort, it remains a better outcome than the loss of the station building (that is not proposed to be relocated in the City of Bayside) altogether and will serve to ensure the ongoing preservation of the city-bound building.

Council's heritage consultant has advised that moving the City-bound building to a railway museum, or another site associated with railways, would meet the requirement that when moving a heritage object, it is relocated to a contextually appropriate setting.

On the basis that LXR are unable to identify an alternative location within the City of Bayside for the relocation of the City-Bound Station Building, officers have no objection to this option being progressed by the LXR.

This option is recommended

3.4.2 Suggest relocation to an alternative site within City of Kingston

To ensure its ongoing protection, it is important that if the building is relocated that it has a clear purpose to promote ownership by the community. Officers have explored other sites within the City of Kingston which may be able to accommodate the former upside building, noting that this is a difficult task as no end use has been identified.

The LXP have indicated that even if a suitable site was nominated by Council, the building will be delivered in its current form (i.e. flat-packed). Council would then be responsible for the cost of all works associated with the erection and repurposing of the building at its chosen site.

Following the recent site visit to where the buildings are stored, this option will have significant risk and cost implications to Council. Refer to Appendix 2 for summary report by CohenLeigh Architects.

The CohenLeigh report indicates that:

- *Of the 57.2m length of wall calculated that has been dismantled, we have been advised that approximately 30% is suitable for retention. This represents approximately 17m length of the existing external wall structure suitable for re-use.*
- *It will be more expensive to reconstruct the building using existing parts salvaged than a replica reconstruction.*
- *A new building will be required to meet applicable BCA/NCC standards. This includes timber framing, insulation, glazing, accessibility etc to applicable Australian standards.*
- *A new designed and engineered superstructure would likely be required with salvaged wall framing used within a new structure.*
- *New roof framing and roofing would be required to be designed and constructed.*
- *We suspect the condition, combined with recent rains and poor storage method is contributing to further decay of the building elements.*
- *In summary the proposed repurposing of the Cheltenham Train Station (Up Building) is possible in various formats however further detailed investigation is required to ascertain the condition (and extent) of reclaimed building parts.*

As part of their commission CohenLeigh Architects sought the opinion of a Quantity Surveyor to understand indicative cost estimates:

- *Cost for constructing replica Station Building (not incorporating existing building parts) = \$4,500 m²*
- *Cost for a Modified Station Building (incorporating existing building parts) = \$6,500 m² (Excludes Storage & Transportation Costs)*
- *In either procurement, we recommend the engagement of an experienced heritage Architect & heritage restoration contractor, which is not included in the costs above.*

The former city-bound station building (prior dismantling) was approximately 96sqm equating to a cost estimate of \$624,000 for reconstruction of the original station building (excluding storage and transportation costs). This should be treated as an extremely optimistic estimate of the final cost mindful it is impossible to accurately determine at this stage in the absence of an identified end use for the building.

The LXP have indicated that they are not willing to contribute any funds to this process and all costs would be incurred by Council. It is important to note that there is no capital budget for this project and there are significant financial implications on proceeding with this option.

Noting the significant costs to Council associated with reconstructing the building, the most suitable site identified within the City of Kingston is Braeside Park given the land and space available within the Park. However, from a heritage perspective the site does not have a relationship with railway infrastructure, which would negatively impact the heritage significance of the structure. As Council is not the owner of Braeside Park, this outcome would also be reliant on the support of Parks Victoria as the land-owner.

This option is not recommended.

3.4.3 Council retains buildings in storage until such time as a suitable Council site is identified for their permanent reconstruction/relocation

Following the recent site visit to where the buildings are stored, it is suggested that this option will have significant risk and cost implications to Council.

Technical advice outlining the condition of the building is provided in Appendix 2.

It is recommended that if this option is to proceed, the buildings should be stored in a location where they can be protected from the weather, rather than the current LXP location on a park reserve, to avoid any further decay of the buildings. There is no availability of this type of storage within Council depots or on Council land, as space up to 230sqm is required and with access to a semi-trailer. Storage would have to be arranged privately and preliminary quotes received indicate that it would be approximately \$1,000 per week.

This option would also likely create a perceived obligation and commitment on Council to take responsibility for the dismantled building. This poses a significant risk, as there would be a community expectation that the building will be repurposed within the near future regardless of the cost to Council in undertaking the works or availability of an appropriate location.

The LXP have indicated that they are not willing to contribute any funds to this process and all costs would be incurred by Council. It is important to note that there is no capital budget for this project and there are significant financial implications on proceeding with this option. Council would also likely be responsible for ongoing maintenance costs of the buildings, the extent of which is difficult to estimate given there is no end use identified.

This option is not recommended.


4. Conclusion

It is recommended that Council writes to the LXP to:

- Acknowledge their intent to relocate the Frankston-Bound Station Building into Cheltenham Park.
- Advise them that Council does not object to the LXP's proposed donation of the City-Bound Station Building to a Railway Heritage Group, subject to confirmation that the views of the City of Bayside have been sought and considered in relation this matter.

Appendices

Appendix 1 - Letter from Kevin Devlin LXP to Julie Reid - Former Cheltenham Station Building (Ref 20/227815)  [↓](#)

Appendix 2 - Cheltenham Station Building - CohenLeigh Assessment Report (Ref 21/29812)  [↓](#)

Author/s: Claire Audley, Major Transport Project Officer
Tara Bell, Place Manager

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

8.2

CHELTENHAM LEVEL CROSSING REMOVAL - STATION BUILDING

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2	Cheltenham Station Buiding - CohenLeigh Assessment Report.....	41



Ref: COR/20/54644

Ms Julie Reid
Chief Executive Officer
City of Kingston
PO Box 1000
Mentone VIC 3194

julie.reid@kingston.vic.gov.au

Dear Ms Reid,

Re: Former Cheltenham Station buildings

I refer to your letter of 19 May regarding the former Cheltenham Station buildings and my subsequent response of 30 July 2020. I am writing to provide an update on the station buildings.

As previously advised, we have been unsuccessful in finding a suitable location for either the city or Frankston-bound station buildings in the immediate station precinct. The Charman Road location nominated by Kingston City Council (KCC) is considered unsuitable by the Department of Transport and LXP as advised in my letter of 30 July 2020.

The Level Crossing Removal Project (LXP) and Bayside City Council (BCC) have recently reached agreement on relocating the former Frankston-bound Cheltenham Station building to Cheltenham Park as part of a new multi-purpose community facility.

As per resolutions made at the BCC Ordinary Council Meeting on 15 September 2020, LXP and Council will enter into a memorandum of understanding to progress this decision, which we believe will be welcome news to the Cheltenham community and Cheltenham Scout group.

With the Frankston-bound building now committed to BCC, we propose to formally seek stakeholder interest in the former city-bound building, noting that interest has already been received from a railway heritage group.

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While acknowledging KCCs position of not having a suitable location for the building in the Cheltenham area, I am asking Council to consider whether there is any further interest for the city-bound building to be relocated within Kingston.

As the Cheltenham-Mentone works will be coming to an end in the first half of 2021, I am seeking Council advice on this request by 29 January 2021. In the absence of this, LXP will proceed with the process of donating the building to a railway heritage group, or similar stakeholder to ensure its ongoing protection and use.

Please do not hesitate to contact Adam Maguire, Program Director – Southern on 0418 351 431 or via email on adam.maguire@levelcrossings.vic.gov.au if you wish to discuss this proposal further.

Yours sincerely



Kevin Devlin
Chief Executive Officer

7 / 10 / 2020

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Details of the 'Timeline for Storage', 'Location of Temporary Storage' & 'Security & Monitoring' Methodology of the Heritage Buildings can be found on page 4 of the Endorsed Planning Application drawings.



Above – Photo of storage of Dismantled Cheltenham Station Buildings at Sandringham Golf Driving Range

A review of the following documentation has been undertaken:

- Approved Planning Drawings (17th March 2020)
 - Relocation of the Railway Station Building Drawings (A001, A100, A101) Abode Restoration
 - Storage Methodology – Level Crossing Removal (East & West Building)
 - Abode Restoration Work Method Statement – Cheltenham Station Builds Dismantle

Disclaimer - We have not observed the dismantling works, procedures, transportation or storage of the station & any assumption made on the condition of the building requires further investigation (refer recommendations)

1.2 Heritage Significance

Cheltenham railway station was one of the earliest stations on the Frankston Railway Line having opened on 19 December 1881

We understand the Cheltenham Station Buildings had/has local heritage protection – City of Kingston to advise details of the Local Heritage Listing & Heritage Controls.

The heritage significance of the building is aligned with other station buildings along the Caulfield – Mordialloc line that were referred to as the 'Garden Cottage Style', described as a symmetrical building with two gables either side of a central entry covered by a wide veranda. The gables were surmounted with iron finials and polychrome brick chimneys

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2 Condition Assessment

2.1 Summary of Building Elements

The below summary of building elements & condition assessment is based on the table within the Approved Planning Drawings for Dismantling.

Item	Treatment (From Pages 25 & 26 of Approved Planning Drawings)	Reconstruction – Architect Comment
Sequencing	We understand that the up-building was dismantled progressively north-to-south. This required the toilet block building to the north to be demolished first, to enable movement of materials, stowed cartage to nominated lay down areas.	N/A
Slate Roof	Disposed & Samples Taken	We understand the existing slate roofing has been disposed of. We would anticipate a re-build will require new slate roofing if the existing roofing is to be replicated.
Roof Framing	Catalogued & Retained where in good condition	Further investigation required to the condition and extent of roof framing however a re-build will require new structural roof framing
Roofing (Plumbing / Flashings / Awnings)	Uncatalogued & Retained where in good condition	Further investigation required to the parts salvaged. A re-build will require new roofing accessories if the existing roofing is to be replicated. We were advised on site that existing corrugated iron sheet roofing to the canopy was not able to be reclaimed.
Cornices, Ceiling Timber & Panelling	Disposed & Samples Taken	We understand the existing cornices at approx. 13.90 RL have been disposed of. We would anticipate a re-build will require cornices, panelling etc. to match existing
Walls & Doors	Catalogued & Retained where in good condition	Further investigation required to assess the condition of individual doors & walls. In the event of a re-build, we anticipate new doors & windows. Refer Wall Framing Section (2.2 & 2.3) for Walling/Cladding. We understand existing Windows & Doors have been retained as per Elevation 2 (A100) however further investigation will be required & any new doorways would be expected to be brought into compliance with relevant AS standards, including accessibility.
Walls & Doors (Non Original)	Disposed without samples	We understand the existing walls & doors (non-original) have been disposed
Sub Floor	Disposed without samples	We understand the existing sub-floor has been disposed. A new sub-floor would be required as part of a re-build.
Timber awnings	Catalogued & Retained where in good condition	We understand timber awnings have been retained where in good condition. Further investigations are required to

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		confirm condition and extent. Anticipated new timber awnings would be required to be constructed.
Steel Awning	Catalogued & Retained where in good condition. Where steel awning has been extended to roughly match the original while will only be retained if the welds can be practically cut	We understand steel awnings to the canopy roofing have been retained where in good condition. Further investigation is required to the extent and condition as these were likely base oxy-cut during dismantling. We understand that fascia & guttering has not been salvaged.
Chimney	Uncatalogued & Retained where in good condition. Bricks not cleaned	The work method statement lists that the chimneys were carefully demolished to ensure brickwork did not damage the space below. The Statement advises that the bricks were to be retained & palletised. Level Crossing Authority to advise on the location & condition of the chimney bricks.
Asbestos Removal		As discussed on Site, Level Crossing Victoria have a copy & are to provide City of Kingston with an Asbestos Certificate

2.2 Existing Proportions

Please refer attached Appendix A – Existing & Demolition Plan (A301)

We have prepared an accompanying drawing of the demolition floor plan (A301). We understand that only external walls were dismantled & are being stored. A measurement of the existing floor plan indicates the existing original building size of 95m² as indicated in blue on drawing A301. This figure excludes non-original parts that have not been salvaged such as the lockers room, WC room, control room, entry room & cleaners.

A measurement of the external wall measures a length of **57.2m**

Note – this is less than the measurement quoted on site of '30+15+15' (75m of length)

Of the 57.2m length of wall calculated that has been dismantled, we have been advised that approximately '30%' is suitable for retention.

This represents approximately 17m length of existing external wall structure suitable for re-use.

This is an estimate only & requires further analysis of building parts.

2.3 Technical opinion as to the existing structure to be retained

According to the work method statement, the dismantling process of the timber walls involved cutting the top plate to dis-assemble. The walls were then braced, and cut into small sections. All internal plasterboard wall lining was removed. The walls were to then be lifted and the bracing removed. Given the size of some panels, it was decided that the panel be split into sections (to be avoided if possible).

It is possible that existing structure can be retained/re-used however this process will be more expensive than a new-building reproduction of the original (Refer Cost Estimate). It will require an intensive approach including

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detailed sorting, identification & assessment of existing parts, engagement of a heritage architect, and a specialized contractor with experience in restoration of heritage buildings.



Above – Existing Columns & Metal Roof Sheeting Currently Stored

2.4 Technical opinion as to the existing cladding to be retained

The salvaging work method statement advised that all the weatherboard stops (corner details) were to be removed and any of the corner studs that support both walls to be isolated from the weatherboards. It is understood that while it was to be avoided, 'some cutting of the weatherboards may have been required'

As outlined, we have not observed the dismantling works, procedures, transportation or storage of the station building & we cannot verify the condition of the existing cladding. However, from the limited viewing of the stacked wall frames underneath the tarpaulin sheeting, and from discussions with the level crossing authority project manager, it is understood that '30%' of the existing wall framing & weatherboarding may be suitable for re-use.

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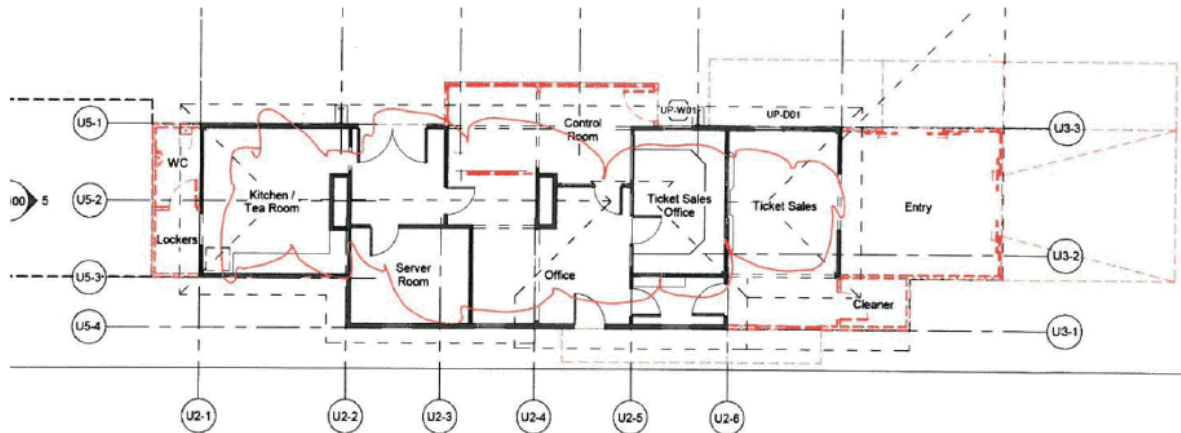
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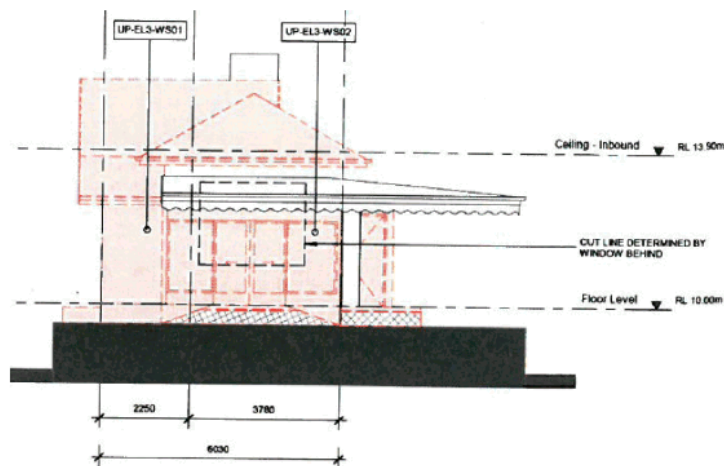
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Above - Up Building Demolition Plan (Not to Scale)

External Black Lines indicate walls that were to be demolished / stored for repurposing.



Above - Up Building Elevation 3 (Not to Scale)

External Black Lines indicate indicate Canopy Frame & Roofing to be retained.

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Above – Up Building Elevation 2 (Not to Scale)

Walls (not red) to be demounted / stored for repurposing.

3 Constraints

3.1 Technical opinion as to the building elements required for reconstruction and refurbishment retain building elements to current codes and legislation

A new building will be required to meet applicable BCA/NCC standards. This includes timber framing, insulation, glazing, accessibility etc. to applicable Australian standards etc.

It is possible that the existing wall framing that has been dismantled is non-compliant. A new designed & engineered superstructure would likely be required with salvaged wall framing used within a new structure.

All new sub-structure (flooring) would be required to be designed & constructed. As a re-use building it is anticipated for public function and therefore Accessible Access (AS1428.1) conformance is required.

New roof framing and roofing would be required to be designed & constructed. A new roof (tile slate) & corrugated sheeting to the canopy would be required. We note that the work method statement lists the previous roof being subject to fires

We understand that existing building services were removed as part of the demolition process. All new Electrical Mechanical & Hydraulic Services dependent on the function would be required.

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3.2 Technical opinion as to whether the structure will survive storage/transport (Including storage requirements to maintain over time the integrity of the existing materials)

It is understood that the main building elements that have been dismantled, stored & suitable for re-use are the wall sections. It has been communicated to us that these wall sections measure approximately 4.5m2 x 4.2m2. As per the works method plan, we understand that parts are being stored off the ground using timber however confirmation is required by Level Crossing Authority.

We expect that future transportation of the wall sections will require over-sized transportation method in the similar methodology to that when the building was dismantled (wall bracing, propping & tilt up panel loading). This will likely require a heavy ridged truck for the awning & wall components.

The stored materials have been stored in the open and mostly under plastic and the condition of the materials needs to be ascertained as well as the extent.

4 Conclusions & Recommendations

4.1 Estimate of total cost of reconstruction and refurbishment (acknowledging this is difficult as no end use identified yet for refurbishment)

The cost for reconstruction & refurbishment will be subject to the size, function & location. Therefore, it may be applicable an approximate \$/m2 cost applied to any estimate.

We have sought the opinion of a Quantity Surveyor as a guide.

Cost for constructing replica Station Building (not incorporating existing building parts) = \$4,500 m/2

Cost for a Modified Station Building (incorporating existing building parts) = \$6,500 m/2 (Excludes Storage & Transportation Costs)

In either procurement, we recommend the engagement of an experienced heritage Architect & heritage restoration contractor.

Please also refer Example 1 below for the Clayton Train Station project

4.2 Example 1 (Station Rebuild)

An example to consider is the re-build of Clayton Station (Details below) which was also part of the Victorian government level crossing removal projects. This offered an opportunity with respect to procurement through partnership with the TAFE / Education sector.

Note – We recommend seeking further information from Level Crossings Victoria whether the Clayton Station project is a reconstruction or a modified version, including details of the procurement & heritage controls.

A 128-year-old building from Clayton Station on the Cranbourne Dandenong line was relocated during the construction of the elevated rail line. It was restored by more than 200 students from Chisholm Institute of TAFE in partnership with Heritage Victoria and was later reinstated beside the new elevated station.

This project provided valuable experience for apprentice carpenters, builders and plumbers to work on a historic building and understand the difference between 19th century and modern building techniques.

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Historic photographs and detailed information are on display inside the building, highlighting the area's rich rail history.

Source - <https://levelcrossings.vic.gov.au/media/publications/protecting-heritage-features>



Above – Clayton Train Station Re-build

4.3 Example 2 (Recreation area or Parkland Shelter)

An example of a type of local structure that may be feasible is on the Hampton Foreshore (Intersection of Small Street & Beach Road). Community Function may include; picnic shelter, private functions such as weddings, covered exercise area, art exhibition(s), display, etc.

In a re-use, an open plan does not replicate the original function however because of the limited quantity of salvaged and re-usable materials it may be a consideration to maximize re-use by creating a smaller and different footprint.

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Above – Example of a shelter at Hampton Foreshore.

4.4 Recommendation

In summary, the proposed repurposing of Cheltenham Train Station (Up Building) is possible in various formats however further detailed investigation is required to ascertain the condition (and extent) of reclaimed building parts.

The configuration & layout of the existing floor plan (Kitchen/Team Room, Server Room, Office, Ticket Sales poses the question as to what function a future building may entail & whether the existing configuration be matched to suit a new purpose. For future-proofing purposes, it may be more appropriate to seek a smaller iteration of the original or an 'open-plan' solution to better utilize the existing frame / wall lining that is suitable for re-use.

We suspect the condition, combined with recent rains & poor storage method is contributing to further decay of the building elements. We recommend an enclosed undercover space be procured and an analysis of the building as a 'kit of parts' be undertaken to fully understand the real condition of the dismantled pieces.

Our site visit was limited to a visual inspection of the storage, and due to handling constraints, we were unable to view the condition of the building elements. Similarly, we are unable to establish the extent of the building that has been dismantled. It was discussed on site that only '30%' of the external wall had been dismantled suitable for re-use.

We have been advised that all internal walls have been demolished.

We measure from the existing drawing A100 provided that the external wall length to be dismantled measures approx. 57.2m². We have been advised that approximately '30%' is suitable for retention. This represents approximately 17m length of existing external wall structure suitable for re-use.

This is an estimate only & requires further analysis of building parts.

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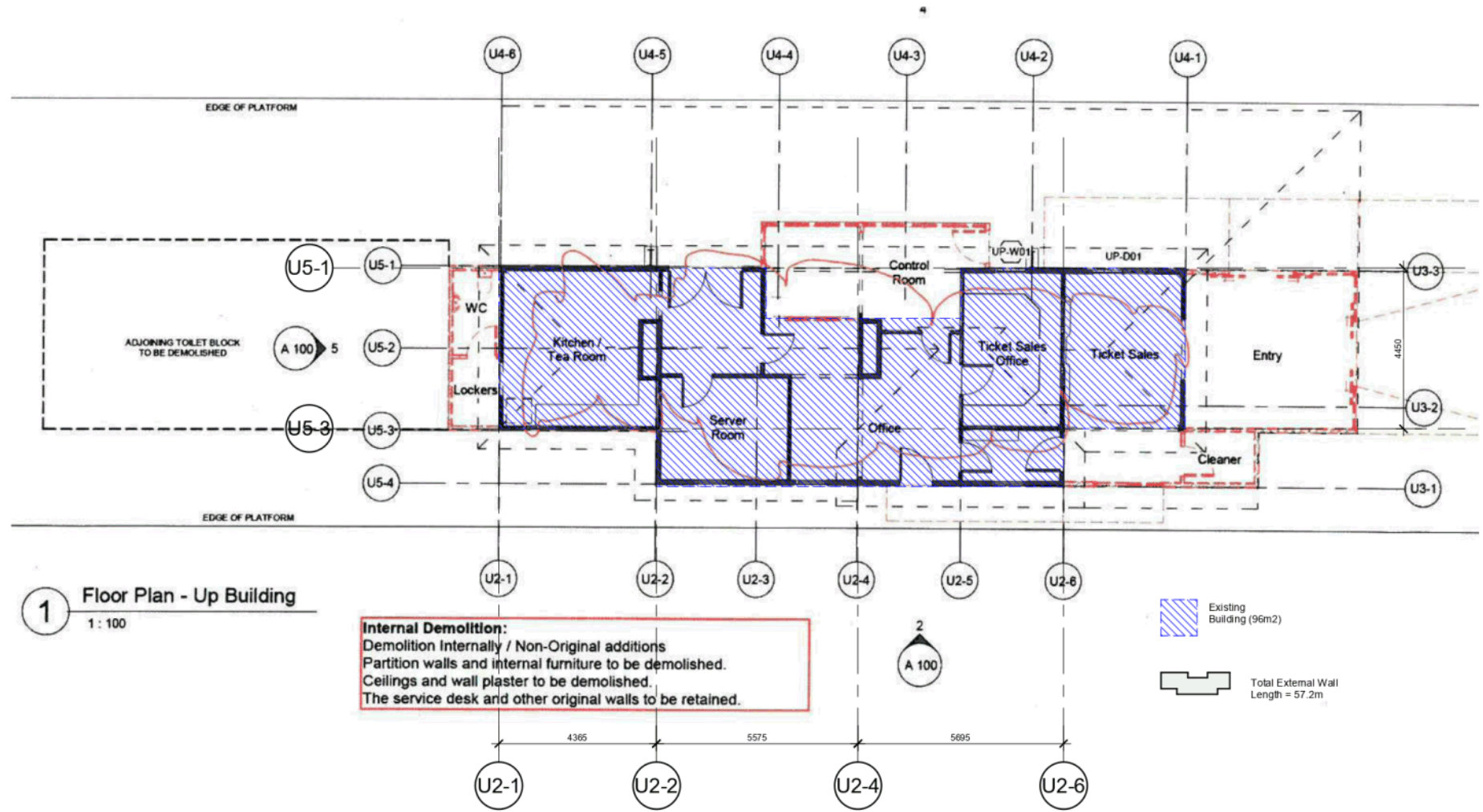
Project Cheltenham Railway Station
Issue B
Date Tuesday 9th February 2021

C.L.

It will be more expensive to reconstruct the building using existing parts salvaged than a replica reconstruction. There may be re-build options available with respect to partnerships with TAFE as demonstrated with the recent Clayton Train Station project. Another option may be to partner with local Mens Sheds or similar organisations.

5 Appendices

5.1 201201_A301 Existing & Demolition Plan Analysis [A3]



No.	Description	Date
A	Information - Client Issue	210209

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PROJECT
Cheltenham Station
CLIENT
Kingston City Council

PROJECT
210201
SCALE
1 : 100

DRAWING TITLE
Existing & Demolition Analysis
DRAWING
A301
REV
A

22 February 2021

Agenda Item No: 8.3

RESPONSE TO CLIMATE AND ECOLOGICAL EMERGENCY DECLARATION

Contact Officer: Susannah Kenny, Principal Environment Officer

Purpose of Report

The purpose of this report is to present the draft Climate and Ecological Emergency Response Plan (CEERP) for Council endorsement for the purpose of formal community consultation commencing March 2021.

The draft Climate and Ecological Emergency Response Plan has been prepared in response to Notice of Motion No. 2/2020 Declaring a Climate and Ecological Emergency

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That:

1. Council endorse the draft Climate and Ecological Emergency Response Plan for the purpose of community consultation.
2. A further report be presented to Council at the conclusion of the community consultation period.

1. Executive Summary

Kingston's draft Climate and Ecological Emergency Response Plan (Appendix 1) seeks to establish Council's approach in response to the Notice of Motion No. 2/2020 Declaring a Climate and Ecological Emergency.

Results of the consultant analysis commissioned by Council show that Council emissions represent only 1% of the municipality's total emissions. Council has been able to reduce its organisational emissions by nearly 30% since 2018, however, community emissions have only fallen 3% since during that timeframe. The suggested approach refocuses our efforts on the Kingston community, while continuing to demonstrate leadership in our own operations.

The draft CEERP establishes targets of net zero emissions by 2025 for Kingston's own operations, and a 40% reduction by 2025 for the community, ultimately aiming for net zero by 2030.

This is a similar target to those being considered by other councils but is ambitious and cannot be achieved by Council actions alone. The results of evidence-based research undertaken by Council's consultants outline a series of actions that will achieve reductions of 2.5 million tCO₂e up to 2030. This represents just 10% of municipal emissions. The plan acknowledges that 'business as usual' is no longer acceptable and that transformational change is required in order to achieve this ambitious community target.

The estimated cost of actions detailed in the plan is approximately \$3.5M, which provides a useful measure of the cost of emissions reduction in Kingston. This roughly equates to \$500K per year for the next 7 years. In support of our declaration of Climate & Ecological Emergency, high priority actions (those with the highest emission abatement potential) will commence in the next 12 months; medium priority actions by 2023 and low priority actions by 2025.

Kingston's linear emissions reduction trajectory to meet our science-derived target is very steep. Whilst 2.5 million tCO₂e is significant, it represents only a small percent of the total emission reductions required. It demonstrates the need for a "whole of community effort" if we are to meet our science-derived target of limiting temperature increases to 1.5°C above pre-industrial levels.

Three main goals and a number of targets and action areas are proposed in the draft CEERP. Whilst Kingston managers have been engaged throughout development of the priority actions in the draft plan it is acknowledged that more work is required to develop detailed programs of work and understand the resource requirements. Next steps will involve engagement with internal and external stakeholders to develop Council actions that are scalable, robust and cost effective. Priority actions will then be subject to a process of detailed design to ensure specific barriers are addressed.

The gap between what can be achieved through the proposed actions and what needs to be achieved in order to meet the science-derived target is large. The responsibility for emissions reduction in line with our science-derived target should be shared with the community, particularly those sectors with significant emission sources.

Taking into account the outcomes of community consultation, it is proposed that a separate detailed implementation plan quantifying officer resources, consultant work and cost of programs be presented alongside the final draft of the CEERP. To achieve the proposed target it is anticipated that a majority of the budget would need to be allocated towards officer resources situated in different departments as relevant. Whilst there is significant cost associated with responding to the Notice of Motion, without this investment, emissions reductions will not be achieved reflective of an emergency response.

The purpose of this report is therefore to present the draft Climate and Ecological Emergency Response Plan (Appendix 1) to Councillors for endorsement to proceed to formal community consultation commencing March 2021.

2. Background

At its January 2020 Ordinary Council Meeting, Kingston joined with 85 local councils across Australia (now 97) and resolved to declare a Climate and Ecological Emergency. The declaration of a Climate and Ecological Emergency calls for immediate action to initiate a society wide mobilisation at sufficient scale and size to protect civilisation and to restore a safe climate.

In March 2020, a report was provided to Council which responded to the 12 points of the Notice of Motion. In April 2020, the new Local Government Act came into effect which lists *“the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks”* as an Overarching Governance Principle.

In April 2020, officers started working with consulting firm Ironbark Sustainability and six other councils from the South East Councils Climate Change Alliance (SECCCA) on a regional approach to community emission reductions. In accordance with the Notice of Motion, Council employed a Climate & Ecological Emergency Response Officer in July and development of the draft response plan commenced.

In October 2020, an emissions reduction workshop occurred involving all relevant Kingston managers which reviewed a “portfolio” of interventions that had the most cost-effective impact on emissions reduction. In December 2020, new Councillors were provided background on Kingston’s climate action to date and our proposed approach to climate and ecological emergency response. On 17th December, Councillors were provided with more detail of Kingston’s climate and ecological emergency response via a verbal briefing as part of the Councillor induction process.

Council endorsed the updated Ecologically Sustainable Design policy for Community Buildings in January 2021. This policy articulates Council's objective of a zero carbon building stock and a transition away from gas.

As noted above, the new Local Government Act came into effect in April 2020. There is now an expectation that climate change will be a consideration in all Council decision making. In response to this officers have consulted with key departments on whether the United Nation’s Sustainable Development Goals (SDGs) represent a good framework through which climate action alongside other council priorities can be viewed during business planning and Council decision making. An action to consider use of the SDGs as a framework within Council is now included in the draft plan, noting this would require further exploration.

3. Discussion

Kingston has a long history of responding to climate change. Council’s initial target of a 30% reduction in corporate emissions by 2020 has almost been achieved and our community has reduced emissions by approximately 3% since 2018.

Whilst there is no definitive guide, an accepted approach to ‘best practice’ climate emergency response is emerging across the sector. The overarching principle is that Business as Usual is no longer acceptable and there is now a focus on sharing the responsibility for emissions reduction in line with our science-derived target with the community, particularly those with significant emission sources.

Our emissions profile for 2018/19 tells us the majority of emissions are from industrial electricity use which coupled with gas is responsible for 39% of the Municipality’s emissions. The next biggest segment is on road transport responsible for 21% (Figure 1).

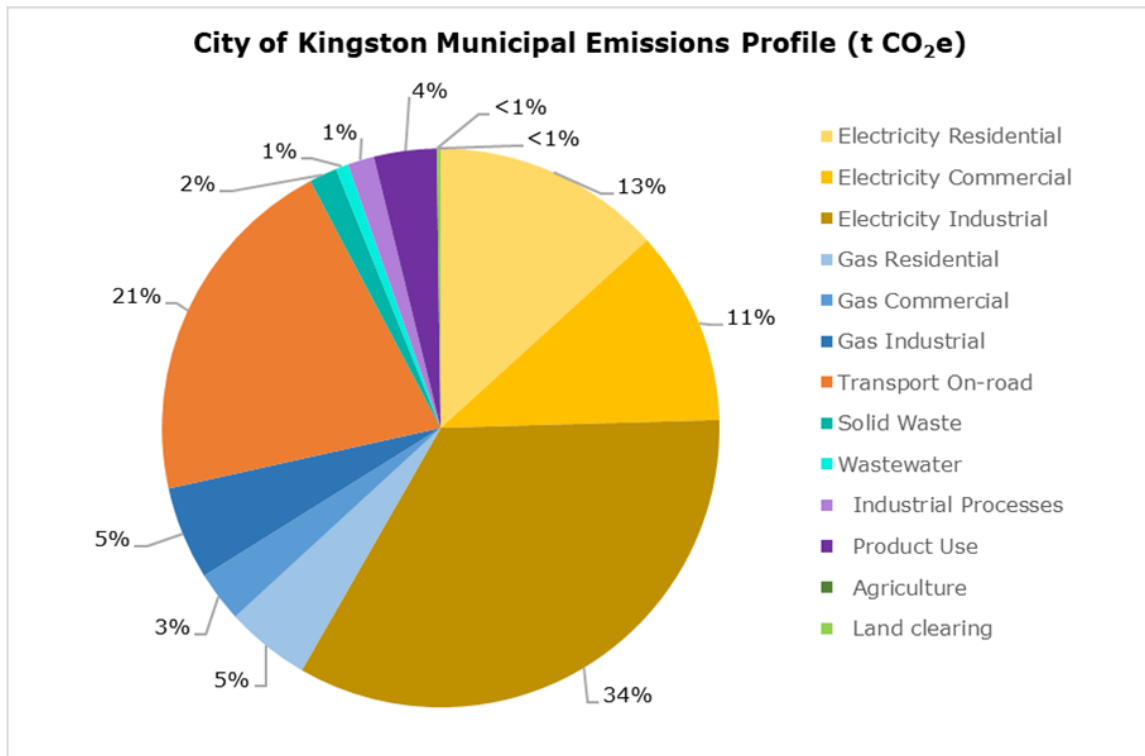


Figure 1: City of Kingston Municipal Emissions Profile

It is important to keep in mind that Council emissions contribute just 1% of Kingston's total emissions, so the focus of our climate and ecological emergency response is intentionally focused towards the community. The proposed aim of our response plan is therefore to:

"Leverage Council resources and spheres of influence to facilitate the scope and scale of emissions reduction within the community needed to bring about meaningful change".

3.1 Evidence based

Earlier this year Kingston worked with consultant firm Ironbark Sustainability and six other SECCCA councils on a regional approach to community emission reductions.

Results of the consultant analysis show the total potential impact for the interventions proposed is 2.5 million tCO₂e up to 2030.

While this is significant, it represents only a small percent of the emission reductions required across the region (Figure 2). And demonstrates the requirement for "whole of community effort" if we are to meet our science-derived target of limiting temperature increases to 1.5°C above pre-industrial levels.

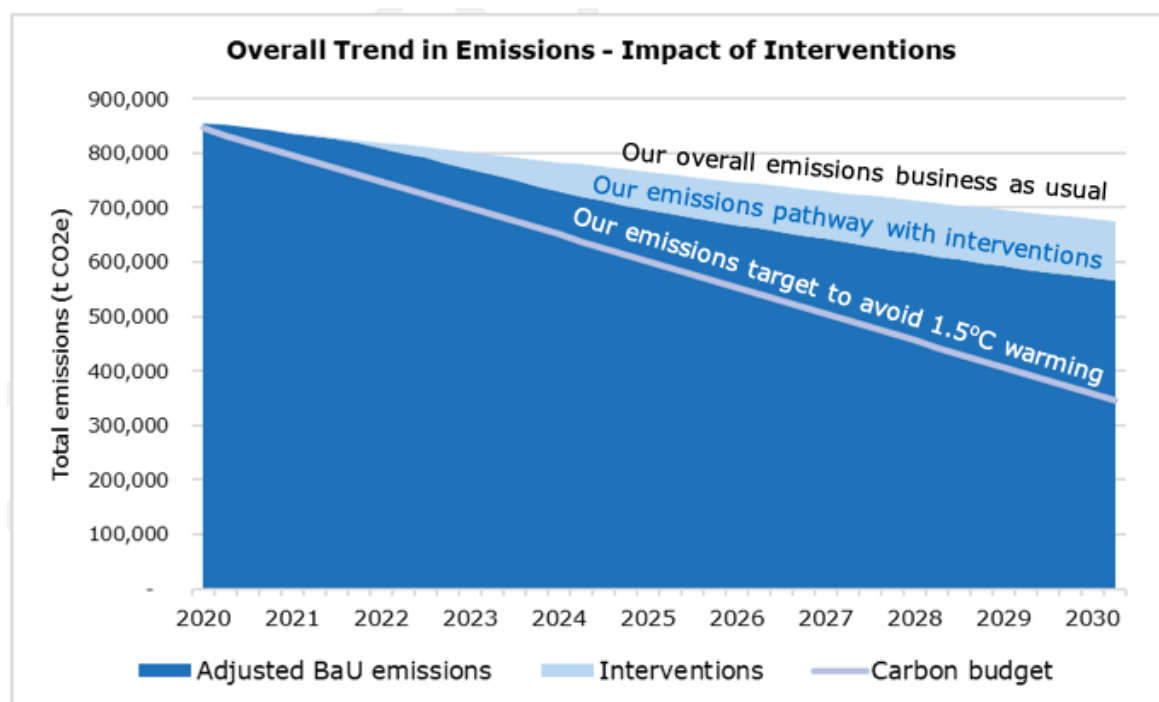


Figure 2: Overall trend in emissions and the impact of proposed interventions

3.2 Goals and targets

There are three main goals and a number of targets proposed in the draft plan:

- **Reduce sources of emissions in line with our science-derived target**
 - Support the community to reduce emissions by 40% by 2025 and achieve net zero by 2030 – identified priority actions will help achieve 10% reduction.
 - Reduce Council's corporate emissions to achieve net zero by 2025
 - Expand waste services to further reduce waste to landfill and increase organic waste collection
 - Improve sustainable building design
 - Support low emission transport
- **Support sinks that reduce emissions and absorb carbon simultaneously**
 - Offset residual Council corporate emissions
 - Encourage the community to offset
 - Grow our Urban Forest
 - Investigate opportunities to draw down or sequester greenhouse gas emissions
- **Involve and benefit communities**
 - Campaign alongside other local councils, partners and the community to drive advocacy outcomes
 - Prepare for the impacts of climate change
 - Address climate change risks in Council's Municipal Health and Wellbeing Plan

3.3 Priority areas and actions

The response plan sets out six priority areas and a range of potential actions:

Priority Area 1: Support low carbon living

Abatement potential: 850K tCO₂e

Approximate cost: \$1M

- Low emission buildings through design – regulation and incentives
- Solar for renters
- Energy efficient retrofits for homes (including social housing)
- Deliver low emission roads

Priority Area 2: Future proof business and industry

Abatement potential: 900K tCO₂e

Approximate cost: \$600K

- Transition industry towards more energy efficient technology and away from gas as an energy source
- Electrify industry from renewable sources

Priority Area 3: Transition to Sustainable Transport

Abatement potential: 1M tCO₂e

Approximate cost: \$2M

- Expand the electric vehicle charging network
- Increase adoption of EVs
- Promote car share schemes
- Promote active transport (walking and cycling)
- Deliver low emission roads

For the three remaining priority areas, the abatement potential is unknown but it is understood that they are either a) pivotal for supporting delivery of the modelled actions (the three priority areas above), or b) understood to be a minimum expectation of the community.

Priority Area 4: Transform Council Operations

- Increase accountability for climate action and community emission reductions and include Climate Emergency Key Performance Indicators for the Leadership Team
- Strengthen governance and complete a gaps and opportunities assessment of Council's existing policies, strategies and action plans
- Embed economic development that is environmentally sustainable
- Finalise Kingston's Zero Waste Strategy
- Develop and implement training for staff focussed on Council's response to the climate and ecological emergency and their role
- Collaborate with Traditional Owners on Council's climate and ecological emergency response.
- Develop and implement Council's advocacy priorities to address the climate and ecological emergency via an endorsed Council position
- Continue climate action already in progress across a range of Council programs

Priority Area 5: Draw Down or Capture Carbon from the Atmosphere

- Scope, commission, finalise and implement Council's Urban Forest Strategy
- Offset residual Council emissions (gas supplied sites, Council fleet, contractor vehicle emissions, waste, corporate travel, etc) via Climate Active (formerly the National Carbon Offset Scheme (NCOS))
- Investigate opportunities to collaborate with other councils to support projects which remove / sequester carbon from the atmosphere

Priority Area 6: Adapt to the Impacts of Climate Change

- Develop and deliver a Climate Adaptation Plan
- Develop and deliver a Municipal Health and Wellbeing Plan which includes climate change considerations

3.4 Consultation/Internal Review

How the above will be achieved has been the subject of conversations across Council Departments which have sought to:

- Explain the scope and scale of emissions reduction required in order to meet our science-derived target.
- Benchmark Kingston's response against other, similar councils.
- Carefully consider the organisational impacts of suggested changes to business as usual.
- Agree next steps.

An internal emissions reduction workshop was held on 28 October facilitated by Ironbark Sustainability so that managers and key staff could review suggested community interventions. Feedback from managers has been positive but they have maintained that whilst they *agree* with the response plan "an implementation plan for priority actions needs to be developed and agreed to".

Next steps, as detailed in the draft plan "...will involve engagement with specific stakeholders to ensure the Council actions are scalable, robust and cost effective. Council action will then be subject to a process of detailed design to ensure specific barriers are addressed".

3.5 Benchmarking

Since January, the number of Australian local governments which have organised around the current climate emergency has risen to 97 representing more than 9.9 million Australians. Across Melbourne's south east, eight of the nine SECCCA councils have declared climate emergencies. A summary of climate emergency commitments is provided below:

- Bayside and Yarra City Councils are already carbon neutral (net zero council emissions) and Glen Eira, Stonnington and City of Greater Dandenong are committed to net zero emissions for council operations by 2025 (via offsetting). Mornington Peninsula Shire will achieve this by 2021.
- Bass Coast, Glen Eira and Stonnington City Councils are committed to zero net community emissions by 2030, City of Greater Dandenong and Mornington Peninsula Shire by 2040 and Yarra City Council, as soon as possible.
- Bass Coast, Bayside, Yarra & Stonnington City Councils are committed to 100% renewable energy across council operations and 'getting off gas' by 2030. Mornington Peninsula Shire will achieve this by 2023. City of Greater Dandenong is committed to 100% renewable energy for council by 2025.
- Bass Coast, Bayside, Yarra & Stonnington City Councils are committed to transitioning all their fleet to electric vehicles powered by renewable energy by 2025, Mornington Peninsula Shire will achieve this by 2030 and Yarra City Council, as soon as possible.

- Yarra City Council has committed to 100% renewable electricity for their community by 2030, to the introduction of zero carbon standards for new commercial and residential developments, and to working with other government partners to amend the planning scheme. Similarly, Bayside, is committed to the adoption of a local Environmentally Sustainable Development (ESD) Planning Policy by June 2022 and to building evidence for inclusion of clauses in response to the Climate Emergency in the local ESD Planning Policy Framework by June 2025. Bayside is also actively seeking opportunities to pilot a 'zero carbon' development. City of Greater Dandenong is committed to supporting collaborative projects that aim to raise ESD standards and supporting Moreland Council's *Towards Zero Carbon in the Planning Scheme* project.
- On waste, Yarra City Council has committed to:
 - Diverting 80% of waste from landfill by 2030, with an interim target of 72% reduction by 2025.
 - Halving the volume of organic material going to landfill between 2020 and 2030, with an interim target of 20% reduction by 2025.
 - Phasing out single use plastics across Council's operations and further engaging the community to reduce plastics.

3.6 Issues

3.6.1 Cost

It is now understood, that through the priority Council actions identified, Kingston has the capacity to achieve a reduction in municipal emissions of around 2.5 million tCO₂e to 2030. The expected cost is around \$3.5 million (minimum) equating to approx. \$1.44/tonne CO₂e. In order to have an impact by 2030, it is proposed that these funds be invested over the next seven years (approx. \$500K per year for 7 years).

It is noted that for many programs a lower budget allocation is possible, but will result in lower emissions savings.

The majority of expenditure is Operational and likely to be allocated to the creation of new officer roles required to deliver the actions contained in the plan. Capital expenditure *not* included in the Ironbark calculations is provided below:

- Building low emission infrastructure (roads and footpaths)
- Installing cycling infrastructure (new bike lanes)
- Delivering on action in Kingston's Zero Waste Strategy
- Climate action already in progress across a range of Council programs
- Draw down or capture carbon from the atmosphere
- Climate change adaptation

The work being undertaken assumes low emission infrastructure is likely to reach cost parity with current capital costs in the near future

Ongoing monitoring, evaluation and reporting of project outcomes has also not been budgeted.

3.6.2 Community expectations

It has been established that there is currently no definitive framework for Council to enact a climate emergency declaration. But there is an accepted approach to 'best practice' climate emergency response emerging across the sector. This has been informed by existing plans from around the world and a published analysis of their effectiveness.

The overarching principle is that Business as Usual is no longer acceptable and the response plan seeks to establish a course of action that will transform Council operations in a way that responds holistically to the climate emergency. Council action will result in emissions reductions across the municipality of approximately 10% by 2030.

It is obvious that the gap between what can be achieved through the proposed actions and what needs to be achieved in order to meet the science-derived target is large. And the responsibility for emissions reduction in line with our science-derived target must be shared with the community, particularly those sectors with significant emission sources.

3.6.3 Timeframes

Whilst the impact of Council action has been modelled to 2030, it is assumed that actions will have rolling commencement dates from 2021 and a duration of 3-4 years depending on the project type. In support of our declaration of climate and ecological emergency, high priority actions (those with the highest emission abatement potential) will commence in the next 12 months; medium priority actions by 2023 and low priority actions by 2025.

These timeframes are relatively short given the scope and scale of the actions detailed in the plan and unless the response plan is appropriately funded and resourced the emissions abatement potential will not be realised.

4. Conclusion

Kingston's linear emissions reduction trajectory to meet our science-derived target is very steep. Since 2018, the Municipality's emissions have decreased by approximately 3%. At this pace, Kingston would wildly overshoot the science-derived target and our contribution to limiting global temperatures to 1.5°C above pre-industrial levels would not be met. Whilst understanding the necessity of meeting this target, it is also important to understand Council's level of accountability. Reducing municipal greenhouse gas emissions is a whole of community effort and by working with representative organisations, the state and federal government and other councils in the SECCCA region, Kingston has an opportunity to leverage Council resources more effectively. The draft Plan attached to this report details Council's proposed approach.

4.1 Environmental Implications

Atmospheric concentrations of carbon dioxide are now more than 40% higher than they were before industrialisation. In the Greater Melbourne region, the rate of warming has increased since 1960. Rainfall has declined since the 1950s, especially in autumn. The sea level today in the Melbourne region is approximately 225 mm higher than in 1880.

In 2019/20 Australia experienced an unprecedented fire season. Estimates of the national financial impacts are over \$10 billion.

The global community is on track to reach 2°C of global warming before 2050. We're already experiencing the impacts of a 1.4°C increase. Between 1.5°C and 2°C, a non-linear, irreversible, self-sustaining warming may be triggered.

Kingston's Climate & Ecological Response Plan is a direct response to these and other predicted impacts.

4.2 Social Implications

The effects of climate change also present substantial risks to our health and wellbeing, economy and society. These impacts are likely to include loss of life, physical and mental health impacts, reduced primary production, property damage, coastal inundation and loss of power, disruption of transport and communications infrastructure.

It is recognised that any major transition needs to occur in a fair and socially equitable way. The most vulnerable people have typically made the least contribution to the problem and often have less capacity to respond and cope with the impacts. A just transition, ensuring our most vulnerable community members are not disadvantaged is a priority of the plan.

4.3 Financial Implications

As described above, the expected cost of the modelled actions is around \$3.5 million (minimum) with programs to be implemented over the next seven or so years (approx. \$1.44/tonne CO₂e). Whilst a significant financial cost, for comparison, the cost of medium tier offsets is approximately \$10/ tonne CO₂e excluding certification fees.

The cost of inaction is significant. Deloitte Access Economics found that failure to keep global temperatures below 1.5°C by 2050 could shrink the Australian economy by 6%, remove 880,000 jobs from the economy and lose \$3.4 trillion in economic opportunity (*Deloitte Access Economics, 2020, A new choice: Australia's climate for growth*).

4.4 Legal / Risk Implications

In April 2020, the new Local Government Act came into effect which lists *"the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks"* as an Overarching Governance Principle. There is now an expectation that climate change will be considered in all Council decision making.

Local councils are now under increasing pressure to disclose their exposure to climate-related risks and articulate their strategies to ensure resilience in a net zero carbon world.


Our draft response plan includes a recommendation to include climate action in Council's risk management framework.

4.5 Resource Implications

Whilst more work is required to develop detailed programs of work and understand the resource requirements it is anticipated that new positions will need to be created to implement the priority actions. Roles are likely to be required across Planning, Economic Development (Business Directions), Traffic & Transport and Social Development. These operational expenses are accounted for in the \$3.5M cost of the program over seven years.

A more detailed scoping of PD's, work programs, consultant engagements and necessary community interventions comprising the proposed budget allocation is proposed to be undertaken prior to Council's adoption of the final CEERP. This would ensure that resourcing and budget is reflective of any changes made to the target or proposed actions as an outcome of Council or community feedback received. Whilst only an estimate at this time, it was considered important Council has an awareness of the significant cost implication associated with responding to the Notice of Motion.

Appendices

Appendix 1 - Climate and Ecological Emergency Response Plan CEERP draft (Ref 20/255796)  [↓](#)

Appendix 2 - Ironbark Technical Report v2 (Ref 20/299534)  [↓](#)

Author/s: Susannah Kenny, Principal Environment Officer
Reviewed and Approved By: Helen Scott, Principal Environment Officer
Paul Marsden, Manager City Strategy
Jonathan Guttmann, General Manager Planning and Development

8.3

RESPONSE TO CLIMATE AND ECOLOGICAL EMERGENCY DECLARATION

1	Climate and Ecological Emergency Response Plan CEERP draft	67
2	Ironbark Technical Report v2	95



FEBRUARY 2021

CLIMATE & ECOLOGICAL
EMERGENCY RESPONSE PLAN
DRAFT



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Other Acknowledgements

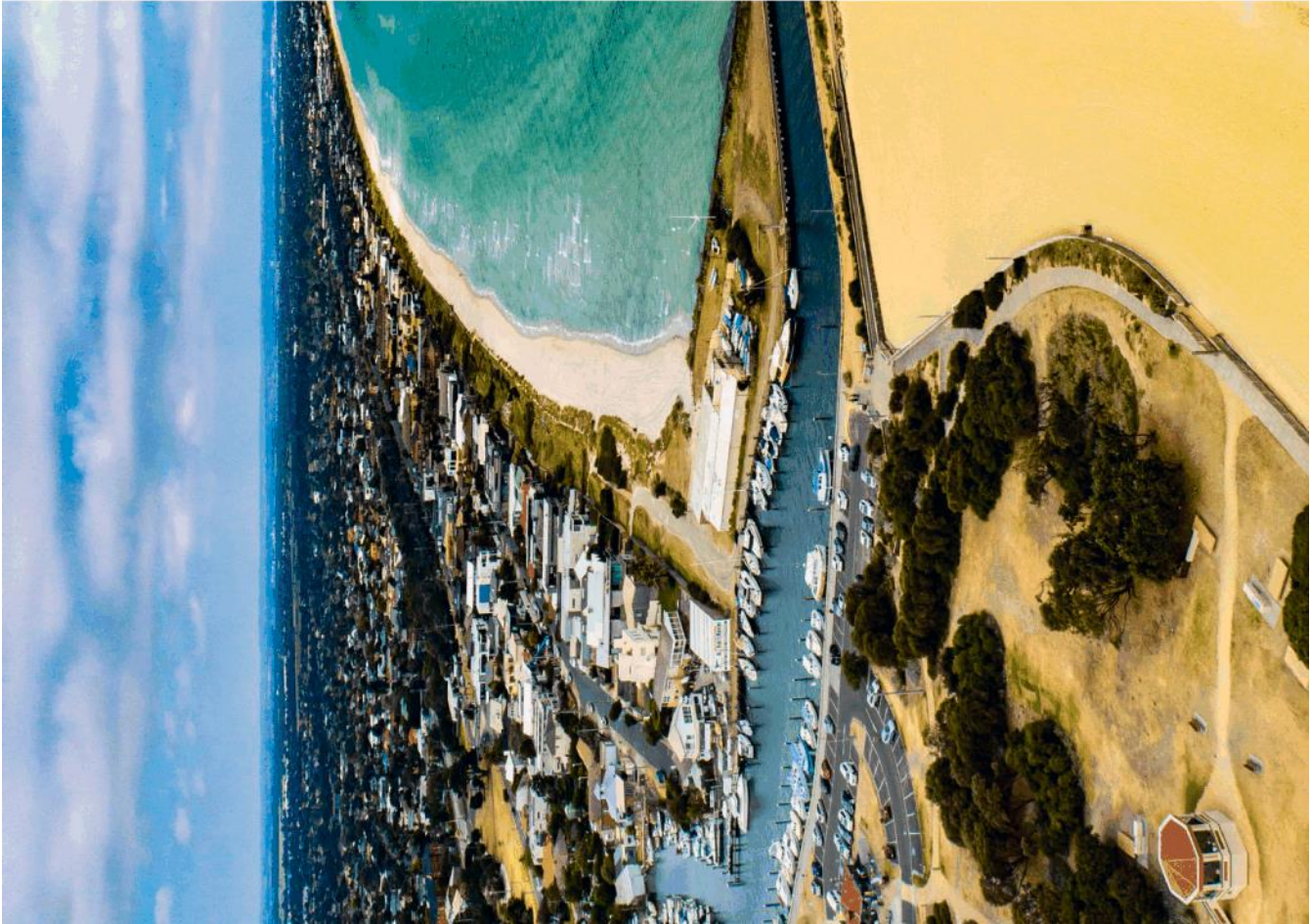
During an emergency there is no time to reinvent the wheel and this plan has drawn on the content of existing emergency response plans from Melbourne and around the world. I would like to thank the other SECCCA councils; Bayside, and Frankston City Councils, Bass Coast, Mornington Peninsula and Cardinia Shires and the Cities of Greater Dandenong, Port Phillip and Casey for their generosity – sharing their time, expertise and the content of their plans. Also, the Yarra, Maribyrnong and Stonnington city councils and Brighton & Hove (in the UK). I would especially like to acknowledge Kathryn Davidson and her colleagues for their careful examination of the attributes of successful climate emergency response and the work of the Northern Alliance for Greenhouse Action (NAGA) for their resources.

Acknowledgment of Country

Kingston City Council acknowledges the Traditional and custodians of the land that Council and our community is on. We pay our respects to Indigenous Elders past, present and emerging.

As we strive to work towards a climate-just world, we acknowledge there is no climate justice without First Nations justice. We recognise that the knowledge and wisdom of Country has always been here, and it is our vital responsibility to listen, learn and stand in solidarity.

Council will seek to collaborate with Traditional Owners on our climate and ecological emergency response and integrate actions into Council's Reconciliation Action Plan.



Summary

Council plays an important leadership role within the City of Kingston, supporting local action and influencing the transition to a more sustainable future, but we need to do more.

While Council has been working for some time to reduce its own emissions and support the community to live more sustainably, it is time to accelerate our emissions reductions, strengthen protection of our natural environment and ramp up the ways we support our community.

Council's climate and ecological emergency response will support community and economic recovery efforts following the COVID-19 pandemic. A return to 'business-as-usual' is no longer an option and a focus on 'building back better' will support climate action and help build a stronger and more connected community and a more resilient local economy. Industry, business, representative organisations, community groups, households, individuals and Council have already taken steps to reduce emissions. Despite this, we are amongst the highest greenhouse gas emitters per capita in the world. We have a strong foundation from which to scale up our collective action to achieve net zero by 2030, but the magnitude of change is huge.

Council now has a clear vision. We understand where and how we need to accelerate and support existing work to respond to the Climate Emergency, and what we can do to facilitate the scope and scale of reduction within the community needed to bring about meaningful change.

We know we need to target certain industries, grow our capability and capacity to lead effective and sustained climate programs and advocacy and that barriers to change need to be removed.

Council's climate and ecological emergency response will focus on the following priority areas:

- Support low carbon living
- Future proof business and industry
- Transition to sustainable transport
- Draw down or capture carbon from the atmosphere
- Adapt to the impacts of climate change
- Transform Council operations

Everyone needs to consider their impact, how they can reduce carbon emissions, protect the natural environment and also adapt to the impacts of climate change.

1.

Declaring a Climate & Ecological Emergency

1.1 CLIMATE IMPACTS

Over the past 100 years, global surface air temperatures have risen by almost 1.4°C¹ and 2019 was Australia's hottest year on record.

Both the atmosphere and the oceans have warmed. Human activity is causing climate change through the release of greenhouse gases from the burning of fossil fuels, land use change and agriculture. Atmospheric concentrations of carbon dioxide are now more than 40% higher than they were before industrialisation. In the Greater Melbourne region, the rate of warming has increased since 1960. Rainfall has declined since the 1950s, especially in autumn. The sea level today in the Melbourne region is approximately 225 mm higher than in 1880².

Climate change is not just an environmental problem. The effects of climate change present substantial risks to our health and wellbeing, economy and society. These impacts are likely to include loss of life, physical and mental health impacts, reduced primary production, property damage, coastal inundation and loss of power, disruption of transport and communications infrastructure. There will also be significant adverse impacts on biodiversity, habitat, health of ecosystems and significant changes to our waterways³.

Climate change is already resulting in very real impacts for Kingston.

At a local level, the effects of climate change are already being felt with an increase in hot days and heatwave events, more intense rain and flooding and storm surge and sea-level rise. The City of Kingston manages 13km of low-lying foreshore that is increasingly vulnerable to sea-level rise. There is development pressure for tourism, recreation, residential and commercial uses both on and adjacent to the foreshore. The impacts of climate change are likely to reshape the Bay. Sea-level rise, combined with wave action and storm surges will alter sand movements and increase erosion rates. Combined with population pressures, catchment degradation and ageing infrastructure the impacts on our coastline will escalate in coming years.

Increased flooding as a result of major storm events also poses a significant risk to Kingston with the projection of more intense rain events and flooding. This poses a risk to Council infrastructure, private and business assets and community health and safety. The frequency and severity of heatwaves is anticipated to increase, posing a serious threat to vulnerable members of our community including the elderly and those on low incomes. Coupled with rising electricity and gas prices it is expected that this will have a significant impact on the ability for some members of our community to heat and cool their properties.

And these changes are escalating

In January 2020, Kingston joined with 85 local councils across Australia and resolved to declare a Climate & Ecological Emergency. A copy of the January Council resolution is [available here](#).

The Council resolution was the result of two community petitions. This followed a truly unprecedented fire season in 2019/20 where it is reported that⁴:

- More than 24 million hectares or 20% of the total area covered by Australian forests – excluding Tasmania – was burnt. This figure contrasts dramatically with the proportion of forest burnt in any season on any other continent in that time frame, which for most continents and forest types was 4–5%.
- 33 people died and extensive smoke coverage across much of eastern Australia may be responsible for many more deaths and chronic illness.
- Over 3,000 homes were destroyed.
- Estimates of the national financial impacts are over \$10 billion.
- Nearly three billion animals were killed or displaced and many threatened species and other ecological communities, were extensively harmed.

There is also compelling evidence that natural disasters give rise to increased rates of stress, depression, anxiety, post-traumatic stress disorder (PTSD), alcohol and substance abuse, aggression and violence, suicide, and exacerbation of other underlying mental health problems⁵.

Predictions are dire.

The global community is on track to reach 2°C of global warming before 2050. We're already experiencing the impacts of a 1.4°C increase. Between 1.5°C and 2°C, a non-linear, irreversible, self-sustaining warming may be triggered⁶.

This action plan is a direct response to these and other predicted impacts.

The global community is on track to reach 2°C of global warming before 2050...



Maximum and minimum daily temperatures will continue to increase over this century (very high confidence).



By the 2030s, increases in daily maximum temperature of 0.8 - 1.6°C (Since the '90s) are expected.



Rainfall will continue to be very variable over time, but over the long term it is expected to continue to decline in winter and spring (medium to high confidence) and autumn (low to medium confidence), but with some chance of little change.



Extreme rainfall events are expected to become more intense on average through the century (high confidence) but remain highly variable in space and time.



By the 2050s, the climate of Melbourne could be more like the current climate of Warraratta.

Source: Kingston's Climate Change Strategy, 2018-2025



1.2 STRONG FOUNDATIONS

Kingston has a long history of responding to climate change. The Energy Efficiency Strategy 2012-2017 focussed on reducing Council's own energy use. Kingston's Climate Change Strategy 2018-2025 set a clear framework to guide Council and the community towards reduced energy use and carbon emissions and adaptation to climate change. Council's initial target of a 30% reduction in corporate emissions by 2020 has almost been achieved.

But it's not enough.

1.3 TRANSFORMATIONAL

We recognise that transformational change is needed to rapidly reduce carbon emissions and draw down emissions from the atmosphere in order to restore a safe climate. This change must occur across society and the economy. It requires large-scale action across all levels of government, businesses and the community to both cut carbon emissions and adapt to living on a hotter planet.

Our plan leverages Council resources and spheres of influence to support and accelerate our community response to the Climate Emergency and remove barriers to change.

Community focussed action will continue and it will be evidence based (see Section 5). In addition, Council's target of a 20% reduction by 2025 has been increased to 40%.

Our ultimate target is net zero community emissions by 2030.

Our plan has a strong advocacy component and there is also an emphasis on monitoring and reporting. This will create opportunities to learn from real projects on the ground, to adjust our response and to share these learnings both internally and with other councils to ensure future project outcomes are not missed.

1.4 EQUITABLE

Council recognises that any major transition needs to occur in a fair and socially equitable way. The most vulnerable people have typically made the least contribution to the problem and often have less capacity to respond and cope with the impacts. A just transition, ensuring our most vulnerable community members are not disadvantaged is a priority of the plan.

1.5 IMPLICATIONS OF THE PANDEMIC

Building back better.

It is now accepted that pandemic recovery represents a unique opportunity to address the threats of climate change. Each of the priority areas in our action plan presents opportunities to build back better, support pathways to employment for young people, modernise manufacturing, support local food and beverage production, and generate commercial and professional service opportunities in the industries of the future. These will be identified throughout the plan.

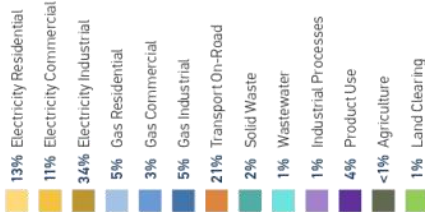
2. Kingston's Greenhouse Gas Emissions Profile

Kingston's Scope 1 and 2 emissions in the 2018/19 Financial Year were 2,625,000 tCO₂e across a range of sources. The largest source of emissions is electricity use in the industrial sector, which coupled with gas is responsible for 39% of the municipality's total emissions. The proportion of industrial electricity emissions is notably higher than for the region as a whole. On road transport is responsible for 21%. Residential and commercial energy use is also substantial, contributing 18% and 14% respectively. Product use and water and solid waste disposal are just 4% and 3% (Figure 1).

Scope 3 (supply chain or other out-of-boundary) emissions are not included in the emission profile boundary as they are generated outside the municipality and will be 'counted' as part of another city's scope. Whilst 'counted' elsewhere, Council recognises its role as a source of demand, and supply chain emissions will be a focus of our climate and ecological emergency response through a range of actions.

Also, due to insufficient data available, emissions could not be calculated for Moorabbin Airport. Whilst work in other jurisdictions has indicated that air travel emissions are relatively low, Kingston will continue to collaborate with Moorabbin Airport Corporation as part of our climate and ecological emergency response.

Figure 1.
Emissions within the Kingston Municipality



Source: City of Kingston Opportunities Report 2021, Ironbank Sustainability



3. Kingston's Science-derived Target

Since the adoption of the Paris Climate Agreement, there have been ongoing discussions in scientific communities and the climate sector to determine whether the over-arching targets are strong enough to maximise the chance of avoiding catastrophic climate change. While these issues will continue to be discussed, it is clear that the central aim of the Paris Agreement is to limit the increase in the global average temperature to well below 2°C above pre-industrial levels and pursue efforts to limit the temperature increase to 1.5°C above pre-industrial levels.

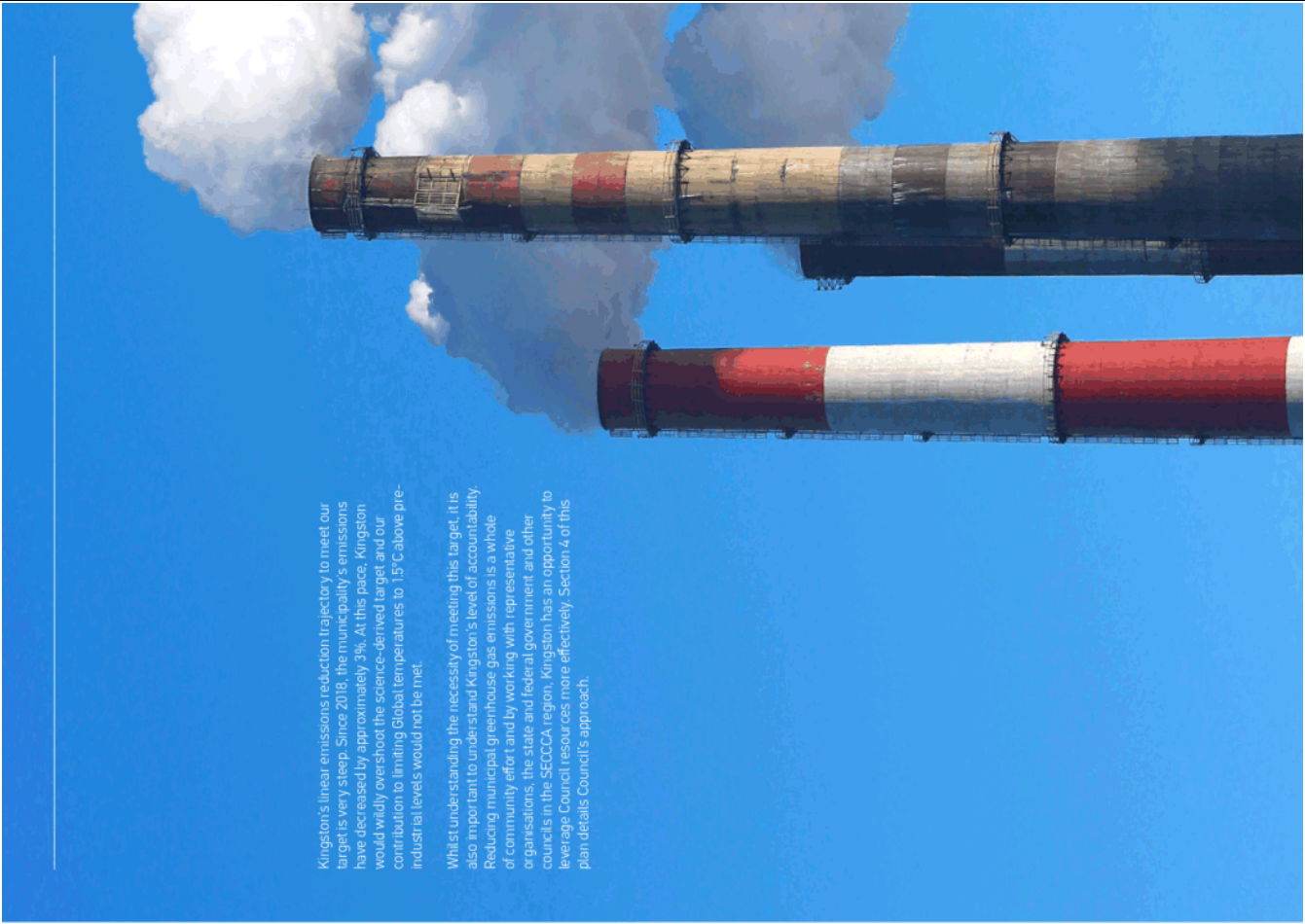
The Paris Agreement, which entered into force in November 2016, explicitly recognises and engages local and subnational governments and their critical role in supporting the climate action, including setting goals and strategies aligned with the science. The development of a target for the Kingston Local Government Area enables us to understand the scale of action that is required at a municipal level to align with the commitments of the Paris Agreement.

Kingston as a member of the South East Councils Climate Change Alliance (SECCCA), recently advocated to the Victorian State Government to adopt a "1.5°C" target. This was based on the interpretation of regional and global impacts of an increase of "well below 2°C" being an unacceptable risk to SECCCA councils and communities and an acknowledgement of the role Victoria, and indeed Australia can play as a well-resourced, developed nation in reducing emissions.

The calculated science-derived target for remaining within 1.5°C for the City of Kingston is provided in Table 1.

Table 1.
Scaled science-derived 1.5°C target for the City of Kingston

Remaining budget (tCO2-e)	20,952,264
Runway years - Remaining time without change (years)	71
Required linear annual reduction 2021 – 2035 (tCO2-e per annum)	205,095
Required linear rate of reduction 2021 – 2035 (%)	7%



4. Approach

We are in a climate emergency and Kingston's response will reflect the scope, scale and urgency of that emergency.

4.1 APPROACH

Kingston's vision is to leverage Council resources and spheres of influence to support and accelerate our community response to the Climate Emergency and remove barriers to change.

The question of how to do this is faced by every council that declares a climate emergency. Kingston is no exception.

In developing this response plan, Kingston has drawn on available resources, including existing climate emergency plans from around the world and a reviewed analysis of their effectiveness, and importantly, on a community of like-minded councils.

We now understand that a best practice approach to climate emergency action exists and we can learn from others. Kingston is prepared to fail as long as we learn from our mistakes and change course as required. But every decision and every action must count.

For decades, Australian local governments have been at the forefront of climate action, even in the face of challenging federal and state policy environments. Councils have implemented energy efficiency and renewable energy projects for their own assets and have mobilised their communities to join the challenge at a grassroots level. These actions have led to the abatement of millions of tonnes of greenhouse gases.

Member councils of SECCCA have undertaken a range of projects. Individually and in collaboration they have achieved significant emissions reductions in their corporate operations. This includes upgrading residential streetlights to LEDs, implementing Ecologically Sustainable Development (ESD) guidelines to reduce emissions from buildings, commissioning building upgrades and trialling electric vehicles. There has also been work undertaken in community engagement and support for emissions reductions at the residential level.

Kingston Council has achieved a 30% reduction in its own emissions since 2016¹ and our community has reduced emissions by approximately 3% since 2018².

But it's not enough.

At the current rate of reduction, the global community is on track to reach 2°C of global warming before 2050. 2°C is considered extremely dangerous (see Section X) and a non-linear, irreversible, self-sustaining warming may be triggered between 1.5 and 2°C¹³.

There is not a minute to lose.

When considering reducing community emissions against a science-derived target, the scale of reductions required is exceptionally high. For this reason, it's important for councils to carefully consider how best to leverage resources. It must be acknowledged that most often, direct action by Council will not be the most efficient way to achieve the target. However, there are a number of ways that councils can engage and work with stakeholders and other levels of government to facilitate significant emissions reductions.

Where to start?

4.2 PRINCIPLES

Whilst there is currently no definitive framework for putting a climate emergency declaration into practice, an accepted approach to 'best practice' climate emergency response is emerging across the sector and is broadly summarised below:

- Business as usual is no longer acceptable.
- Acknowledgement of a climate emergency without significant, additional, urgent action is empty rhetoric.
- Transitional measures like 'smaller' and 'low emission' and time frames longer than 10 years are not part of an emergency response.

A climate emergency made away from Business as Usual includes⁴¹:

- Clarity of action (near term targets)
- Institutional resource mobilisation, including:
 - Whole of organisation action
 - Inclusion in Council's risk management framework
 - Adequate funding for action
 - Senior management accountability
 - Leadership
- The active acknowledgement that failing is not an option

Council will hold itself accountable to the above and use it to support decision making and project design across Council. Kingston's Climate & Ecological Emergency Response Plan has been informed by the above and other best practice guidance and is:

- Evidence based;
- Just (ensuring that those most vulnerable in the community are not disadvantaged); and
- Has a strong advocacy focus (upwards, outwards, sideways and inwards (Figure 3).

Figure 2.
Advocacy approach



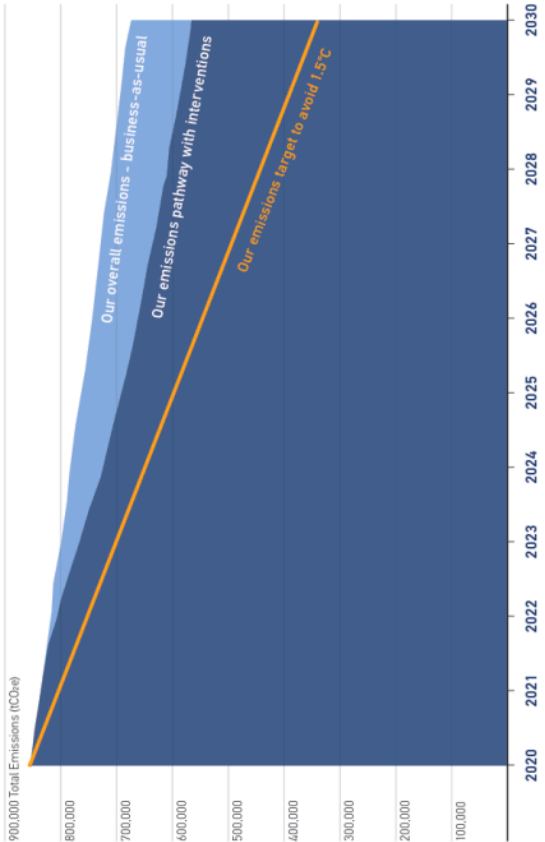
Source: Northern Alliance for Greenhouse Action: Climate Emergency from Declaration to Practice

<div>4.3 COMMUNITY ACTION PLANNING</div> <div><p>When planning for action on climate change, it's critical to consider pathways to emissions reductions that will be effective and efficient. How we can reduce emissions beyond business-as-usual, either by making them happen earlier or to a greater extent should also be considered. In order to do this, it's important to understand the emissions reductions that are already happening in the community and try to understand how to accelerate them. A program of targeted monitoring, evaluation, review and learning should also be applied.</p><p>In early 2020, Kingston City Council began working with Ironbark Sustainability on a Community Action Planning process. We now have a thorough understanding of how we can support community emission reductions. We have committed to a series of actions that can facilitate community emission reductions. Facilitating community actions at a regional level increases the scale of opportunity and cost effectiveness. Our Action Plan is provided in Section 5.</p><p>Importantly we also understand our limitations. While Kingston City Council can and must play a pivotal role, Council is not responsible for the municipality achieving its science-derived target in full. Emissions reductions at this scale will require substantial contributions from businesses and industry (the most significant emission sources), residents, as well as representative organisations and the state and federal government. Education and training, professional development and financial mechanisms are also required but most importantly...</p></div>	<div><p>"...a radical, urgent mobilisation of economic and social resources at an abnormal level of intensity and scale to appropriately address the scale of the reduction required and ensure a safe climate"</p><p>David Spratt¹⁶</p></div> <div><div>4.4 GOALS</div><div><p>Council is committed to three main goals and a range of targets:</p><div><div>1. Reduce sources of emissions in line with our science-derived target</div><ul style="list-style-type: none">Support the community to reduce emissions by 40% by 2025 and achieve net zero by 2030Reduce Council's corporate emissions to achieve net zero by 2025Expand waste services to further reduce waste to landfill and increase organic waste collectionImprove sustainable building designSupport low emission transport<div><div>2. Support sinks that reduce emissions and absorb carbon simultaneously</div><ul style="list-style-type: none">Offset residual Council corporate emissionsEncourage the community to offsetGrow our Urban ForestInvestigate opportunities to draw down or sequester greenhouse gas emissions<div><div>3. Involve and benefit communities</div><ul style="list-style-type: none">Campaign alongside other local councils, partners and the community to drive advocacy outcomesPrepare for the impacts of climate changeAddress climate change risks in Council's municipal Health and Wellbeing Plan</div></div></div></div></div>
	<div><div>4.5 CLIMATE ACTION</div><div><p>Minimising Council's own emissions now represents the minimum expected of Council. There is a clear community expectation that Council will take two types of action:</p><ul style="list-style-type: none">Supporting community: Council will leverage resources to support residents, businesses, and organisations across Kingston to reduce emissionsCorporate: Council will reorientate its operations to respond holistically to the climate emergency<p>As detailed above, Council has considered a range of actions across most sources of emissions and a number of priority council actions have been analysed to understand their possible impact on emission trends within Kingston.</p><p>It is now understood, that through the priority council actions identified, Kingston has the capacity to achieve ongoing reduction in municipal emissions of around 2.5 million tCO₂e to 2030 (Figure 3). The estimated cost of achieving this is around \$3.5 million over the next seven to ten years. It should be noted that this budget allocation and emissions reductions represent the maximum, and that for many programs a lower budget allocation is possible, but will result in lower emissions savings.</p><p>Priority council actions aimed at reducing community emissions are based on stakeholder collaboration and will need to be refined to align with specific stakeholder needs and challenges. This may result in changes to the overall cost of the program.</p></div></div>

4.5 CLIMATE ACTION cont.

Figure 3.
Overall trend in Emissions

Impact of Kingston City Council Actions



It is obvious from Figure 3 that the gap between what can be achieved through the proposed actions and what needs to be achieved in order to meet the science-derived target is large. As detailed in Section 4.3, Council is not responsible for the municipality achieving its science-derived target in full. Emissions reductions at this scale will require significant contributions from business and industry (the most significant emission sources), residents, as well as representative organisations and the state and federal government. In addition to the priority council actions detailed in Section 5, Council will investigate opportunities to collaborate with other councils to support projects which remove / sequester carbon from the atmosphere.

The next steps will be carefully planned to ensure all key stakeholders are involved, willing to invest as required, prepared to participate in actions and test assumptions. Only then will the abatement potential be realised.

4.6 WHAT IS THE COST?

The absolute cost of delivering on the Action plan below is unknown at present. Costs associated with program delivery, personnel, capital and ongoing operations have been estimated and are subject to change:

- **Low** – <\$50,000 or absorbed within existing Council operating costs and capital works
- **Medium** – \$50,000 - \$500,000. A Council resolution is required to support initiative
- **High** – >\$500,000. A Council strategy or plan is required to support initiative

It should be recognised that climate action is unlikely to be cost neutral and the costs must be shared amongst those responsible for the sources of emissions. Council recognises its share and will shoulder the burden of emissions reduction through the council actions detailed below.

Council also recognises the enormous cost of inaction.

A recent study by Deloitte Access Economics found policies inconsistent with a target of net zero emissions by 2050 and keeping global warming to 1.5°C could shrink the Australian economy by 6%, remove 880,000 jobs from the economy and lose \$3.4 trillion in economic opportunity. Deloitte concludes that “Australians need policy and regulatory reform that modernises our economy and unleashes business investment. The benefits of acting are huge, but we are fast running out of opportunity”.

Australian companies are also under increasing pressure to disclose their exposure to climate-related risks and articulate their strategies to ensure resilience and competitive advantage in a net zero world”.

4.7 TIME FRAMES

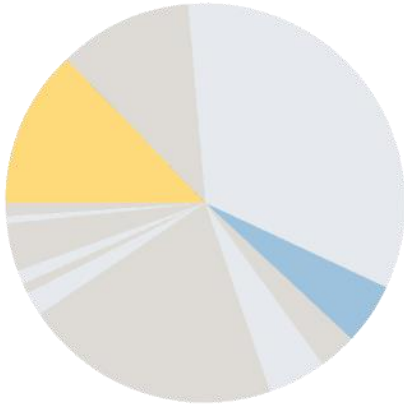
Unless actions are ongoing, they are to start by the end of 2025.

Whilst the impact of council action has been modelled to 2030, it is assumed that actions will commence in 2021 and have a duration of 3-4 years depending on the project type. Given our declaration of Climate & Ecological Emergency, high priority actions (those with the highest emission abatement potential) will commence in the next 12 months; medium priority actions by 2023 and low priority actions by 2025.

Priority Area 1 Support Low Carbon Living

Residential sector description:
The City of Kingston is a large middle-ring municipality. It houses approximately 163,430 people in an area of 91 square kilometres, and the population is growing and changing. The State Government's Victoria in Future (VIF) population projection forecasts Kingston to grow to 201,090 people by 2036*. In 2016 the majority of dwellings in Kingston were separate houses (58.2%), however new forms of medium and high density residential development are becoming more commonplace in locations close to transport. Housing affordability is a growing issue within Kingston. Kingston's residential community comprises a large number of individuals with a diverse range of values, skills and resources, which makes scalable initiatives difficult.

Sector emissions: 18%
Total abatement potential to 2030: 850,000 tCO₂e
Approximate cost to 2030: \$1M



5. Action Plan

The actions detailed below have the potential to abate over 2.5 million tonnes of CO₂e before 2030.

Whilst this will make a significant contribution towards zero carbon by 2030 in Kingston and the SECCCA region, as detailed above significant contributions from business and industry (the most significant emission sources), residents, as well as representative organisations and the state and federal government remain essential.

Next steps will involve engagement with specific stakeholders to ensure the actions are scalable, robust and cost effective. Council action will then be subject to a process of detailed design to ensure specific barriers are addressed.

Kingston will endeavour to collaborate with other SECCCA councils on most if not all actions detailed below. This will increase the abatement potential of actions and reduce costs. More information on the benefits of collaboration is provided in the technical report that informs this plan.



Priority Area 1 Support Low Carbon Living

Aim	Priority Actions	Outcomes	Priority (low, med, high)	Estimated cost (low, med, high)
Low emissions buildings through design	Working within existing regulations <ul style="list-style-type: none"> - Council planning teams work to ensure a consistently high standard of interpretation and implementation of the existing local planning ESD requirements and train all staff to be consistent in the assessment of planning applications. - Work with developers to understand this consistent interpretation and application of existing ESD requirements. In doing so, developers will be better able to plan buildings and prepare applications to meet this high ESD standard. 	<ul style="list-style-type: none"> - Reduced residential and commercial sector emissions - New net zero ESD regulations - 20-minute neighbour hoods 	High	High
	Developing new regulations <ul style="list-style-type: none"> - Undertake a planning amendment that requires all new buildings that are subject to planning approval to achieve net zero emissions or be net zero emissions ready. This may be via CASBE or a Kingston specific amendment. - Expand consideration of transport emissions through the requirement for installation (or readiness for installation) of private Electric Vehicle charging infrastructure. Enforcing regulations <ul style="list-style-type: none"> - Enforce planning conditions to ensure consistent implementation of a high standard of ESD. Designing and delivering incentives <ul style="list-style-type: none"> - Council planning teams design and deliver planning "incentives" to further encourage developers to submit planning applications that meet a high standard of ESD. - Draw on case studies collaborating with other relevant teams (parking, local laws, compliance, finance etc). - Consult with large developers and construction associations that are active within the municipality to provide industry insights. Educational content <ul style="list-style-type: none"> - Design and deliver information regarding available financing options. 			
Solar scheme for renters	Facilitating a rental solar scheme <ul style="list-style-type: none"> - Research existing programs that target this action. - Consult with real estate agents, renters groups, strata committees or other relevant local property consultants. - Engage with existing solar loan providers on financial mechanisms and payback scenarios. - Incorporate successful elements of other schemes and lessons learned into program design. - Investigate partnerships with other greenhouse alliances, the state government and representative bodies such as the Municipal Association of Victoria (MAV) to establish the legal, financial and market mechanisms to support this program. - Once mechanisms are established, connect local market operators offering solutions for multi-unit dwellings or rental properties to rental organisations operating within the region. 	Increased market penetration of solar on rental properties (baseline to be established)	Low	Medium

Priority Area 1
Support Low Carbon Living

Aim	Priority Actions	Outcomes	Priority (low, med, high)	Estimated cost (low, med, high)
Energy efficiency retrofits for homes (including social housing)	Educational workshops with service providers <ul style="list-style-type: none">- Research existing similar programs that target this action.- Engage with relevant local business through workshops that train professionals on the benefits of energy efficient appliances.- Consider of working with professional industry associations such as Master Builders, Master Plumbers and Master Electricians.	Engagement with 20% of local business that engage with households on appliance replacement.	Medium	Medium
Low emissions infrastructure	<ul style="list-style-type: none">- Build on the results of trials already undertaken in Kingston and other municipalities to increase acceptance and build confidence.- Discuss with service providers the capacity of existing supply chains and understand the barriers.- Ensure existing Department of Transport (DOT) requirements are included in Council's infrastructure guidelines and implemented.- Working with DOT to improve road and pathway building requirements.	Increased market penetration of solar on rental properties (baseline to be established).	Low	Low
Community renewable energy	Facilitating community renewable energy projects, including: <ul style="list-style-type: none">- Facilitate planning approval.- Support the administration of these projects.- Facilitate stakeholder engagement and connections. Facilitating services to community groups interested in community renewable energy projects. These services could include: <ul style="list-style-type: none">- Developing legal templates.- Providing meeting locations.- Establishing virtual networks.- Providing information and resources relevant to community renewable energy projects.	Community renewable energy project.	Low	Low

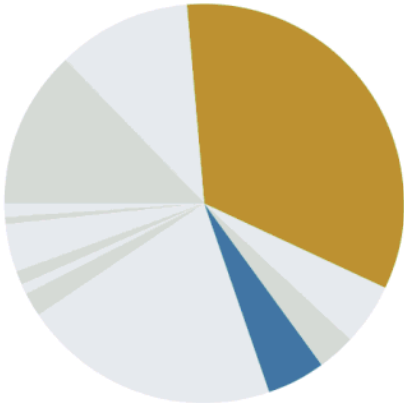


Priority Area 2

Future proof business and industry

Industrial and business sector description:
Kingston's industrial sector is one of the largest and most concentrated in the State. There is also a significant retail and service-based economy in Kingston anchored by a regional shopping centre at Southland, several major activity centres and numerous smaller local and neighbourhood shopping precincts. The manufacturing sector is the largest employer followed by retail trade and wholesale trade. This sector is characterised by a smaller number of large organisations and numerous small to medium sized enterprises (over 17,000). Industrial zoned land covers an area of 12.38 square kilometres.

Sector emissions: (39%) and Commercial (14%)
Total abatement potential to 2030: 900,000 tCO₂e
Approximate cost to 2030: \$600K



Priority Area 2

Future proof business and industry

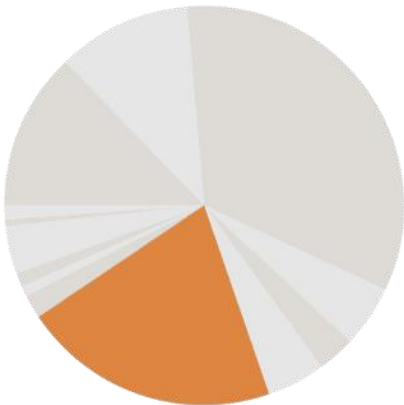
Aim	Priority Actions	Outcomes	Priority (low,med, high)	Estimated cost (low, med, high)
Transitioning business and industry towards more energy efficient technology and away from gas as an energy source	Engaging a specialist facilitator to: <ul style="list-style-type: none">- Develop regional working group or groups.- Seek expertise, advice and support from collaborators in the research, business or sustainability sectors.- Use resources such as Beyond Zero Emissions Electrifying Industry (2018) or DELWP's Electrification Opportunities in Victoria's Industrial Sector (2019), which include specific examples of alternative technologies based on industrial sub-sectors, to start discussions with industrial stakeholders around energy efficiency and decarbonisation.	<ul style="list-style-type: none">- A regional ecosystem of industrial, commercial and retail operators, research bodies/universities, technology providers and energy companies that co-design feasible, low cost solutions that will address climate and economic challenges.- A strong circular economy.- Reduced industrial and commercial emissions.	High	High
	Electrifying industry from renewable sources <ul style="list-style-type: none">- Bring energy market experts to the table to explore group Power Purchase Agreement (PPA) opportunities.- Support access to finance mechanisms e.g. EUI loans for business and Energy Performance Contracts.- Facilitate waste minimisation in business operations.			
	As part of SECCCA <ul style="list-style-type: none">- Co-ordinate a regional approach for SECCCA councils.- Leverage SECCCA's existing and other business networks.- Seek funding and support from the State Government for program delivery that aligns with the State's target of zero emissions.- Work with the Federal Government in program deployment within the region e.g. the Business Energy Advice Program.- Advocate to the South East Melbourne Manufacturer's Alliance (SEMMA) and Greater South East Melbourne (GSEM) group to manage these working groups and take an active role in supporting local businesses to implement emissions reduction actions.			
	Sustainable economic development <ul style="list-style-type: none">- Embed Kingston's focus on sustainable economic development and a strong circular economy into Council policy and process.			

Priority Area 3

Transition to sustainable transport

Kingston's Integrated Transport Strategy (KITS) was adopted in September 2020 and is provided [here](#). A background report was prepared to inform the KITS and includes detailed information on Kingston's population, land use, transport modes, car ownership, road safety record, work profile, income, wellbeing and housing type. Almost 69% of Kingston residents travel to work by car, which is higher than neighbouring councils and median car ownership in Kingston is 1.6 cars per dwelling. The below actions align with a number of actions in the KITS. Decisions in relation to car parking will be considered in the context of the actions below. Collaborate with Moorabbin Airport Corporation is ongoing.

Sector emissions: 21%
Total abatement potential to 2030: 1M tCO₂e
Approximate cost to 2030: \$2M



Priority Area 3

Transition to sustainable transport

Aim	Priority Actions	Outcomes	Priority (low, med, high)	Estimated cost (low, med, high)
Expand the Electric Vehicle charging network	Strategic planning <ul style="list-style-type: none"> - Contribute to the planning of a rapid charging network and map across the SECCCA region. - Identify and set aside land for charging points, including select parking spaces. - Review Council's current strategic approach to parking and requirements for parking in new developments. - Deliver an updated parking policy. Facilitate installation by private charging companies <ul style="list-style-type: none"> - Facilitate electric vehicle (EV) charging companies to install infrastructure at key sites. - Ensure electricity distribution businesses have network connections at relevant sites. - Work with developers or car park managers to ensure that additional space is made available to charging companies for infrastructure. Advocacy <ul style="list-style-type: none"> - Work with SECCCA on a regional approach. - Work with other Victoria Climate Alliances. - Assist business to trial new technologies. 	<ul style="list-style-type: none"> - Increased availability of technology agnostic²² electric vehicle charging infrastructure. - An updated parking policy. 	High	High
Change the future of transport through objectives identified in the Kingston Integrated Transport Strategy	Implementation of key aspects of the Kingston Integrated Transport Strategy <ul style="list-style-type: none"> - Prioritise sustainable transport modes over private cars through a 'road user hierarchy'. - Allocate more road space to sustainable modes (bus, cycle, pedestrians). - Install of bike lanes, paths and other cycling infrastructure throughout Kingston which link key public transport routes and destinations. Policy support for car share programs <ul style="list-style-type: none"> - Adopt a Council policy that promotes car share programs through provision of dedicated parking for car share vehicles. - Facilitate discussions with car share companies. Community education about sustainable transport <ul style="list-style-type: none"> - Implement community education to promote active transport (walking and cycling). - Use existing environmental education channels to promote sustainable transport education. 	<ul style="list-style-type: none"> - Council policies that support low carbon forms of transport. - Behavioural shift to more active forms of transport. 	Medium	High
Supporting electric and other low carbon vehicle uptake	<ul style="list-style-type: none"> - Education, incentives and procurement support for EVs. - Provide an education program that addresses barriers around misinformation and range anxiety regarding the functionality of EVs. - Promote EV benefits and location of charging infrastructure through Council's website and other communication channels. - Use existing environmental education channels to promote the uptake of EVs to the broader community. - Providing incentives for the uptake of EVs for example via the provision of reserved car parking spaces for EVs. - Deliver an updated parking policy. 	<ul style="list-style-type: none"> - Increased uptake of electric vehicles (fewer cars with internal combustion engines). 	Medium	Medium

Priority Area 4 Transform Council operations

In order to deliver on the evidence-based actions aimed at supporting the community (detailed above), Council is committed to re-orientating its operations to respond holistically to the climate emergency.

Priority Actions			Estimated cost (low, med, high)
Aim	Priority	Estimated cost	
Accountability	High	Low	
<ul style="list-style-type: none"> - Commit to Climate Emergency Action in the updated Council Plan. - Include Climate Emergency Key Performance Indicators for the Leadership Team. 			
Financial Management	High	Low	
<ul style="list-style-type: none"> - Develop a strategy which sets out Kingston's plan to limit lending, investing in or buying from commercial entities engaging in listed 'environmentally damaging' activities, primarily thermal coal. 			
Governance	High	Low	
<ul style="list-style-type: none"> - Complete a gaps and opportunities assessment of Council's existing policies, strategies and action plans to highlight how Council can accelerate and support existing work to respond to the Climate Emergency and remove barriers. Key focus areas will be: <ul style="list-style-type: none"> - Statutory planning policy and practice (elevating standards, consistent application of requirements, incentives, enforcement). - Sustainable procurement (maximising resource efficiency, minimising embodied carbon and operational energy use, pollution prevention and responsible sourcing). - Zero carbon Council buildings (shaded, insulated, air-tight, energy from renewable sources, energy efficient appliances). - Transitioning Council's fleet to zero carbon (offsetting residual emissions associated with unavoidable fuel use). - Minimising waste (further reducing waste to landfill and increasing organic waste collection) - Low carbon infrastructure (increased use of priority, low carbon, recycled materials). - Embed Climate Emergency action into staff roles and responsibilities and performance planning. - Report on Council's response to the climate and ecological emergency through Council's Quarterly Reporting to the community. - Review and evaluate Kingston's community emissions reduction action plan using the modelling conducted to develop the plan. - Consider use of the United Nation's Sustainable Development Goals (SDGs) as a framework through which climate action alongside other Council priorities can be viewed during business planning and Council decision-making. 			
Economic Development	High	Low	
<ul style="list-style-type: none"> - Embed Kingston's focus on economic development that is environmentally sustainable to enable a strong circular economy that significantly reduces environmental impact of business operations. - Facilitate emission reduction activities in the industrial and business sector through engagement with regional, state and federal agency programs. - Advocate for business to adopt 'climate risk disclosure and net zero planning' as standard practice. - Include requirements to address environmental impacts in leases of Council property, specifically energy and water use and waste management. 			

Priority Area 4

Transform Council operations

Aim	Priority Actions	Priority (low,med,high)	Estimated cost (low,med,high)
Zero waste	Finalise Kingston's Zero Waste Strategy, specifically: <ul style="list-style-type: none">- Phase out single use plastics across Council's operations.- Further engage the community to reduce plastics.- Support organic recycling across business and industry.	High	
Capability & capacity building	<ul style="list-style-type: none">- Develop and implement training for staff focussed on Council's response to the Climate Emergency and their role.- Collaborate with Traditional Owners on Council's climate and ecological emergency response.- Recognise the climate and ecological emergency in Council's Reconciliation Action Plan.	High	Medium
Advocacy	Develop and implement Council's advocacy priorities to address the Climate & Ecological Emergency via an endorsed Council position. Specific advocacy initiatives may include: <ul style="list-style-type: none">- A plan to limit lending, investing in or buying from commercial entities engaged in listed 'environmentally damaging' activities (yet to be developed). Future proofing business and industry: <ul style="list-style-type: none">- Encourage industry organisations such as the SEMMA to investigate new technologies, educate their members and facilitate renewable energy PPAs for their members. Low carbon living: <ul style="list-style-type: none">- Work with other levels of government and various agencies to identify ways to improve comfort and energy costs of housing for low-income and vulnerable communities.- Collaborating to drive improved standards for building surveyors / inspectors and improved planning and building permit compliance.- Collaborate with other local councils, via CASBE to improve local and State planning policy requirements especially in relation to ESD. Supporting sustainable transport: <ul style="list-style-type: none">- Work with other levels of government to support a second hand electric and other low emission vehicle market.- Determine specific improvements to the public transport network that could result in increased uptake, and advocate to the State Government for these changes.- Determine specific improvements to the public transport network that could lower emissions (e.g., electrification), and advocate to the State Government for these changes.- Advocate to private operators and the State government to support deployment of electric buses (including school buses).	Medium	Low

Priority Area 4
Transform Council operations

Aim	Priority Actions	Priority (low,med,high)	Estimated cost (low,med,high)
Operations	<p>Continue climate action already in progress across a range of Council programs including:</p> <ul style="list-style-type: none">- Energy efficiency upgrades across Council buildings- Renewable energy procurement including for Council's small market sites- Transition away from gas- Reduce Council's fleet (number, size and fuel use) and transition away from vehicles with internal combustion engines- Programs and services detailed in Council's Urban Cooling Strategy that mitigate and build community resilience to the heat impacts of climate change- Support and education for the community about the importance of biodiversity and the role they can play in contributing to green infrastructure and restoration of natural processes- Up-to-date, practical and evidence based environmental education for the community to stay informed, connected and take action in response to the climate and ecological emergency- Participation in ASPIRE and support for local businesses to work together to exchange waste as a resource- Low carbon community grants	Medium	High

Priority Area 5

Draw down or sequester carbon
from the atmosphere

Aim	Priority Actions	Priority (low,med, high)	Estimated cost (low, med, high)
Urban Forest	Scope, commission, finalise and implement Council's Urban Forest Strategy aimed at: <ul style="list-style-type: none">- Protecting existing vegetation (private and public land)- Expanding vegetation and canopy cover (private and public land)- Strengthening biodiversity and habitat- Reducing urban heat island effects- Contributing to draw down <p>Note: the full scope of Council's Urban Forest Strategy is still being developed and is subject to change</p>	High	Medium
Offset	Offset residual Council emissions (gas supplied sites, Council fleet, contractor vehicle emissions, waste, corporate travel, etc) via Climate Active (formally the National Carbon Offset Scheme (NCOS))	Low	High
Draw down	Investigate opportunities to collaborate with other councils to support projects which maintain and enhance carbon 'sinks' that remove / sequester carbon from the atmosphere (forests, sea grass etc)	Low	High

Total abatement potential: The above actions have not been modelled so the abatement potential is unknown. However, it is understood that the above is either pivotal for supporting delivery of the modelled actions detailed above or another aspect of Kingston climate and ecological emergency response, or understood to be a minimum expectation of the community.

Priority Area 6

Adapt

Priority Actions		Priority (low,med,high)	Estimated cost (low, med, high)
Aim			
Adapt to the impacts of climate change	<div><div>Develop and deliver a Climate Adaptation Plan which will include:</div><div><div>- Assess the vulnerability to climate change impacts of Kingston's built, natural and coastal environment, and our community.</div><div>- Identify pathways to address vulnerabilities in our natural and built environment over time, including planning for sea level rise impacts in our low-lying coastal areas</div><div>- Strengthen the resilience of our community to the impacts of climate change</div><div>- Develop Council's climate adaptation capabilities</div><div>- Working in partnership with Federal and State Government agencies, neighbouring local governments, industry and the community to implement regional climate adaptation programs</div></div></div> <div>Note: the full scope of Council's Climate Adaptation Plan is yet to be developed and is subject to change</div>	Medium	Medium
Health & Wellbeing	<div><div>Develop and deliver a municipal Health and Wellbeing Plan which includes climate change considerations. Sustainability indicators for inclusion in the plan and tracked over time may include:</div><div><div>- Understanding of climate change and biodiversity loss</div><div>- Patterns of shopping</div><div>- Meat consumption</div><div>- Transport choices</div><div>- Climate vulnerability and related impacts on physical and mental health</div></div></div>	High	Medium

5.

Action Plan

5.1 WHAT CAN YOU DO?

Aim	Priority Actions	Priority (low,med, high)	Estimated cost (low, med, high)
Industry	<ul style="list-style-type: none">- Source energy from technology such as on-site solar photovoltaics (PV) installations or biomass boilers, or through purchased renewables.- Replace gas powered machinery with viable alternatives.- Transition lighting at industrial sites away from high-pressure sodium and metal halide to LEDs.- Improve the energy efficiency of air compressor systems, refrigeration systems and other pieces of industrial plant through refurbishment, replacement, optimisation and more frequent maintenance.	High	High
Business	<ul style="list-style-type: none">- Install solar PV on all available sites, including commercial building rooftops and other structures, and ground mount solar PV on appropriate land.- Implement suggested changes to the National Construction Code (NCC) (achieve a level of thermal comfort equivalent to 7 stars NatHERS and net zero annual energy use for regulated building services, i.e. space conditioning, heated water systems, lighting and pool and spa pumps).- Utilise Environmental Upgrade Finance to improve energy efficiency.- When designing and building a new premises, future proof for EV charging.- Implement communications program (NABERS) to raise public awareness of the emissions footprint of new buildings.- Replace inefficient and expensive heating and cooling appliances.- Trial use of low carbon recycled priority materials (glass, plastic, rubber, paper or cardboard) and recycled civil materials (e.g. soil, rock, crushed concrete, recycled asphalt pavement) in infrastructure projects.	High	Medium
Residential	<ul style="list-style-type: none">- Install solar PV on all available sites, including residential building rooftops and other structures, and ground mount solar PV on appropriate land.- Form or join a community group to investigate opportunities/ decide on revenue mechanisms for community energy.- Plan for the replacement of inefficient appliances (heating and cooling).- Aim for net zero energy when designing and building a new home.- Allow for maximum tree retention and consider green infrastructure when building a new home.- Future proof your home for electric vehicle charging.- Research electric and other low emission vehicle benefits, location of charging infrastructure and government and other incentives.- Consider purchasing an electric vehicle.	Low	Low
Individuals	<ul style="list-style-type: none">- Advocate to banks and other entities to divest from listed 'environmentally damaging' activities, primarily thermal coal.- Use public transport.- Participate in active transport (walking and cycling) over private car use.- Research the convenience and practicality of using car share programs.- Eat less meat.- Shop locally.- Buy renewable energy.- Buy fewer disposable products, reduce waste, use your organics bin and recycle.- Offset air, other travel, freight and other unavoidable emissions.- Plan for increased extreme weather events such as heatwaves and flooding.	Low	Low

6. Monitoring, Evaluation, Review and Learning

This will contribute to growing the knowledge base in local government, enable others to learn from Kingston's program and ensure emissions reductions are well targeted and effective in future.

6.1 PROGRESS MONITORING

Progress monitoring refers to internal monitoring of the implementation of the plan. This confirms that the response plan has been implemented as intended, however it does not measure the success of the plan in TCO-ae abated.

Once budget, resources and timelines have been allocated, a plan for progress monitoring will be developed. Tracking against the timelines and budget estimations in the plan will ensure that projects are implemented in a timely fashion and within the expected budget.

Actions and key performance indicators (KPIs) set out in the Council Plan and departmental business plans will be monitored via approved internal and external reporting processes.

6.2 IMPACT MONITORING

Impact monitoring measures the success of the plan in TCO-ae abated. It is used to understand whether an action is effective and to what degree. Impact monitoring must be conducted at regular periods during the implementation of the plan. If this monitoring demonstrates that an action is not having the anticipated effect (by meeting a certain trigger point), a more detailed analysis should be conducted into the effectiveness of the action. Council can then use this information to decide whether to change or remove the action from the program.

Please note that the implementation period of an action refers to the time that the action is expected to be active in reducing emissions. For example, emissions reductions as a result of action focused on "Low Emissions Buildings Through Design" will not be measured from when engagement between teams commences but when the various planning changes come into effect.

Monitoring of corporate emissions reduction projects will occur through the ongoing collection of data. This may be via an independent third party platform provider or Council's own systems. By analysing changes to the overall corporate greenhouse gas inventory and monitoring particular, relevant sources such as bills for specific sites, cost savings and emissions abatement will be evident.

Monitoring the impact of action in the community emissions trajectory is much more complex because Council does not have access to accurate, real time data. Instead, Council will be required to collect and assess data from particular sources and compare it to a cohort municipality – that is, another Australian municipality with similar characteristics that is not implementing the program. By comparing the data, it will be evident whether there is a change in emissions that is occurring beyond business-as-usual.

A monitoring tool in excel format which will be used for impact monitoring has been prepared.

6.3 EVALUATION TRIGGER

When an evaluation trigger is reached for an action, this means that the action is not having the anticipated impact in reducing emissions. Evaluation triggers will highlight one of three scenarios:

- Action is having a lower-than-anticipated impact. This may result in significantly lower emissions reductions, meaning the action may not be effective. If so, Council should explore whether it is valuable to continue directing effort to this action.
- Action is having higher-than-anticipated impact. In this case, an increase in scope of this action may be considered. Or, this may mean that there are external factors at play.
- The business-as-usual trajectory for the action is considerably different to anticipated. In this case, Council should re-evaluate how it interacts with this action.

In any case, when an evaluation trigger is reached, it is a sign that more detailed analysis must be undertaken to determine the future of the action.

6.4 EVALUATION, REVIEW AND LEARNING

Through regularly collecting and completing data analyses, Council will essentially be undertaking minor evaluations. Initially, this evaluation will be a simple assessment of whether the program outcomes are within the acceptable threshold or whether a trigger point has been reached. If a trigger point is reached, Council will need to investigate why the project has deviated from what is expected. Based on this information, Council will then need to decide whether to continue with revised expectations, adjust the program itself, or abort the program and focus resources on a different area.

At the conclusion of the implementation of each action, Council will compile monitoring data and conduct a full evaluation of program effectiveness. Using data collected throughout the implementation together with further research and review of information from other local government areas, Council will be able to establish an understanding of the relative effectiveness of the program. This is an incredibly important contribution to growing the knowledge base in the local government sector and enabling others to learn from Kingston's program and ensure emissions reductions are well targeted in future.

Climate related risks and issues, captured in Council's strategic risk profile will also be monitored.

Finally, learning. The information gathered through the monitoring and evaluation process will be shared so that it can contribute to continuous learning and improvement, both internally within Council teams and externally, for other local governments, community members and a range of other stakeholders. Council will continue to seek out avenues for sharing information.

7. Consultation

In July 2020, Kingston was involved in a Regional Emissions Reduction Stakeholder Workshop involving stakeholders with the greatest potential to support emissions reductions in the SECCCA region. More than 20 businesses, industry and government stakeholders participated and contributed to discussions about emissions reductions. The workshop was focussed on hearing from business and industry stakeholders about their emissions reduction projects and priorities and barriers they face in achieving large-scale and long lasting emissions reductions. A summary is provided [here](#).

Stakeholder feedback was captured in the analysis undertaken by Ironbark Sustainability. Actions that will support stakeholders' emission reduction efforts such as working collaboratively with industry and connecting stakeholders will remain the focus of ongoing Council action.

Council will continue to engage with relevant stakeholders to discuss future collaboration opportunities. As we develop strategies and actions we will check back with stakeholders about their appropriateness and likelihood of success.

Council welcomes feedback on the draft plan.



8. Glossary

Adaptation

A response to climate change, that seeks to reduce the vulnerability of social and biological systems to change and thus reduce the impacts of climate change. Adaptation generally occurs locally as a response to local impacts.

Community

The individuals and businesses that reside, work and operate within the City of Kingston.

City/ municipality

These terms are used interchangeably to refer to the total area within a given municipal boundary and under the jurisdiction of the presiding local government of that area.

Community emissions

Greenhouse gas emissions attributable to the community and outside of operational control of Kingston City Council

Corporate emissions

Greenhouse gas emissions attributable to Council's own operations and with the direct operational control of Kingston City Council as an organisation.

Mitigation

Actions to limit the magnitude or rate of long term climate change. Climate change mitigation generally involves reducing the source of human emissions of greenhouse gases and enhancing capture of emissions.

Offset

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

Drawdown

The future point in time when levels of greenhouse gases in the atmosphere stop climbing and steadily start to decline. Drawdown is a milestone in reversing climate change, and eventually reducing global average temperatures.

Draw down

Other draw down techniques (real and blue carbon sequestration) and carbon capture technologies are being researched

SECCA

South East Councils Climate Change Alliance. SECCCA region is used to refer collectively to the seven councils participating in this project. These include Bayside City Council, Cardinia Shire Council, City of Casey, Frankston City Council, City of Greater Dandenong, City of Kingston and Mornington Peninsula Shire. SECCCA councils that are not participating in this project have been excluded from all calculations, charts, and modelling.

Scope 1 and 2 emissions

Scope 1 emissions are direct emissions from owned or controlled sources for example, generator sets and bottled gas (usually smaller). Scope 2 emissions are indirect emissions from the generation of purchased energy (our major source of emissions)

Scope 3 (supply chain or other out-of-boundary) emissions

All indirect emissions (not included in scope 2) that occur in the value chain of the reporting entity, including both upstream and downstream emissions

Zero carbon

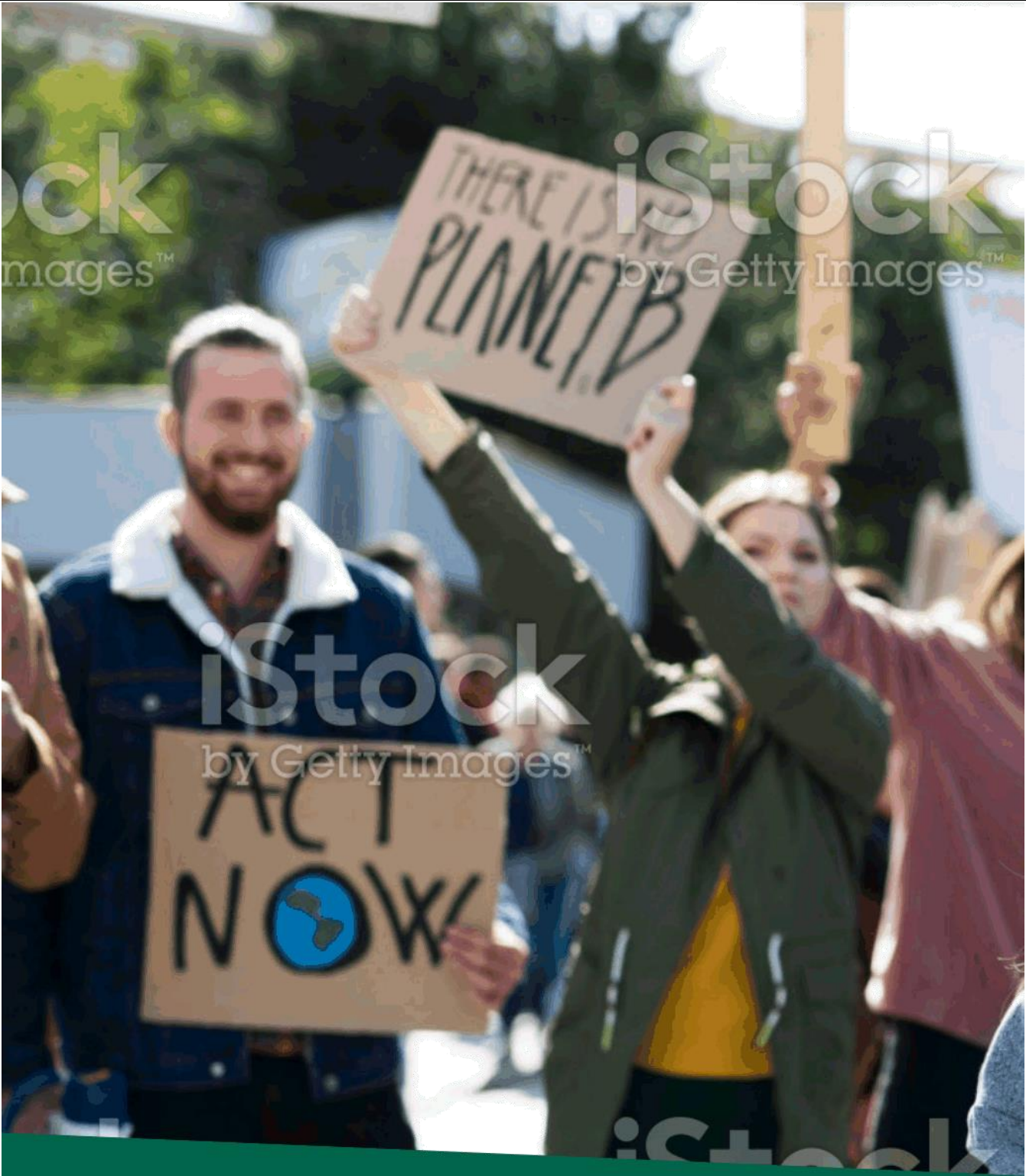
fluxide into the atmosphere

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City of Kingston Opportunities Report

**South East Councils Climate Change Alliance
(SECCCA) Climate Action Planning Project**

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Prepared for

South East Councils Climate Change Alliance (SECCCA)

Version	Author	Date	Description of changes
V0a-b	Sandra Mack	10/11/2020	Report Structure
V0c	Hannah Snape	22/11/2020	Report structure
V0d	Hannah Preece	23/11/2020	Section 4
V0e-g	Rachel Armstead	23/11/2020	Populate report
V0h	Hannah Snape	24/11/2020	Review
V0i	Sandra Mack	26/11/2020	Updates
V0k	Paul Brown	1/12/2020	Review
V0l	Matt Sullivan	1/12/2020	Review
V0m	Hannah Snape	1/12/2020	Consolidate and finalise
V1a-b	Hannah Snape	1/12/2020	Release version to Council
V1c	Matt Sullivan	15/12/2020	Revised content
V1d	Hannah Snape	21/12/2020	Respond to all comments
V1e	Sandra Mack, Hannah Preece	23/12/2020	Update based on comments
V1f	Hannah Preece	04/01/2021	Update Summary table
V2a	Hannah Snape	18/01/2020	Final Report for Council
V2b	Sandra Mack	02/02/2021	Update based on comments

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About Ironbark Sustainability

Ironbark Sustainability is a specialist consultancy that works with government and business around Australia by assisting them to reduce energy and water usage through sustainable asset and data management and on-the-ground implementation.



Ironbark has been operating since 2005 and brings together a wealth of technical and financial analysis, maintenance and implementation experience in the areas of building energy and water efficiency, public lighting and data management. We pride ourselves on supporting our clients to achieve real action regarding the sustainable management of their operations.



Ironbark are a certified B Corporation. We have been independently assessed as meeting the highest standards of verified social and environmental performance, public transparency, and legal accountability to balance profit and purpose.

Our Mission

The Ironbark mission is to achieve real action on sustainability for councils and their communities.

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1. Kingston Report Summary

In January 2020 City of Kingston declared a Climate and Ecological Emergency, recognizing the urgent need to take effective, large-scale action on climate change. This includes reducing Council's corporate emissions footprint, supporting the community to transition to a low emissions future and enhancing resilience. A climate emergency response plan is currently in development for the City of Kingston, and the findings outlined in this report will support and inform that plan.

The City of Kingston released approximately 2,625 kt CO₂e for the 2018/19 period. The majority of emissions came from grid supplied electricity, and the highest impact sector was the industrial sector, responsible for 40% of Kingston's energy emissions. Based on international climate science, in order for Kingston to do its fair share to maintain global temperatures to within 1.5°C above preindustrial levels, emissions within Kingston must reduce by around 7% year on year.

Throughout 2020, seven councils lead by the South East Councils Climate Change Alliance (SECCCA) have explored an evidence-based approach to understanding how councils can best support their communities to reduce emissions. This has meant understanding the forces driving change now and into the future and the barriers to emissions reduction in the community. Following this, data on the success of national and international programs was applied to Kingston to determine relative impact of a variety of interventions.

A series of programs have been selected for regional focus, with further interventions selected specifically by the City of Kingston for local implementation. These programs are:

Table 1: Summary of Regional and Municipal Emissions Reduction Programs

Action	Interventions	Total Impact to 2030/31 (t CO ₂ e)
Regional Programs		
Future Proofing Business and Industry	Facilitate - Facilitate renewable energy group PPAs for industrial organisations with 'mid-sized' electricity demand (less than 40 GWh p.a.).	890,000
	Facilitate - Implementing working groups to focus on a specific set of interventions to address the challenges discussed by key stakeholders around energy efficiency and degasification.	
	Advocate - Advocate to SEMMA to investigate new technologies and educate their members.	
Low Emissions Buildings Through Design	New implementation of existing regulations or policies - Work within approvals process for new buildings to establish a common understanding of what constitutes acceptable ESD and encourage all	540,000



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	new buildings to achieve net-zero energy or net-zero energy ready.	
	Facilitate - Work with developers to pioneer zero net emission buildings and zero-net emission housing	
	New Regulation - Phase in requirements for all existing commercial buildings to achieve net-zero energy or net-zero energy ready.	
Energy Efficiency Retrofits and Appliance Upgrades for Homes	Facilitation - working with businesses to increase the rate of uptake of energy efficient solutions	10,000
Energy Efficiency Retrofits and Appliance Upgrades for Commercial Buildings	Facilitation - linking owners and operators of commercial buildings to procurement support	7,000
Expanding the Electric Vehicle Charging Network	Strategic Planning (Regional) - Identifying and setting aside land available for EV charging points, including select parking spaces, or it may be through requiring EV charging points in new developments in certain zones	500,000
	Facilitate - Engaging with owners or potential owners of charging infrastructure and work together with the relevant stakeholders to facilitate discussions that result in the removal of identified barriers.	
Solar for Rentals	Facilitate - Work with solar installation companies and real estate agents to devise schemes that provide financial mechanisms for landlords to install solar on rental properties	160,000
Total: 2,107,000 tCO₂e		
Municipal Interventions		
Low Emissions Buildings Through Design	Incentivize - Planning scheme and rates incentives for positive outcomes. There are a variety of ways that this could work, for example discounted rates.	110,000
	Educate - Inform businesses on available financing options such as Sustainable Australia Fund or Better Building Finance as part of EUA promotion	
Transition to Car Share Services	Regulation - Adoption of a policy that promotes car share programs. This policy can focus on provision of dedicated parking for car share vehicles and the positive impacts of car sharing	80,000



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	Facilitation - Facilitate the establishment of practical and easily available car and bike share schemes which are mutually beneficial to the service providers and residents	
	Education - Educate residents of the available options and shift social norms, with focus on addressing concerns on convenience and practicality of using car share programs	
Mode shift to Bicycles	Facilitate and deploy the installation of bike paths and infrastructure throughout Kingston.	30,000
Supporting the Uptake of Electric Vehicles	Strategic Planning (Local) - Identifying and setting aside land available for EV charging points, including select parking spaces, or it may be through requiring EV charging points in new developments in certain zones	340,000
	Incentivise - Provide incentives to people using EVs (protected designated parking areas, discount parking rates, use of transit lanes) incentive through provision of parking spaces.	
	Education - Promotion of electric vehicle benefits and location of charging infrastructure through websites and similar communication methods	
	Facilitation - Support procurement through facilitation of programs, mechanisms or schemes.	
Promoting a Low Emissions Diet	Education - Connecting the community to educational materials on websites which promote diets that produce lower emissions	Not estimated
Building Low Emissions Roads	Regulation - Update infrastructure guidelines and processes.	20,000
Community Renewable Energy Projects	Facilitation - Provide facilitation service to community groups interested in projects - develop legal templates, provide meeting locations (possible council owned community buildings for example), and establish virtual networks	4,000
Total: 584,000 tCO₂e		



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2. Introduction

The City of Kingston is located in the middle and outer southern suburbs of Melbourne, between 15 and 34 kilometres south-east of the Melbourne CBD (Figure 1). The municipality covers a land area of 91km and has a population of approximately 165,782¹. Relative to the SECCCA region, it represents around 14% of the population and 3% of the area. Key industries providing employment within the City of Kingston are manufacturing (19%), retail trade (13%), and construction (12%)².

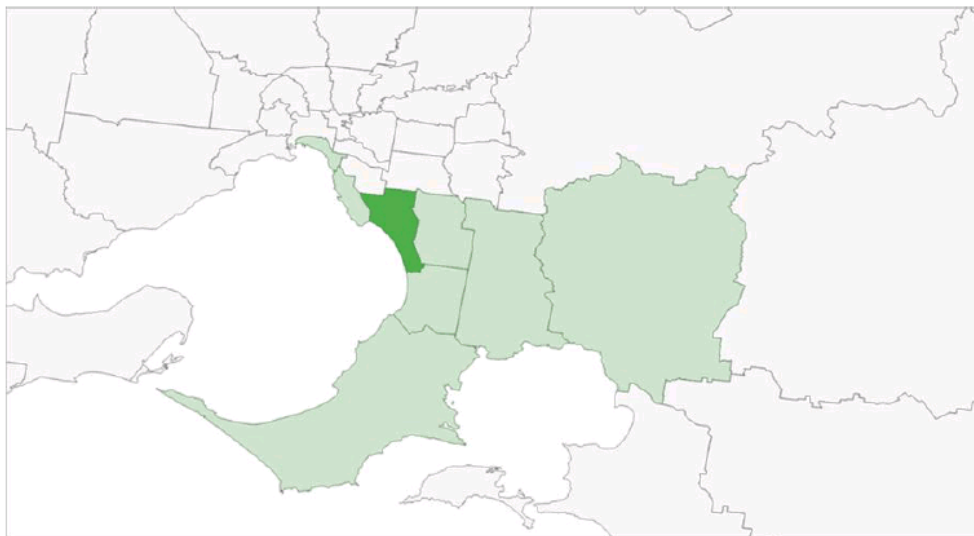


Figure 1: City of Kingston municipal boundary

Kingston City Council understands that business-as-usual is no longer an acceptable approach to mitigating catastrophic climate change impacts for the municipality and more broadly. Kingston's response to the declaration of a Climate & Ecological Emergency in January 2020 will acknowledge the scope, scale and urgency of the emissions reductions required.

The City of Kingston as an organisation can take effective action to support community emissions reduction and has a responsibility to its community to do so. The work carried out by Ironbark and outlined in this report provides the evidence base upon which to plan and implement that action. The report will be used as the 'technical' document which will be appended to Kingston's Climate & Ecological Emergency Response Plan and detailed Action Plan. It will identify actions that council can undertake to meaningfully reduce emissions at the scope and scale required and support Council decision making, resource allocation and strategic planning moving forwards.

¹ <https://profile.id.com.au/kingston>

² <http://economy.id.com.au/kingston/employment-by-industry>

2.1 Community Emissions Profile

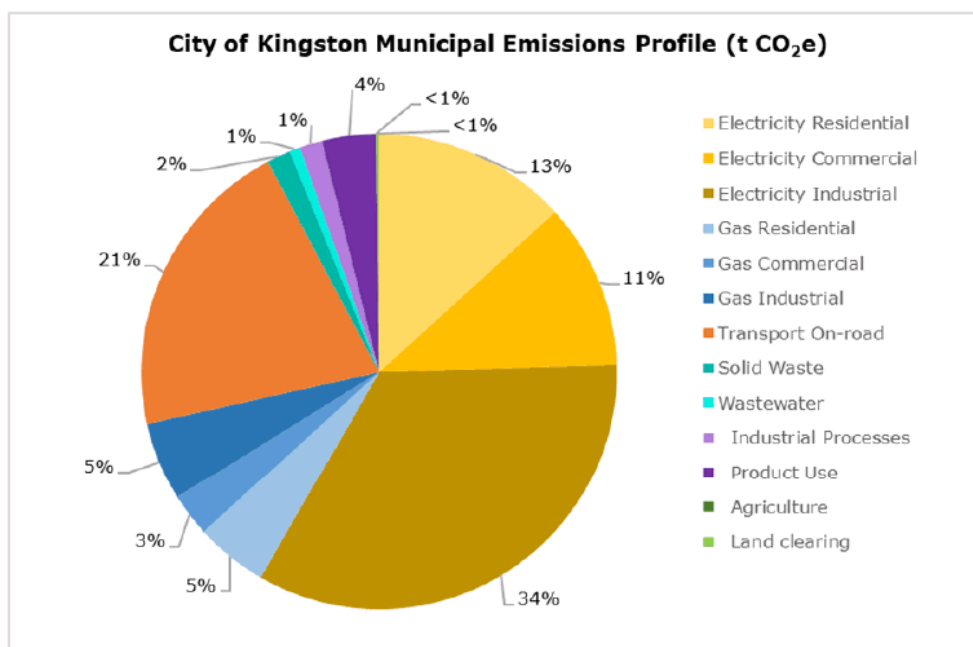


Figure 2: City of Kingston's municipal emissions profile 2018/19

The City of Kingston released approximately 2,625 kt CO₂e for the 2018/19 period. The majority of emissions came from grid supplied electricity and the highest impact sector was the industrial sector, responsible for 40% of Kingston's emissions. Based on international climate science, in order for Kingston to do its fair share to maintain global temperatures to within 1.5°C above preindustrial levels, emissions within Kingston must reduce by around 7% year on year.

The second most significant emissions source is on-road transportation accounting for 21% of total emissions. Emissions from aviation and water transport were not included in this profile as data is not readily available for these sources. Emissions from rail transport are included in either stationary energy (for electrical trains) or on-road transport (for diesel trains). Emissions resulting from other sources such as waste, agriculture and industrial products and processes are relatively minor.

This profile has been prepared to be compliant with BASIC+ reporting under the Global Protocol for Community-scale Greenhouse Gas Inventories (the GPC). A GPC-compliant community emissions profile and science-derived target are important tools in climate planning. By understanding total emissions and prominent sources, and the necessary scale of emissions reductions Council can direct efforts for collaboration, engagement and mitigation.



2.2 Emissions Reduction Target

For the SECCCA Community Climate Action Planning Project participating councils have adopted a regional target to pursue efforts to limit the temperature increase to 1.5°C above pre-industrial levels. This is in line with the aspirations of the Paris Agreement and the Victorian State Government target to remain within 1.5°C of pre-industrial temperatures for which SECCCA advocated.

The calculated science-derived target for remaining within 1.5°C of pre-industrial temperatures for the City of Kingston is provided in Table 2.

Table 2: Scaled science-derived 1.5 degrees target for the City of Kingston

Remaining budget (t CO ₂ -e)	20,952,264
"Runway" - Remaining time without change (years)	7.1
Required linear annual reduction 2021 – 2035 (t CO ₂ -e p.a.)	205,095
Required linear rate of reduction 2021 – 2035 (%)	7.0%

The *Remaining Budget* for the City of Kingston is the total amount of carbon that the municipality can emit if it is to make a fair contribution to limit the temperature increase to 1.5°C. The remaining budget for the City of Kingston is 20,952 kt CO₂-e from 2018/19.

The "Runway" or *Remaining years without change* (7.1 years) calculates how long this carbon budget would last, based on the emissions released in 2018/19. If the municipality were to significantly reduce annual emissions this runway would extend as the region would not be "spending" its carbon budget as rapidly.

The *Required annual reduction* and *Required rate of reduction* shows that the City of Kingston's emissions need to reduce by 205 kt CO₂-e (7%) per year until 2035, if the carbon budget is to be used linearly over this time period.

3. Municipal Emissions Reduction Opportunities

This section outlines the actions and interventions program portfolio that has been developed by Ironbark in consultation with the City of Kingston. The portfolio presents interventions that will be actioned by Kingston at the regional level and those that will be actioned at the municipal level. The program portfolio for Kingston focuses on the following key areas:

- Industrial energy (regional only)
- Transport (regional and municipal)
- Buildings and construction (regional and municipal)
- Renewable energy generation (regional and municipal)
- Road building (municipal only)
- Low emissions diets (municipal only)

The outcomes detailed in this report will form the basis for this next phase of collaborative planning between the City of Kingston, SECCCA regional members, and the communities they serve. Whilst understanding the necessity of meeting the science-derived target, it is also very important to understand that it is not Council's responsibility to achieve these reductions in full. Councils' role is as a facilitator of these transitions within the community and as an advocate for the required structural changes at the regional, state, and national level. The objective of the program portfolio is to enable Council to make informed, evidence-based decisions when developing its community emissions reduction strategy, and to engage persuasively with key stakeholders to drive community-scale emissions reductions.

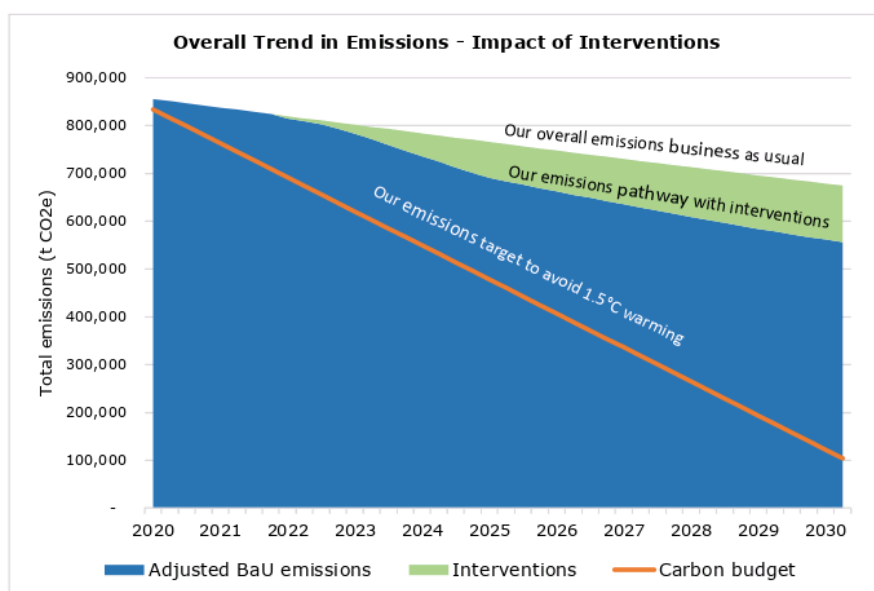


Figure 3: Emissions pathway for the City of Kingston

Figure 3 shows the overall trend in emissions in Kingston and the potential impact of council-led climate programs identified in this report. The top line above the blue and green sections in the graph reflects the business-as-usual emissions trend in the municipality. This considers current emissions, demographic trends such as changes to population or economic activity, changes to the emissions intensity of the electricity grid and the projected uptake of key actions such as installation of solar or electric vehicle (EV) uptake. The green section projects the impacts that have been modelled for the programs detailed in this report. That is, the change to the emissions trajectory that Council could affect by implementing these programs. The blue section shows the predicted remaining emissions after successful implementation of the identified Council programs.

As demonstrated in Figure 3, council-led programs alone are not adequate to achieve a 1.5°C warming target. This is indicative of the fact that addressing climate change must be a whole of community effort incorporating all levels of government, industry and residents. The target of 1.5°C can only be achieved if dramatic change also occurs at a federal and state government level and in the commercial and industrial sector. Drawing down emissions from the atmosphere may also be a strategy that allows more time to achieve the target.

Nonetheless, programs implemented by Kingston make a significant impact towards this target. As shown in Figure 4, the total potential impact for the interventions proposed is around 2.7 million tCO₂e up to 2030. This is expected to cost around \$3.6 million whilst the programs are implemented. The budget and emissions reductions are presented in a range, noting that for many programs a lower budget allocation is possible, but will result in lower emissions savings.

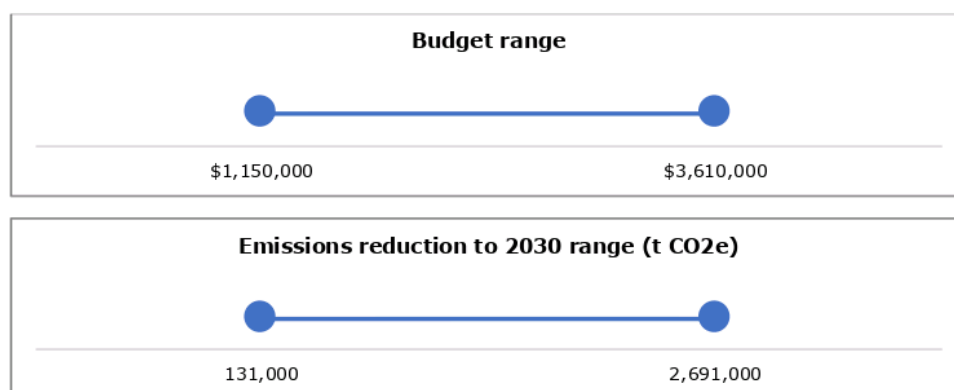


Figure 4: Estimated budget range and impact range potential of all interventions

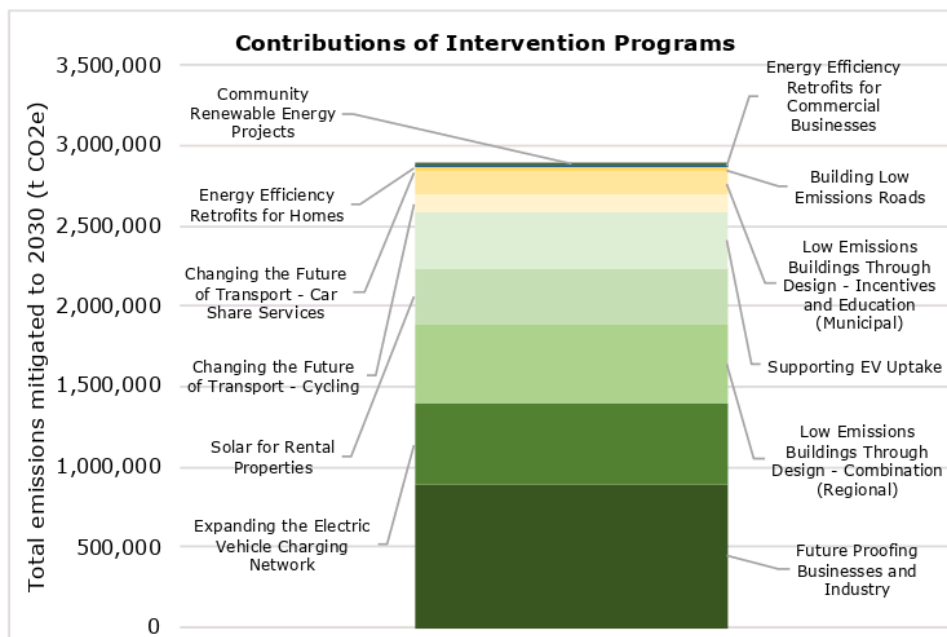


Figure 5: Contribution to total emissions reductions by program

Implementing emissions reduction programs at a regional level has multiple benefits. In particular, by sharing the inception cost of programs across many councils, there is the ability to improve cost-effectiveness. This means that programs can either achieve the same emissions reductions for a cheaper cost, or reduce greater emissions for the same budget allocation. The impact of this on programs explored throughout this report is outlined in Figure 6 where cost effectiveness for a regionally implemented program is compared with the same program, if implemented by City of Kingston alone.

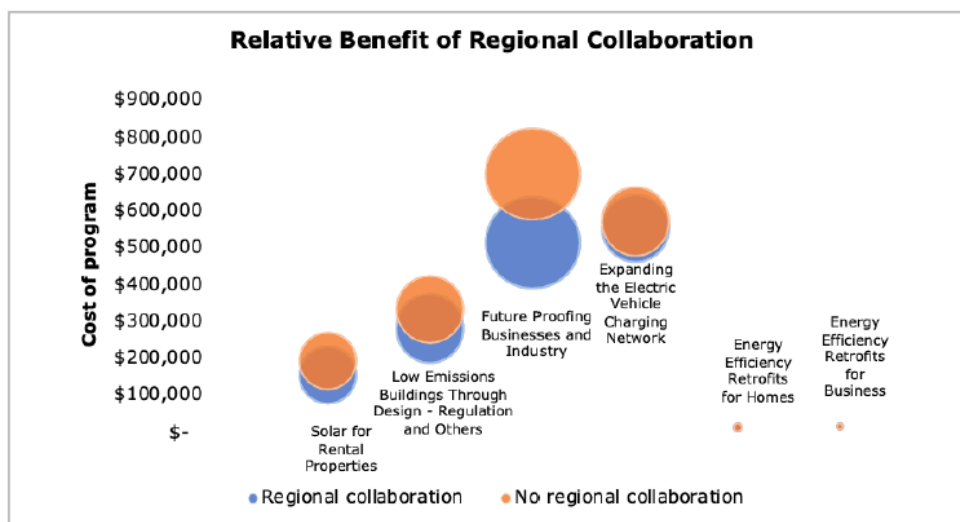


Figure 6: Relative benefit of regional collaboration



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Regional programs may have the ability to attract more prominent stakeholders as partners, with impacts flowing on to the effectiveness of emissions reductions solutions. For example, the of partnering with research institutions, state government or funding bodies, amongst others, may be enhanced. Furthermore, this may influence the promotion and take up of programs, further increasing emissions reductions. To use the example of a program working with local businesses, a regional approach may be more likely to attract a base number of businesses or may attract larger, more well-known businesses, building credibility and making others more confident and likely to join in.

Lastly, collaboration between councils enables the sharing of knowledge, skills and expertise. This sharing of resources lowers costs and improves programs, as well as enabling all councils access to the brightest minds and greatest experience in the region.

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4. Regional Programs

Some of the greatest challenges to councils in addressing the climate crisis are the ability to achieve change at the appropriate scale, and (closely related) the cost associated with the transition. Working regionally enables councils to share resources and achieve greater scale, making it an incredibly important element of SECCCA and member council's approach to climate action planning.

In particular, the significant opportunities presented by a regional approach include:

- **Sharing resources:** Across councils there is varied knowledge, experience and capacity within teams. Sharing these resources means that all programs will benefit from relevant expertise.
- **Sharing costs:** Most programs will be subject to up-front or "inception" costs that are fixed and required to get a project designed and commenced. This will be followed by implementation costs that can be varied based on the scale of the project. For example, when developing educational materials there may be a fixed cost for the graphic design, but a variable cost depending on how many units are printed. By working regionally, councils will be able to spread program inception costs across councils, significantly improving the relative cost for impact. Regional programs may also be more likely to attract funding from the Victorian Government or the Australian Government.
- **The ability to leverage more stakeholders and those of greater significance:** Community emissions reductions programs are most successful when they leverage stakeholders who are currently acting in an area or stand to directly benefit from actions occurring. At a regional level, councils may have more influence to attract large and significant stakeholders to collaborate on emissions reduction programs.
- **Achieving greater scale:** A program run at a regional level will not only be able to attract more significant stakeholders, but also a greater volume of participants. This will make it easier to reach a critical mass and make the value proposition for things like working groups more attractive to local stakeholders than they may be if run at a municipal level.
- **Consistency of solutions:** Where councils work independently on a solution, it's likely that this will result in multiple different designs and outcomes. This can create confusion and inconsistencies within the community, particularly across neighbouring municipalities where stakeholders may interact with multiple systems.

Councils across the SECCCA region have selected a series of programs on which to collaborate, outlined within this section.

4.1 Future Proofing Businesses and Industry

SECCCA and participating councils will support mid-tier businesses in the industrial sector to achieve emissions reductions through energy efficient technology, degasification and renewable energy. This support will be delivered through working groups with businesses, representative groups such as South East Melbourne (SEM) and industry bodies such as South East Melbourne Manufacturers Alliance (SEMMA) and where relevant, experts such as CSIRO and research bodies.



Background

Industrial electricity emissions are responsible for 34% of total emissions for the City of Kingston and industrial gas emissions make up a further 5% of the total profile.

In the industrial sector, there is a wide range of businesses and business activities, which means that the challenges faced in achieving lower emissions will be similarly diverse. The outcomes that the region is striving for in this program are increases within the industrial sector in:

- Sourcing electricity from renewable sources
- Use of energy efficient technology
- Transitioning away from gas as an energy source

The emissions profile breakdown clearly demonstrates the importance for Kingston of engaging with industrial businesses as a core part of their emissions reduction strategy. Key industrial stakeholders and potential collaborators operating within the City of Kingston include the South East Melbourne Manufacturers Alliance (SEMMA), Melbourne Water and Visy.



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Interventions

Through the regional program, councils will be seeking to engage with industrial businesses for whom there is a scalable solution available for emissions reductions. For example, engaging with small to medium manufacturing sites that can achieve emissions reductions through participation in PPA agreements, lighting or HVAC upgrades and other such solutions.

The proposed mode of engagement with these stakeholders will initially be through the development of a regional working group or groups. These working groups may also draw in expertise from the research or sustainability sectors for advice and support. The focus will be on teasing out the specific challenges and opportunities faced by this sector and tailoring effective and lasting solutions.

The program will also incorporate advocacy to industry peak bodies such as South East Melbourne Manufacturers Alliance (SEMMA) and others to take control of these working groups. By creating an environment of more active internal support, councils will be able to step back into a more passive, supporting role.

The key benefit to implementing this program regionally will be the ability to achieve greater scale in emissions reductions, the ability to draw in expert collaborators and enable cross-city sharing between businesses and improved overall program cost-effectiveness.

Impact

The industrial sector is a difficult one to target and has proven resistant to energy efficiency programs in the past. However, due to the associated emissions, we expect that programs with even proportionally modest impact will result in large outcomes overall.

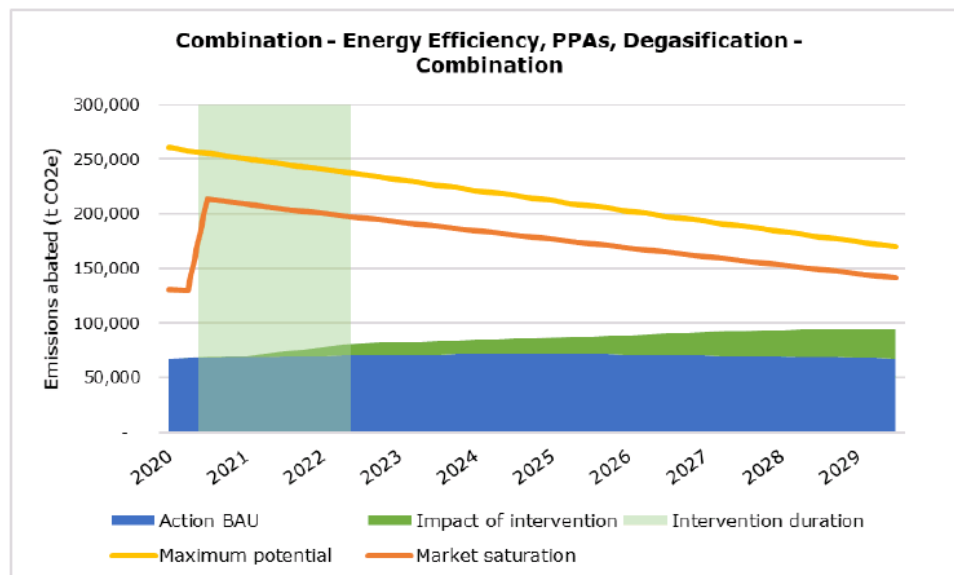


Figure 7: Emissions reduction projection for Kingston for interventions on industry



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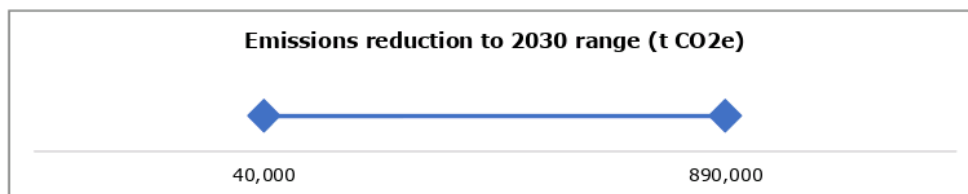


Figure 8: Upper and lower estimates for emissions reduction potential for Kingston

The upper limit of projected emissions reduction is particularly large and represents the large opportunity for council-led programs.

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4.2 Low Emissions Buildings Through Design

SECCCA and participating councils will work with planning teams and developers to ensure that the highest standard of environmentally sustainable design (ESD) is implemented. At first, this will involve developing consistent interpretations of Local Planning Policies (LPPs) and the National Construction Code (NCC) amongst planning teams and ensuring that developers are supported to meet these high standards. Beyond this, the region will work on updated planning regulations and advocate for their inclusion in LPPs by the State Government.



Background

Residential and commercial energy consumption is responsible for 32% of GHG emissions in the City of Kingston. Kingston has a lower growth than the Australian average (at around 1.25% p.a., as compared to Australia's average of 1.6%). However, there is still new development taking place both in the commercial and residential sectors, in addition to substantial renewal.

This action aims to address the energy efficiency of buildings from a design perspective. The outcome would be buildings that are well insulated, well oriented and designed to be low-energy use. In doing so, these buildings will use less energy for heating, cooling and lighting.



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Interventions

Challenges in achieving low emissions design in buildings currently are bedded in the planning process and in the lack of incentives for developers. The efficiency of buildings in Australia is measured by the National Home Energy Rating Scheme (NatHERS). The National Construction Code prescribes the minimum requirements for new buildings with the objective to reduce GHG emissions in all new buildings through energy efficiency and sustainable design. Developers, faced by pressures to provide low-cost housing and buildings, consistently build to minimum standards. In addition, there is limited motivation to achieve higher standards because the financial benefits of doing so will be borne by the end-users. Finally, the assessment of planning applications by Council teams may lack consistency in consideration of ESD elements.

This program seeks to influence the existing implementation of the NCC and LPPs by local planning teams to a consistent and high standard. It also looks to work with developers to ensure they understand the new interpretations of the LPP and are preparing applications that meet the new standard.

Of course, there are limitations to what can be achieved within existing policies and processes. As such, the program will also seek to make changes to the relevant LPPs by drafting updated regulation and advocating for its adoption by the Victorian State Government.

Working regionally with developers and other stakeholders will dramatically increase the cost effectiveness of the facilitation interventions and helps present a strong and consistent message across the region. Additional interventions under this action area will also be undertaken by the City of Kingston at the municipal level (see Section 4.2).

Impact

Through pursuing interventions that both increase the minimum compliance expectation, while providing facilitation towards better practice, there should be a good response to increased standards. This program is achieving structural change that will continue to increase well beyond the life of the program, as shown in Figure 9. As noted in Figure 10, the potential maximum impact for this program is around 540,000 tCO₂e for Kingston alone, making it very high impact.

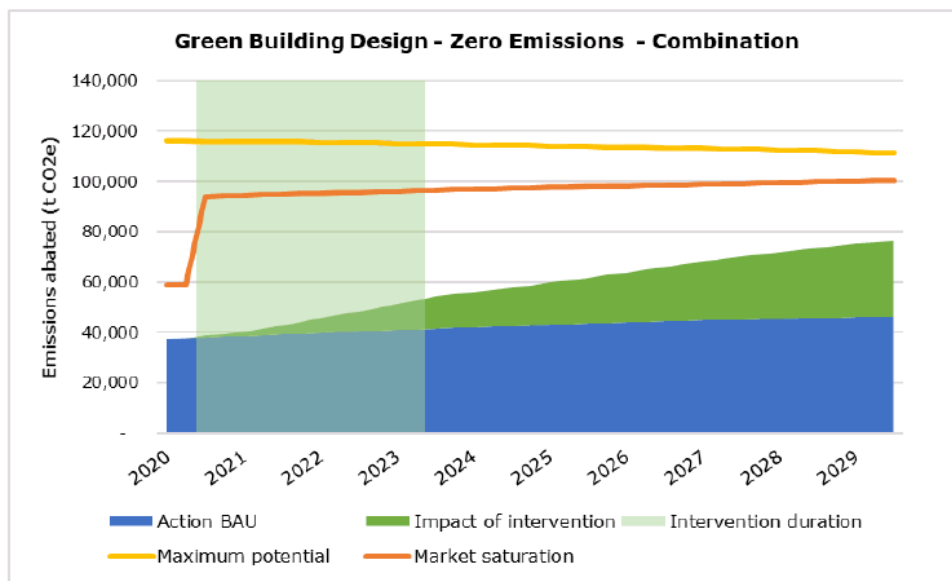


Figure 9: Emissions reduction trend in Kingston for planning interventions

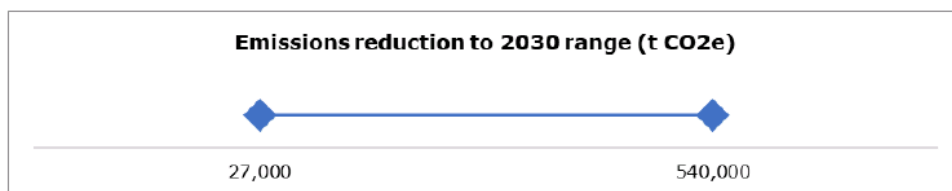


Figure 10: Upper and lower estimates for emissions reduction potential for Kingston

4.3 Energy Efficiency Retrofits and Appliance Upgrades for Homes

Targeting local services providers such as installation specialists will enable councils to influence each household that seeks to upgrade appliances. This program will engage relevant local businesses through educational workshops on the benefits of energy efficient appliances, supporting consumers to make long-term decisions and engaging with this process at a point-of-failure situation. This will be based on and build upon successful programs such as GreenPlumbers.



Background

Energy efficiency retrofits and appliance upgrades are modifications made to buildings or the plant and equipment within them for the purpose of reducing the energy consumption of that facility or dwelling. Retrofits are usually focused on the building shell or fixed plant and equipment, while appliance upgrades may cover fixed or non-fixed appliances. There is a broad range of solutions that fall within the scope of energy efficient retrofits, with some overlap with appliance upgrades, but can include:

- Installation of double glazing or film treatments
- Installation of awnings, eaves, or other external fixtures to windows
- Draught sealing
- Installation of insulation (typically ceiling, wall, and subfloor)
- Replacement of heating and cooling systems with more efficient solutions, or different technologies



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- Rezoning and redesign of heating and cooling systems to reduce inefficiency of operations
- Installation and/or optimisation of a building management system
- Installation of efficient hot water systems

Appliance upgrades, on the other hand, are focused on commercial off-the-shelf appliances that in many cases can have Energy Star ratings (<https://www.energyrating.gov.au/>), making comparison and evaluation easier. Typical appliance upgrades include:

- Refrigerators and other kitchen appliances
- TVs and other entertainment or audio/visual equipment
- Computers (excluding servers)
- Air conditioners (for packaged systems) and heaters
- Hot water systems

Interventions

Educational Workshops with Service Providers

This intervention seeks to engage with the installers and service providers that will in turn engage with each household that seeks to upgrade an appliance. This approach has two main benefits. Firstly, it means that the ability to reach households is greater. Secondly, it ensures that households that are upgrading appliances at the point of failure, as is oftentimes the case, will be engaging with a trained professional who can guide them through the emergency situation with a mind to long-term thinking and energy efficiency.

The proposed mode of engagement with relevant local businesses is through workshops that train professionals on the benefits of energy efficient appliances, supporting consumers to make long-term decisions and engaging with this process at a point-of-failure situation.

Impact

Energy efficiency retrofits and appliance upgrades have been the target of many incentives and other programs by state and federal governments, with varied success. One of the key challenges for the adoption of these retrofits is the degree of customisation that they typically require, and that many of the solutions are quite capital intensive. With these considerations in mind, the current expectations for this intervention are low.



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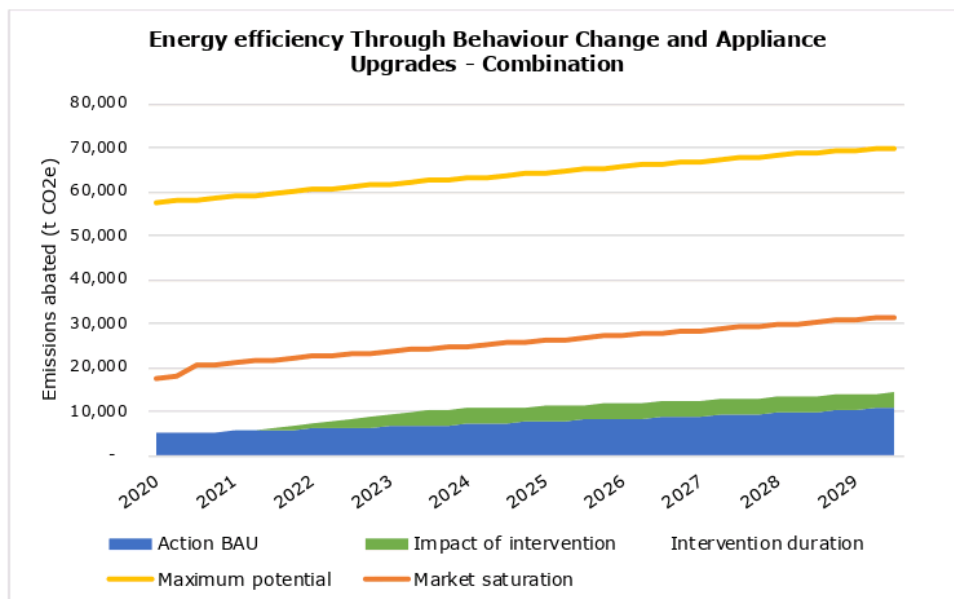


Figure 11: Estimated impact of energy efficiency interventions for Kingston

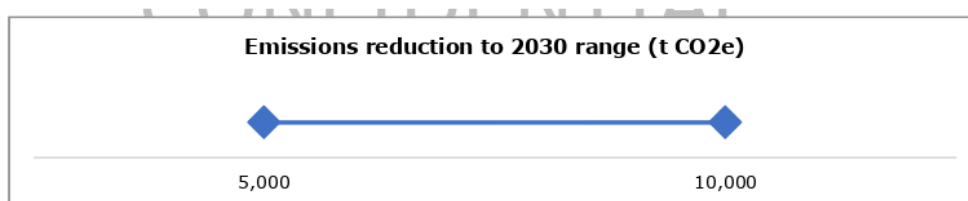


Figure 12: Estimated upper and lower bands of budget and impact for interventions

4.4 Energy Efficiency Retrofits for Commercial Buildings

There are a range of measures that can improve the sustainability performance of commercial buildings, from simple upgrades to window coverings and gap sealing, to more sophisticated and expensive measures like improving HVAC systems. This action is agnostic about the specific measures taken but considers an improvement in the average NABERS (National Australian Built Environment Rating Scheme) energy rating of existing buildings.



Background

As suggested in the equivalent section for residential buildings, there are a range of measures that typically are considered for retrofits. These can include:

- Installation of double glazing or film treatments
- Installation of awnings, eaves, or other external fixtures to windows
- Draught sealing
- Installation of insulation (typically ceiling, wall, and subfloor)
- Replacement of heating and cooling systems with more efficient solutions, or different technologies
- Rezoning and redesign of heating and cooling systems to reduce inefficiency of operations



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- Installation and/or optimisation of a building management system
- Installation of efficient hot water systems
- An important subset of energy efficient retrofits is the optimisation of design, technology selection, and operation of servers

Interventions

To address these barriers, engagement for this intervention should focus on programs that can be rolled out at scale across the participating municipalities. These programs should be focused on facilitation, with the actual cost of adopting actions being taken up by the party (or parties) who stand to benefit. In this instance, programs that provide procurement support have been proposed. For example, councils could link businesses through to suppliers or financing programs through vendor panels, vetted suppliers lists, providing funding application support or even facilitating bulk buys (noting that is a particularly administration-heavy solution).

Taking advantage of synergies across the region such as councils having similar industrial profiles will maximise cost effectiveness and overall impact. This avoids the need to reinvent the wheel in each municipality or business and can open up opportunities for economies of scale such as bulk buys of equipment.

Impact

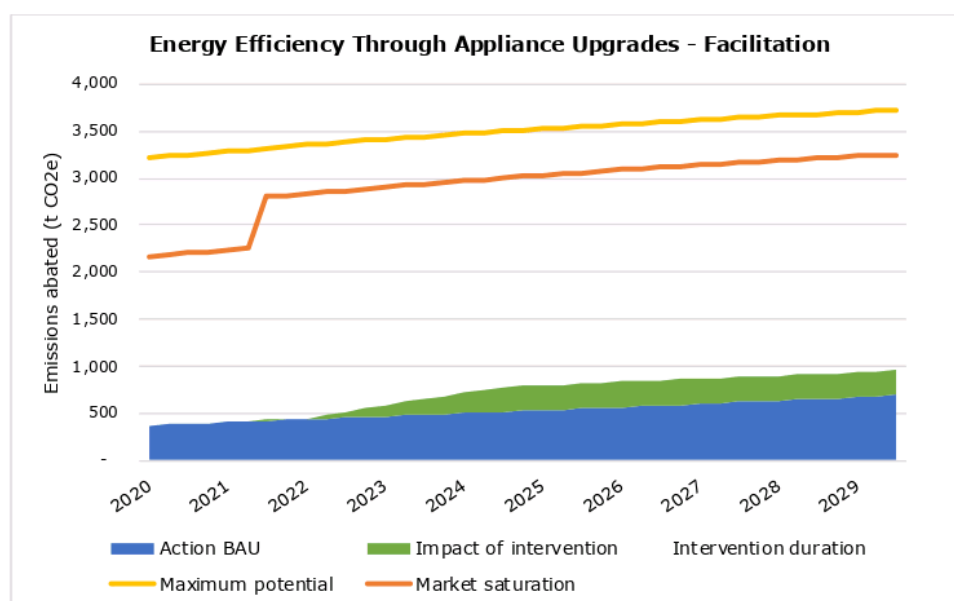


Figure 13: Impact projections for energy efficient retrofits and appliance upgrades in commercial buildings in Kingston

Figure 13 shows the predicted impact of this solution in the City of Kingston. The impact of this intervention is low as compared to other regionally implemented program interventions.



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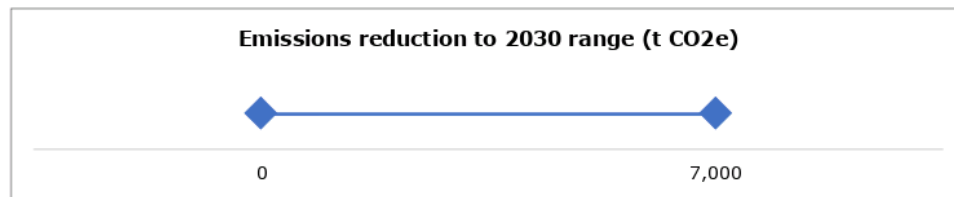


Figure 14: Emissions reduction range for commercial retrofits in Kingston

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4.5 Expanding the Electric Vehicle Charging Network

This program seeks to expand the network of rapid charge stations across the SECCCA region through collaborative strategic planning and facilitating the installation of the charging infrastructure by private charging companies. With this achieved, there will be a sound enabling environment for the uptake of EVs by the community. This program will build on plans by the Victorian State Government and projects funded by the Australian Federal Government (through ARENA) to ensure that the region is ready to support a transitioning car market. By creating an enabling environment for EVs, SECCCA and councils will support local residents to speed up their transition away from internal combustion engine (ICE) vehicles and reduce emissions from the transport sector.



Background

On road transport is responsible for 21% of the City of Kingston's emissions profile and is therefore a significant target area for Council. As electric vehicles (EVs) are going to drive a huge shift in the use of private vehicles it is appropriate for councils across the SECCCA region to consider it a priority to understand and support appropriate models for charging and usage.

This program seeks to deliver a well-planned and accessible rapid charging network across the SECCCA region. In doing so, residents and visitors will be more supported to transition from internal combustion engine (ICE) vehicles towards EVs.

Kingston has considerable in-house expertise and interest in this area and has been identified as a potential lead for this regional program.



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Barriers

The identified barriers for the roll out of EV charging infrastructure are:

- Network availability. Electric vehicle charging infrastructure requires a connection to the electricity network or a connection to a renewable energy source. This involves collaboration with electricity distribution businesses to enable new points of access to the electricity network in select locations.
- Land availability for charging infrastructure. In addition to a network connection, electric vehicle charging infrastructure must include car parking. In towns and cities, this means that often valuable parking spaces must be dedicated to electric vehicles only.
- High upfront capital to fund the installation of charging infrastructure.
- Current low uptake of EVs in the community. The EV-charging infrastructure problem is a chicken-and-the-egg situation. Uptake of EVs will likely remain low until there is visible and available charging infrastructure to ease community concerns around reliability and becoming stranded. However, there is limited incentive for private entities to install charging infrastructure whilst community uptake of EVs is low.

Enablers

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Electric vehicles are being targeted by a range of key stakeholders across the country, which provide excellent enablers for taking action. Some of these enablers include:

- **The federal government.** The federal government is participating in several ways to facilitate the uptake of EVs. These include funding for charging infrastructure, incentives for fleet transitions (such as the Future Fuel Fund <https://arena.gov.au/funding/future-fuels-fund/>), and other strategic initiatives.
- **The state government.** The Victorian state government has recently released a plan on transition to clean energy which includes a \$25 million fund for electric vehicles.
- **Electric vehicle advocacy groups.** Groups such as the Australian Electric Vehicle Association (AEVA³) and the Electric Vehicle Council⁴ (EVC) provide compelling advocacy and continually review the situation on EV technologies and associated solutions.
- Knowledge resources, such as **ChargeTogether**⁵

Interventions

This program will firstly seek to plan out a rapid charging network across the SECCCA region. A regional approach will ensure that charging stations are accessible in all areas and that their locations are optimised across municipal borders.

This will of course be balanced with a local strategic planning process within each council.

³ <https://www.aeva.asn.au/>

⁴ <https://electricvehiclecouncil.com.au/>

⁵ <https://fleets.chargetogether.org/>

With these locations identified and mapped out, the program can then facilitate discussions with key stakeholders. These discussions will make these stakeholders aware of the process that has occurred and to identify and remove any remaining barriers to the installation of EV charging points.

The key collaborators for the program proposed here are EV charging solution providers, such as Chargepoint, Jet Charge, EVSE, eGo Dock and others who operate across the region. A number of other stakeholders will also be brought into the program at key stages, including DNSPs, developers, car park operators at large transport hubs within the municipality such as Moorabbin Airport and Moorabbin Hospital, as well as Council's Planning Department. Engagement with regional transport organisations such as South East Melbourne Integrated Transport Group (SEMITG), as well as state and federal level programs such as the Victorian Department for Transport and DELWP's Zero Emissions Vehicle Roadmap will also be essential.

Impact for Kingston

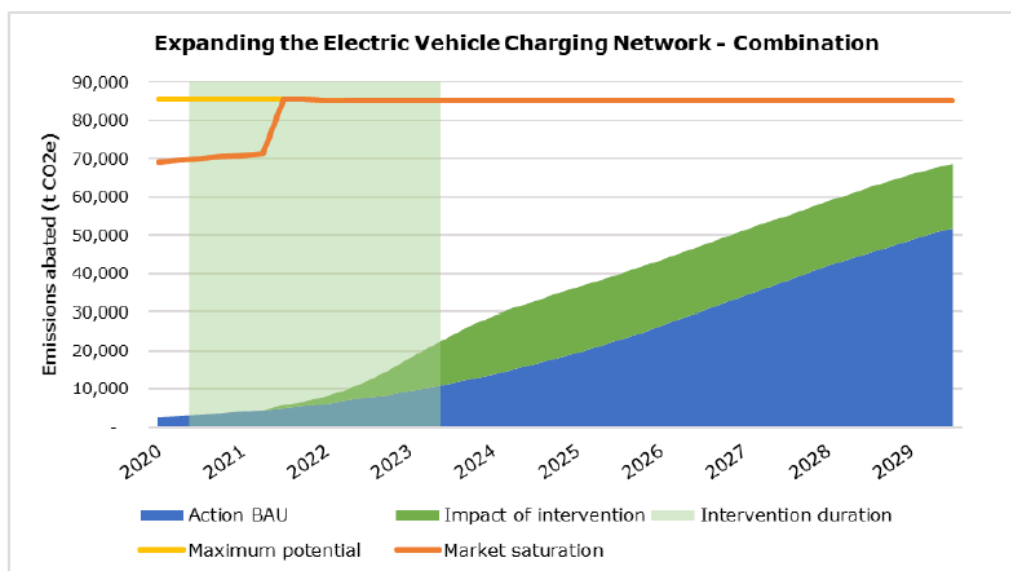


Figure 15: Estimated impact of EV charging interventions for Kingston

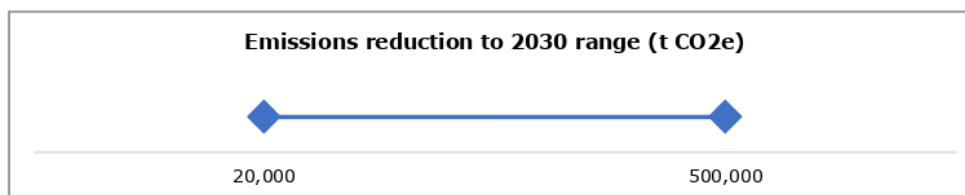


Figure 16: Estimated upper and lower bands for emissions reduction and budget

4.6 Solar for Rentals

The barrier of split incentives between tenants and landlords keeps rental properties largely excluded from the solar PV market. By facilitating a scheme that addresses these split incentives, SECCCA and participating councils will open up this sector to the market. This may include, for example, financial mechanisms such as agreed rental increases proportionate to energy bill changes that will enable tenants cheaper energy whilst landlords have a payback on the asset. This program will make solar accessible to a new subsector of residents, many of whom are of lower incomes. It's expected that this program could achieve savings of up to 160,000 tCO₂e within the City of Kingston.



Background

The aim of this action is to install solar photovoltaics (PV) on rental properties. The relationship between installing rooftop solar photovoltaic (PV) systems on residential dwellings and savings in cost and emissions is well known and documented. For municipal solar installations on owner-occupier buildings, there is currently a good business-as-usual trajectory for implementation and a number of market mechanisms that are supporting the continued growth of this action.

There is an opportunity presented by focussing on actors that are not currently represented in the market, in particular rental properties and multi-unit dwellings. Therefore, this action will include a targeted focus on rental properties in Kingston which make up approximately 22% of the housing tenure, whilst also aiming to address the broader residential solar market⁶. Ensuring the regional program takes into consideration vulnerable communities will also be a priority for the City of Kingston.

⁶ <https://profile.id.com.au/kingston/tenure?WebID=10>



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Interventions

This program is focussed on facilitating a scheme or program that addresses the issue of split incentives between landlords and tenants. An example is schemes that enable landlords to increase rent to a proportion of the value of the savings that renters receive on energy bills. This provides a win-win situation for renters, who will have savings on their energy bills that are greater than the increase on their rent, and landlords, who will have a payback period for the installation of the solar panels and long-term financial gain from the program. The actual mechanics of the program will be determined through a regional collaborative design process.

Impact

Because rentals are an underserved segment of the market at the moment, there may be a good opportunity to see improved uptake over time through a well targeted program. An estimate of the possible outcomes is shown at Figure 17.

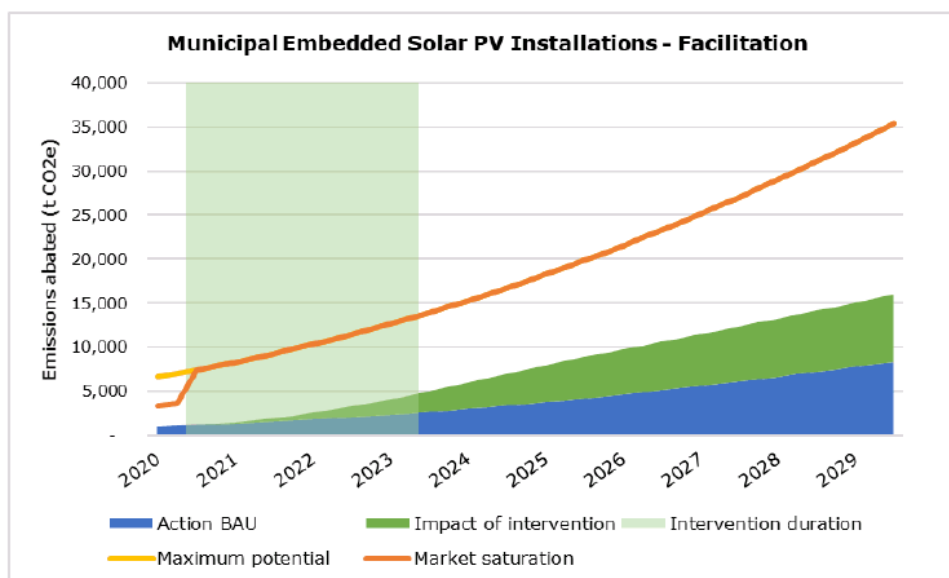


Figure 17: Estimates for emissions reduction for facilitation of solar on rentals

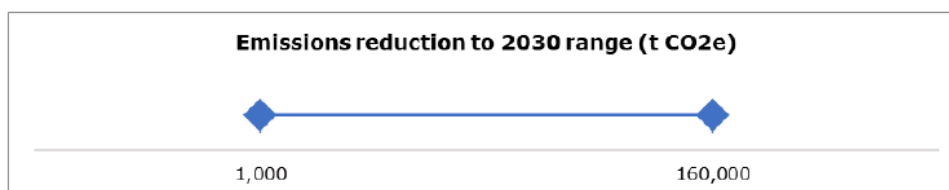


Figure 18: Estimates for upper and lower bands for intervention

5. Programs for the Kingston Community

5.1 Low Emissions Buildings Through Design

Council will build on the SECCCA regional program focussed on low emissions buildings through design with supporting interventions aimed at increasing the overall impact. Council will provide incentives to developers to encourage them to design high-performing buildings. This may include incentives such as faster processing times for planning applications, discounted rates, or others. In addition, Council will provide education to developers on available funding streams for sustainable buildings such as Better Building Finance. The overall impact of these two additional interventions if implemented in full is expected to be around 650,000 tCO₂e up to 2030.



Background

This program supports the regional program for low emissions building through design (see Section 4.2), introducing elements that are best suited to implementation at the municipal scale. The goal is the same: working towards buildings with low energy demands through design.

The regional program is focussed on ensuring consistent interpretation and application of the planning scheme, working with developers to encourage them to meet a higher ESD standard and also developing new regulation and advocating to have it approved at by the State Government.

Barriers

The regional program will address key barriers in this area, however the following barrier may still pose a relevant challenge to improvement in building design:

- Lack of incentives for developers to design for appropriate energy efficiency solutions: The upfront capital costs are borne by the developers while long-term efficiency gains stay with the homeowner. Competing priorities such as for affordable housing can also stifle ambition.



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Interventions

In addition to the interventions to be implemented as part of the regional program (Section 4.2), the City of Kingston will implement two interventions under this action area at a municipal level. These interventions are looking at providing incentives and education.

It was felt that the City of Kingston would be best placed to manage the implementation of planning scheme incentives and education internally as opposed to at a regional level. Since any rate reductions would be considered an expenditure item for Council and would therefore need to be considered and planned carefully in discussion with the financial teams, it would not be appropriate for roll out at the regional level. Council already has the capacity in-house to develop educational materials and will be able to action this intervention quickly internally.

Planning scheme or rates incentives cover a range of possible mechanisms. Essentially, this is something that will further encourage developers to submit planning applications that meet a high standard of ESD. Incentives may be discounted rates, or other incentives.

Education would be focussed on providing developers or others on information regarding available financing options such as the Sustainable Australia Fund or Better Building Finance as part of EUA promotion.

Enablers

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As identified in the regional project, there are enablers that can help activities in this area be more successful or may form the basis for intervention design themselves.

- **Victorian State Government.** The Victorian state government has recently released a plan for getting to zero emissions, building on their focus for a zero emissions future. In this plan, there is '\$5.9 million to establish a new 7-star energy efficiency standard for new homes to improve energy performance and reduce running costs.'⁷
- **Environmental Upgrade Finance (EUF)⁸.** These financing options can be used to promote low emissions solutions and aid business cases.

Impact

Figure 19 shows the predicted impact of the additional low emissions building design interventions by the City of Kingston. These would build upon interventions being implemented at the regional level. The impact of these interventions is low as compared to the regionally implemented program interventions.

⁷ <https://www.delwp.vic.gov.au/our-department/budget-2020-21>

⁸ <https://www.energy.vic.gov.au/energy-efficiency/environmental-upgrade-agreements>

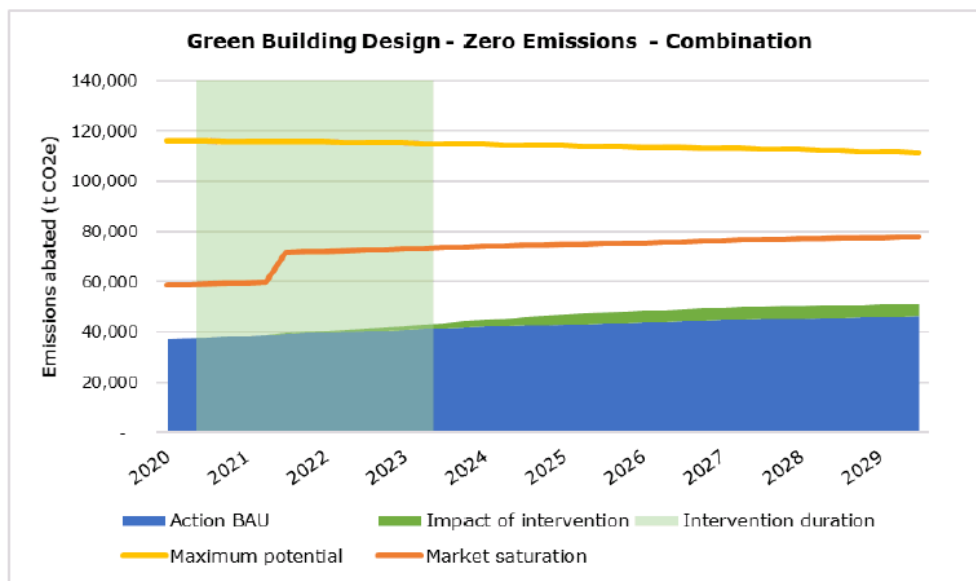


Figure 19: Estimated impact of intervention on additional interventions for green building design in Kingston

Through a combination of interventions there is good opportunity for emissions reduction associated with the planning assessment process.

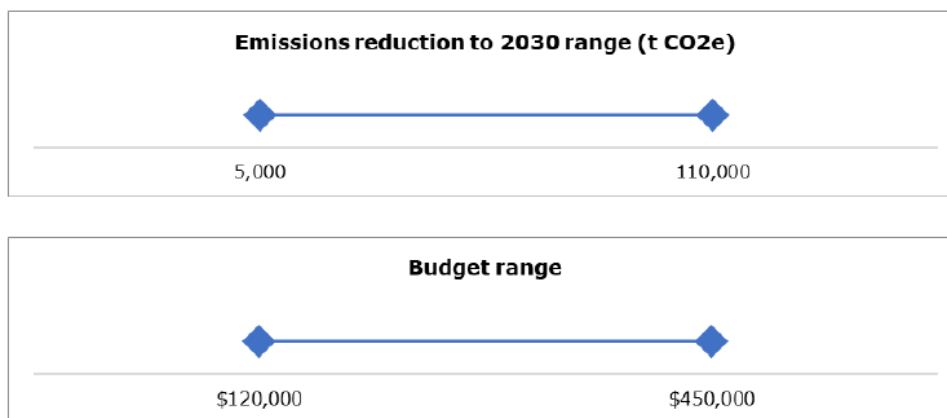


Figure 20: Estimated upper and lower bands for budget and emissions reduction

Looking Forward

The two interventions outlined above are to be implemented internally. This implementation of the incentive intervention is to be led by the Statutory Planning team drawing on case studies from other municipalities and in collaboration with other relevant teams within Council. Consultation with large developers and construction associations who are active within the



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municipality will provide valuable input into the design and delivery of planning scheme and rates incentives.

The development of educational content to promote available financing options can be implemented as a high priority as part of Council's upcoming website renewal. Uptake of promoted financing options within Kingston should be monitored where possible so Council can understand if educational materials are being effective and adjust the communications strategy if required.

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5.2 Changing the Future of Transport

This program is focussed on reducing emissions from transport by reducing the incidence of car travel. Trips are instead taken using public transport, active transport or where cars are required, engaging with car share services. Council's role is to support the uptake of cycling through the installation of cycling infrastructure and to increase the use of car sharing services through a suite of interventions. In particular, Council will create an enabling environment for car sharing services through favourable policy settings, then engage with car sharing companies to facilitate their entry and expansion within the City of Kingston. Finally, Council will educate residents about alternative transport options, with a particular focus on forgoing car ownership in favour of engaging with the sharing economy. It's expected that through this program Council will contribute to the avoidance of around 110,000 tCO₂e up to 2030.



Background

A mode shift towards public transport is the most important part of reducing car travel. A shift in how people travel from cars to public transport is equitable, accessible and appropriate for the majority of weather, geographies, trip types and distances.

Cycling and walking are zero emission alternatives to car travel that have a number of additional benefits, such as improvements to public health, air quality and through reduced congestion. However, active transport is an indirect substitution for car travel in that it is not appropriate for all members of the community, such as the elderly or people with disabilities. As such, avoiding trips by car is most effective when combined with a mode shift to public transport.



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With stronger public transport and active transport systems operating, a shift towards the car-sharing economy becomes more viable. There are several car share service providers operating successfully in Australia. The emissions benefit to car-share programs is in enabling residents to forgo car ownership. Car-share programs typically operate most effectively where there is a strong public transport and cycling network or links to these networks as an end destination.

Emissions reduction through car share programs occurs in multiple ways. Firstly, it changes the convenience of car travel, meaning that people are more likely to seek alternative travel through public transport systems or active transport. It also introduces a pay-per-use mentality to car travel, further influencing a reduction in use. Car share programs often have newer vehicle fleets and minimum requirements for age and efficiency of vehicles, resulting in overall improvements to the average efficiency of cars on the road. Finally, many car share programs in Australia are affiliated with carbon offsetting programs.

Barriers

The identified barriers to the uptake of car-sharing services and other mode shifts include:

- **Social norms:** In Australia car ownership and travel by car as the main mode of transport are commonplace and for many, habitual. It may be considered against social norms to borrow a car or lend your car to strangers. The use of public transport in some parts of Australia may be considered an option targeted at those who are either of lower socio-economic status or young (e.g. travelling to school).
- **Fear of, or actual, inconvenience:** Whilst the actual inconvenience may not be as high as the perceived inconvenience, it is the perception that hinders uptake. The perception of inconvenience of public transport increases the fear of inconvenience. The possibility of being stranded, more travel time, having to carry heavy loads, walk between locations and wait for long periods is off-putting. For cycling, the concerns about inconvenience may include weather, equipment failure (such as flat tires), fitness, limited space for luggage, and so on. Forgoing car ownership will mean that people may not always have instant access to a car. It also means that when using a car there may be a need to travel further afield to access a car instead of having access at home, or that there will be additional steps required to access the car.
- **Lack of local infrastructure:** Sustainable travel modes require supporting infrastructure. Car share companies for example need dedicated parking spaces with good access to public transport and cycling networks. Without access to these the program may not be able to function optimally. Another example is infrastructure to support cycling. This includes bike paths and end-of-trip infrastructure such as bike parking and showers at work places. Where there is no local infrastructure already in place, this can be controversial and expensive to implement. Sometimes providing this new infrastructure is within the control of Council, e.g. bike lanes, and sometimes it is outside of the jurisdiction of Council, e.g. train stations.
- **Private/public investment:** High upfront capital requirements for the improvement or investment in public transport infrastructure can result in a poor business case for stakeholders. Most public transport infrastructure is owned by the State Government and operated by a private enterprise or government-owned enterprises. In Victoria the rail



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and tram networks are currently operated by Metro Trains Melbourne and KDR Victoria. This means that there is unlikely to be a business case for investment in infrastructure.

- **Safety:** In particular, in locations where cyclists are travelling on busy roads, without a dedicated bike lane or in places where drivers are not aware of cyclists. Safety concerns may also apply to the use of public transport late at night.
- **Urban density and geography:** In areas where there is low urban density or challenging geography it will not always be possible or make financial sense to service these areas with bike lanes or regular public transport services. In this case, car ownership will be necessary for residents.
- **Status associated with car ownership:** Not only a social norm, some community members associate their personal status or worth with car ownership. Where car ownership is not for the primary purpose of transport, e.g. people who own an expensive sports car or a vintage hobby car, car sharing will not be an appropriate alternative.

Interventions

Council's program will seek to create an environment where the use of alternative transport modes is viable and attractive, and then educate residents of this changed environment to promote uptake.

Install Cycling Infrastructure

Firstly, addressing the environment around cycling will involve the direct installation of bike lanes, paths and other cycling infrastructure throughout the City of Kingston. This infrastructure should create links to key public transport routes and destinations.

Policy Support for Car Share Programs

When approaching increases to the uptake of car sharing, Council will first adopt a policy that promotes car share programs. This policy can focus on provision of dedicated parking for car share vehicles and the positive impacts of car sharing. Essentially, creating an enabling environment for car-share companies to operate.

Partner with Car Share Companies

Once this environment is established, Council can then facilitate discussions with car sharing companies to make them aware of the beneficial environment and available land space. Council can also seek to understand any further barriers to their entering or expanding their network within the City of Kingston and work together with these companies to overcome the barriers.

Community Education on Sustainable Transport

Finally, an education system promoting available transport options and aiming to shift social norms should be implemented. This education program can focus on addressing concerns around safety, convenience, route maps and practicality of using various transport options. Council can utilise its existing sustainability behaviour change workshops to promote sustainable transport options to the broader community.

Enablers

There are several enablers that can be considered when designing interventions in this area, as well as factors that may lead to substantial ongoing shift in transport patterns.

- Google Environmental Insights Explorer⁹. This is a new dataset that has been made available by Google. This dataset provides actual local-level data on transport, broken down by transport mode (including cycling and walking). This will assist with programs that seek to change transport patterns as it will facilitate tracking and evaluation.
- Carshare and rideshare apps. There are an increasing number of software applications that enable sharing of car resources (such as Car Next Door¹⁰). These solutions are opening the options for travellers and may facilitate more consistent mode shift.

Impact

Whilst, as with other interventions, there will be a point where a critical mass is achieved and Council intervention is no longer required, this is unlikely to be achieved within a three-year program. Thus, it is recommended that Council implements the interventions listed here for three years, before reassessing the value of the program and making a decision on how to progress.

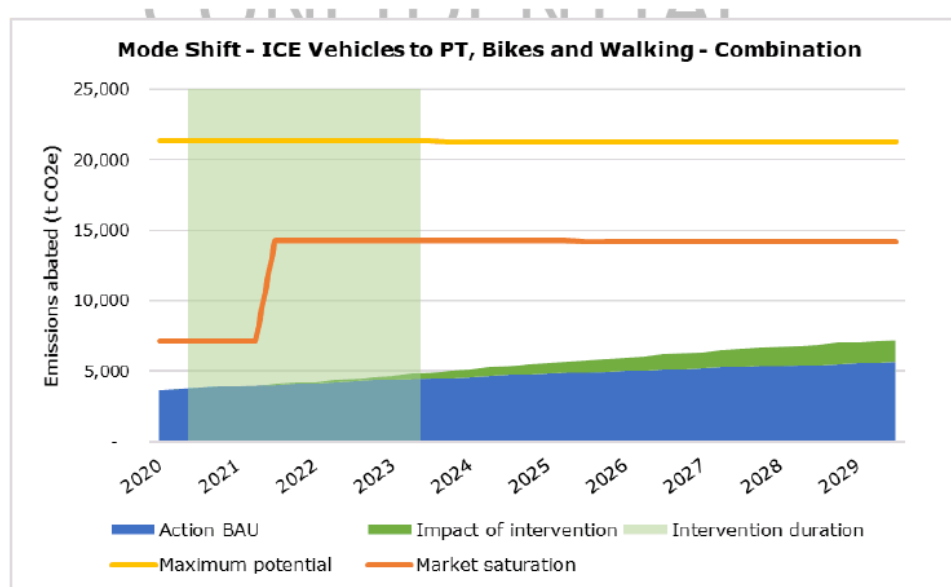


Figure 21: Estimated impact of interventions targeting mode shift to active transport in Kingston

⁹ <https://insights.sustainability.google/>

¹⁰ <https://www.carnextdoor.com.au/>

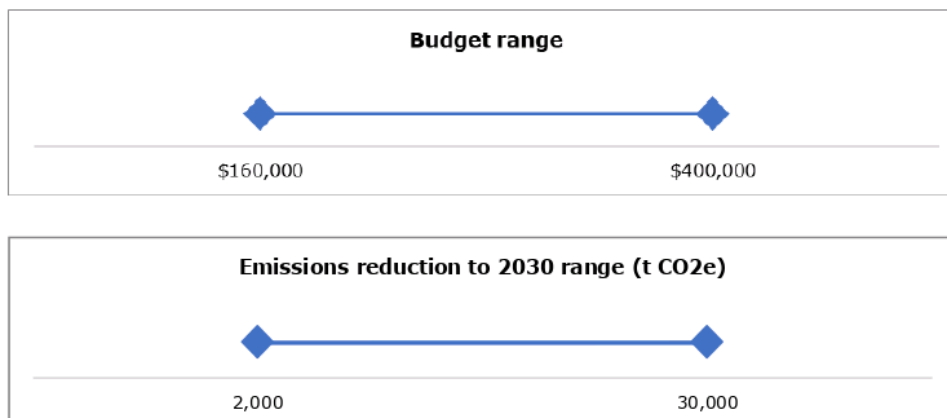


Figure 22: Estimated upper and lower bands for budget and emissions impact

As shown in Figure 22, the maximum predicted impact on emissions based on interventions focussed on mode shift to active transport is around 30,000 tCO₂e. This is expected to cost around \$400,000. As with other programs, lower budget allocations could be made for lower impact, however when financing the installation of bicycle infrastructure there will be a defined cost to achieving the outcome.

In addition to the interventions on general mode shift activities, car share and ride share platforms present an opportunity for maintaining access to private vehicles while encouraging mode shift for trips not requiring a car. This intervention should be viewed as being compatible with the general mode shift initiatives.

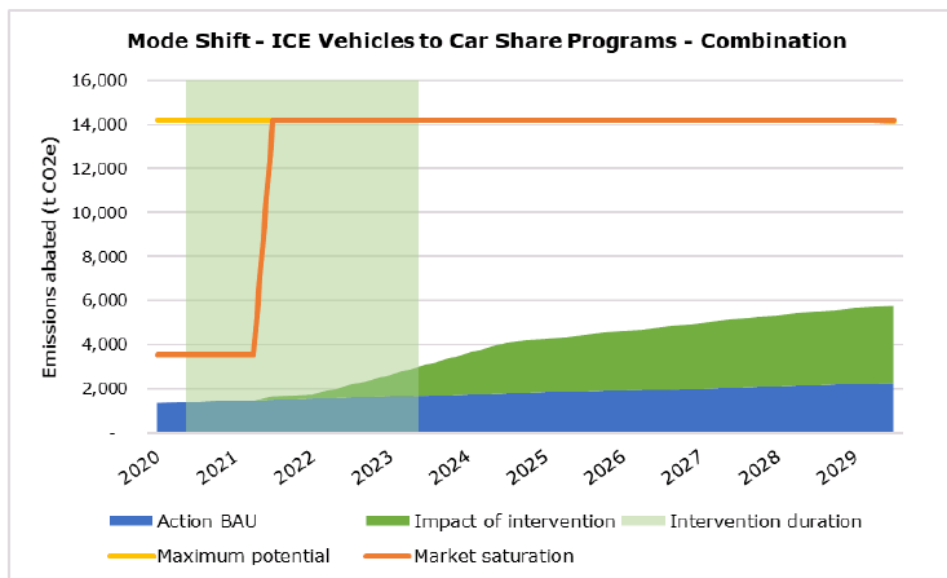


Figure 23: Estimated impact of interventions targeting mode shift to car share programs



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The estimated impact from interventions targeting take up of car share or ride share programs can be seen in Figure 23. This demonstrates around 80,000 tCO₂e saved up to 2030 as a result of Council's interventions relating to increasing the uptake of car share. To achieve this program, a budget allocation of around \$300,000 would be required, though lower allocations could be made for lower impact.

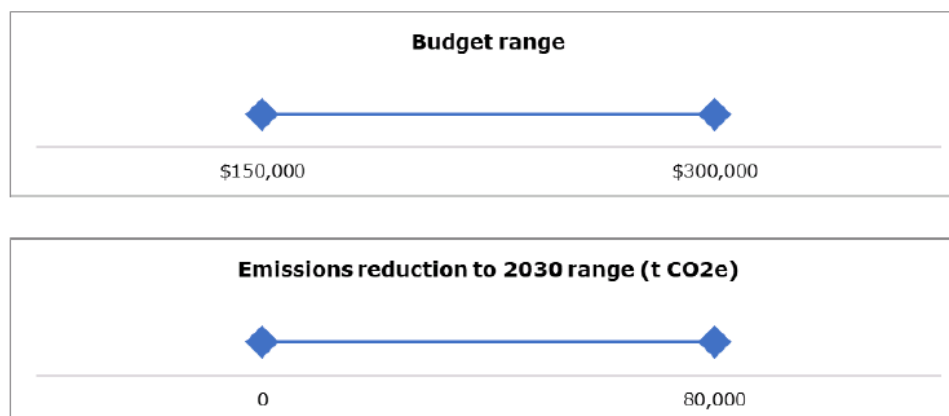


Figure 24: Estimated upper and lower bands on budget and emissions reduction

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Looking Forward

This program will be led by the Sustainability and Traffic and Transport teams with input from the Strategic Planning Team where relevant. The first step for Council will be to work through the framework of the Kingston Integrated Transport Strategy (KITS) to understand what Council could offer currently; for example, in terms of installing bike lanes and other active transport infrastructure. In the case of car-sharing, Council will seek to understand what could be offered to support car share companies to get established; for example, in terms of making available car parking spaces, and promoting individual companies to residents.

It will be important to understand how these transport modes will interact and ensure they are complimentary. Ultimately, these should provide a cohesive and streamlined transport experience for resident of and visitors to Kingston.

Since many of the barriers in this action area are social and/or place specific, a key objective of the collaborative planning process will be to understand the nuances of these barriers on the ground. Council will need to have a strong understanding of how residents interact with existing modes of transport so that the interventions implemented can be targeted to the specific characteristics of the communities. Consultation with local communities and relevant community groups will be invaluable in providing this local context.

Once Council understands what is possible from an internal perspective this intervention then requires close engagement with car-share enterprises. These companies will have excellent models of what the impacts of their interventions are and what factors influence take up. Examples of enterprises that could be involved in these discussions include Car Next Door,

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GoGet or FlexiCar, amongst others. Additionally, advocacy groups such as South East Melbourne Integrated Transport Group (SEMITG), and community groups should be included to ensure that any fears or other needs of the community are integrated into planning, and so that channels for communicating the intent of the intervention are established early.

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5.3 Support Electric Vehicle Uptake

Whilst Council is aiming to change the way that residents of Kingston engage with travel, there will still be times where car travel is required. In those instances, it is ideal that an EV is driven. Whilst the trend of EV uptake is increasing and is expected to continue to rise sharply during this decade, Council can further support this transition. Firstly, Council will build on the regional program on expanding the EV charging network through Kingston's own strategic planning processes, which will then be able to address private charging and specific actions detailed in Kingston's Integrated Transport Strategy. Council will then directly support the purchase of EVs through an education program to community members, providing incentives for EV ownership and developing a program of procurement support. It's expected that this program will result in around 340,000 tCO₂e emissions savings from transport up to 2030.



Background

Whilst aiming to shift the way that people engage with transport is of key importance to reducing emissions as well as creating healthy and liveable cities, there will still be a role for cars. This program is aimed at ensuring that when car travel is required, those cars are powered by electricity.

In many ways, the shift between ICE vehicles and EVs is simpler than changing the future of transport. It is essentially a like-for-like replacement, involving a different choice by consumers at the point of purchase, but otherwise very little change in attitude or behaviour. It is something that international governments and markets are actively shifting towards and that car manufacturers are promoting.



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This program aims to increase the uptake of EVs in the community. With the region working on a program to increase the required infrastructure, this will build on that program through Council's own strategic planning process and in addition will focus more on increasing the purchase of vehicles in the community.

Barriers

The identified barriers for the uptake of electric vehicles in the community are:

- Lack of public charging infrastructure. This is tied to the barriers of network availability and land availability. These barriers will be worked through via the SECCCA regional program on expanding the electric vehicle charging network.
- Lack of knowledge: There is a great deal of uncertainty and misinformation around the driving range of EVs and charging availability.
- Cost of EVs: Currently there is a cost differential between EVs and ICE vehicles that make EVs a less attractive option. New EV vehicles are more expensive than ICE vehicles and the second-hand market for EVs is currently poorly developed. This excludes a significant proportion of the community who can only afford second-hand vehicles.
- Social norms regarding car purchases: ICE cars are very much embedded in Australian culture and people can be resistant to change. Such norms continue to be propagated by marketing by car manufacturers for ICE vehicles.
- Residents reluctant to install charging infrastructure privately: Technological issues, cost, security, knowledge and confidence all contribute to a lack of action.

Interventions

Strategic Planning for Charging Infrastructure

The first intervention focuses on the use of strategic planning within Council to expand EV charging infrastructure by making land available for the installation of public charging stations and requiring charging points as part of new developments. It also addresses the need to future proof new buildings and developments to enable easy installation of charging points at a later point. The emissions reductions resulting from this action relate to the subsequent increased uptake of electric vehicles, essentially addressing the barrier of availability of charging infrastructure.

This intervention is part of the regional action plan, but there are distinct differences. The regional program will provide the opportunity to set up a charging network that is accessible and well planned across the region. However, once this network map is established, it will feed through to Council's own strategic planning department for integration into local processes.

Education, Incentives and Procurement Support for EVs

Through offering education, incentives and procurement support Council can encourage a new sector of the community to purchase EVs more rapidly than they otherwise would have.



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To address the barrier around misinformation and range anxiety regarding the functionality of EVs, Council can provide an education program that addresses these matters. This education can be combined with promotion of electric vehicle benefits and location of charging infrastructure through Council's website and other communication channels. Council can also utilise its existing sustainability behaviour change workshops to promote the uptake of EV to the broader community.

Procurement support will provide an opportunity for residents to engage in the purchase of an EV with confidence and ease. This support may take the form of a vetted suppliers' panel, cost comparison website, purchasing advice or something more comprehensive such as a bulk buy (noting that would be particularly resource intensive for Council).

Finally, the provision of incentives to the public for the uptake of EVs is something that happens informally and in an ad hoc manner but could be formalised and expanded by Council. Often, car parking spaces at shopping centres or public locations that are reserved for EVs are situated closest to the entrance. Indeed, the notion of a car parking space that is reserved at all may be considered an incentive. Incentives programs could be expanded to incorporate a greater number of cheaper, closer parking spaces or access to or discounts for other services offered by Council.

Impact

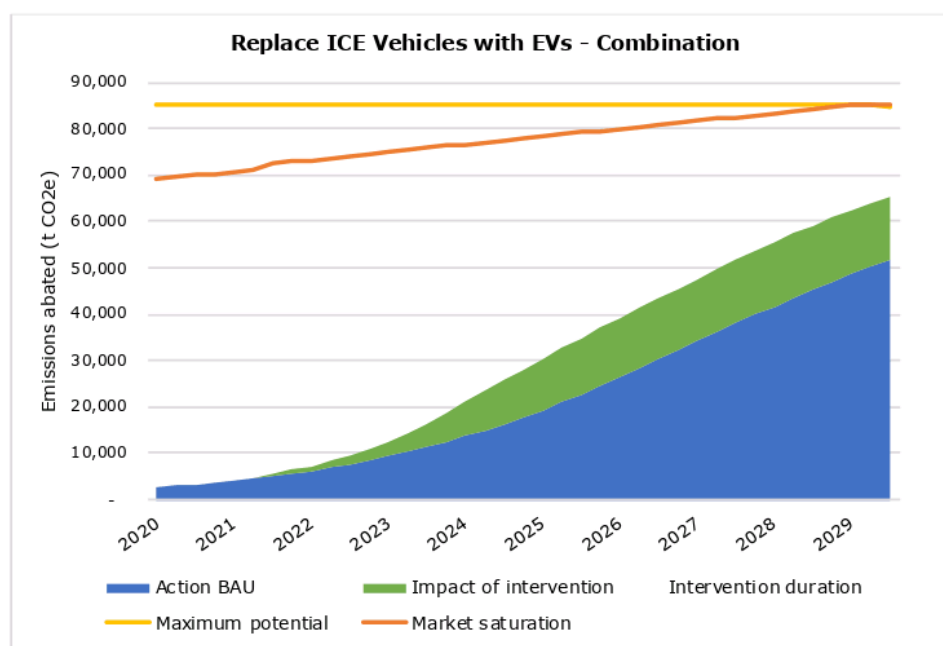


Figure 25: Estimated impact of intervention on EV charging infrastructure

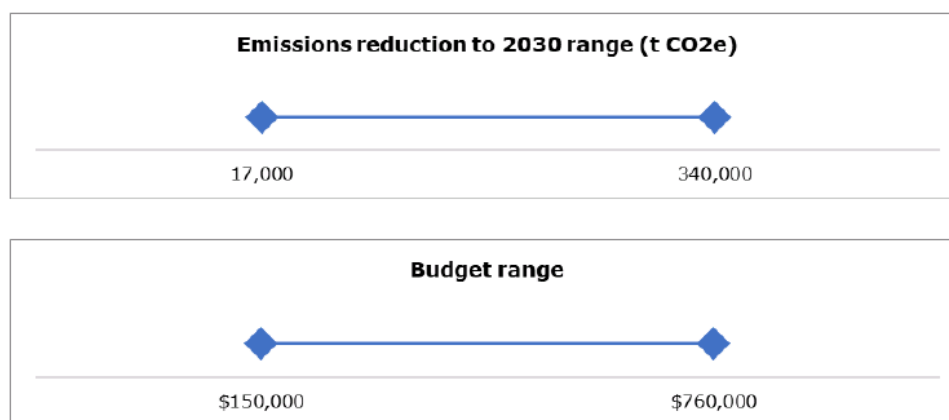


Figure 26: Estimated upper and lower band for budget and emissions reduction

The influence of a program focussed on EV charging infrastructure will only be relevant whilst Council is actively engaged in these interventions. It is recommended that Council implement these interventions for three years, before reassessing the value of this program. It is anticipated that the market for EVs and charging infrastructure will change significantly in the coming ten years, so Council's decision on how to progress in this area should be influenced by the most recent information available.

While the interventions program may only be actively run for a few years there will be follow on impacts that will continue after the program has closed. As more members of the community adopt EVs there is a normalising effect which in turn encourages others to consider EVs as a viable choice. Increasing the number of EVs within the community will also help to develop the second-hand market in a few years' time, again making EVs accessible to a greater number of people.

Because the uptake of EVs is expected to be significant over the coming decade, the timing on an intervention program may have a significant impact on the efficacy and potential scale of the impact. Too early, and the market is too small, with too many barriers, to have a large impact. Too late, and the opportunity for driving change may have passed. In regards to EVs in particular, the major market barriers around cost and range are expected to be addressed by around 2023-2025. To this end, interventions should be focused on planning and strategy for the next couple of years, transitioning to more market-facing engagement later.

Enablers

Electric vehicles are a rapidly moving technology, which will present a large number of enablers driving adoption over the next 10 years. These include:

- Low cost of ownership. As the upfront cost of EVs decrease, the benefit of having very low operational costs will become a key driver for buyers. In particular, it presents an



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excellent solution for low income households, as it will ensure that their ongoing costs will be reduced.

- Reducing capital costs. Electric vehicles are consistently reducing their upfront costs, with the expectation that they will reach cost parity with conventional vehicles within the next 3 years.
- Compatibility with other elements of green energy systems. The batteries of electric vehicles give owners the ability to utilize new models of Virtual Power Plant and other financing options. As these solutions become more widespread, their benefits will further encourage adoption.
- Increasing collaboration on charging infrastructure. In line with the regional approach, more robust charging networks will improve the perceived viability of electric vehicles.

Looking Forward

This program will be led by the Traffic and Transport team and implemented alongside the regional EV charging infrastructure expansion program. The strategic planning intervention is designed specifically as a solution to the barrier of land availability for charging infrastructure. While the specifics of the strategic planning intervention will be developed and rolled out on a municipal level, input into the process will flow from the design and implementation of the regional program.

Alongside the expansion of the EV charging network, Council can explore ways to support the community in the uptake of EVs. The provision of incentives will need to be scoped out internally in collaboration with the Strategic Planning and Traffic and Transport teams. Additionally, community groups should be included to ensure that any fears or other needs of the community are integrated into planning, and so that channels for communicating the intent of the intervention are established early.

When looking at educating the community and providing procurement support, an important group to target initially will be commercial entities with large fleets. The impact and ease of facilitation will be greatly increased by targeting a smaller number of high impact organisations. Council should identify appropriate organisations and promote the program through these channels as well as to the public. The South East Melbourne Integrated Transport Group (SEMITG) may be a useful place to start.

New vehicle vendors will also be key partners in the education element of this program. New vehicle vendors have a clear interest in promoting the uptake of EVs and will be key partners in providing community education on use of EVs, travel range, business case and charging. Council can also provide education and communication through the usual channels, such as through existing community group engagement, sustainability behaviour change workshops, Council newsletters, social media, and websites.

5.4 Promoting a Low Emissions Diet

Whilst emissions from agriculture in Kingston are relatively low, the impact of adjusting local diets will be felt by surrounding municipalities. By making simple switches to diets such as reducing the amount of meat and animal products and consuming food from local producers, emissions from agriculture can be reduced. Council would seek to educate local residents about the power of sustainable food choices.

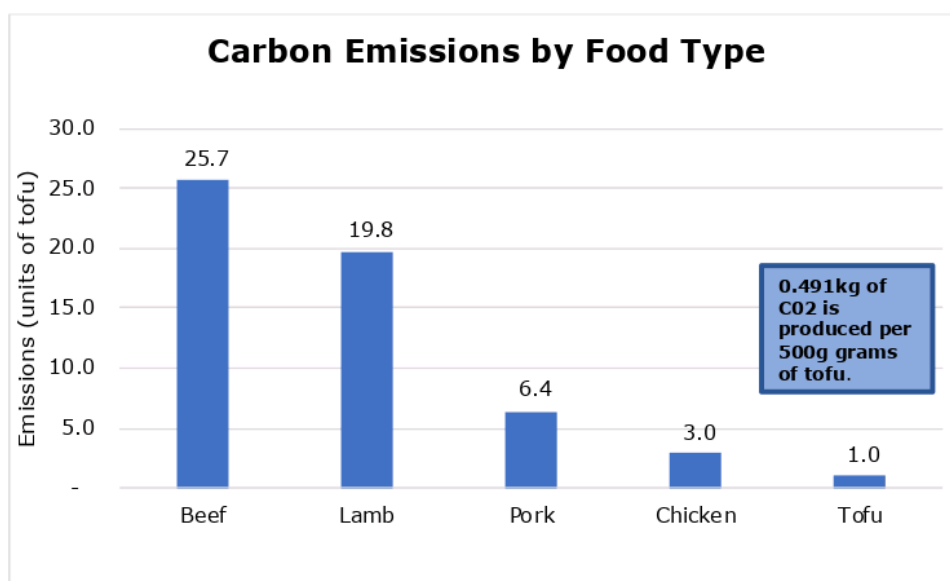


Figure 27: Graph depicting relative emissions by protein type

Background

The environmental and climate impacts of our diets are of increasing concern in Australia. The number of Australians on a vegetarian diet has shown a steady increase over the last five years with around 12% of Australians – nearly 2.5 million people – on mostly vegetarian diets in 2019¹¹. This has been reflected in an increase in the accessibility and variety of plant-based foods available in shops, supermarkets, and restaurants.

While the impact of an individual's food consumption is small in relation to the scale of community emissions, food is ubiquitous, and the impacts of the supply chains that deliver food to each and every one of us are very significant. Agricultural emissions within the City of Kingston are minor at around 1% of the total profile, however, agriculture was responsible for around 13% of Australia's total emissions in 2019/20¹² with the majority of these emissions coming from enteric fermentation in ruminant livestock¹³.

¹¹ According to market research firm Roy Morgan: <http://www.roymorgan.com/findings/7944-vegetarianism-in-2018-april-2018-201904120608>

¹² <https://www.industry.gov.au/sites/default/files/2020-08/nggi-quarterly-update-march-2020.pdf>

¹³ <https://www.agric.wa.gov.au/climate-change/how-australia-accounts-agricultural-greenhouse-gas-emissions>



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This action aims to lower agricultural emissions through encouraging lower emission choices in the food and products consumed by the Kingston community. However, the action is also further reaching. Because food choices are highly cultural and supply chains reach far beyond municipal borders, a shift within the City of Kingston has the potential to influence and contribute to a wider cultural shift towards more sustainable food production and consumption practices. This could have a significant impact beyond the boundaries of Kingston.

Barriers

The identified barriers for this action are:

- Social norms: Meat and dairy consumption is a core element of Australian culture for many people. Transition away from these foods will be met with resistance from many.
- Australia's strong connection to the agricultural sector: Australia is one of the largest exporters of beef, mutton, lamb, wool, and dairy in the world. These industries are important not only to our economy, but for many people they represent a way of life and a long family history. To be seen to threaten this sector is particularly taboo in Australia, both politically and socially.
- Requires many people to be on board to make a difference to emissions reduction: As an individual consumer action it requires significant buy in across the community to have a noticeable impact on supply chains and on the emissions generated by these supply chains.

Interventions

Education on Low Emissions Diets

Council will seek to educate residents on diets that produce lower emissions, such as mostly-vegetarian, vegetarian and vegan diets, and diets that incorporate lower food miles. Council can develop an education campaign to promote the benefits of these diets to shift social norms to more sustainable food choices. As well as through the standard modes of communication such as Council website and newsletters, there are also many creative ways that this education could be shared, for example through online cooking courses or recipe booklets.

Enablers

One of the most interesting enablers beginning to more seriously impact this action is the increase in plant-based meat substitutes. There has been a broad revolution in meat substitutes, with the relatively recent trend of these substitutes becoming standard offerings for fast food outlets¹⁴.

Impact

We haven't looked at modelling the impact of a low emissions diet for Kingston, mainly because it is unclear that a campaign focused on this action will be able to achieve significant (i.e. measurable) levels of reduction. Furthermore, in accounting terms, the emissions savings would not fall within the emissions boundary of Kingston as the municipality is not a primary

¹⁴ <https://uproxx.com/life/fast-food-chains-serving-plant-based-meat-2020/>

food production region. If Kingston is committed to exploring this option further, then focusing on approaches optimised for scale of impact would be a good approach. Details of this are outlined below.

Looking Forward

There are many organisations that offer good quality educational materials and advice on reducing the climate impacts of our diet. As a first step Council should research and collate a set of respected resources to share with the community. There are also global events such as Veganuary which the City of Kingston can connect with and promote within the community.

This action represents an opportunity to engage, not only with the public, but also with local businesses to increase the availability of lower emissions food choices across Kingston's retail and hospitality sector. Educational materials can be made available to businesses through existing business networks, and lower emissions choices encouraged and promoted through events run by or facilitated by the City of Kingston. These events could include catered events, fairs, festivals, and markets. The education of staff within Council will be an important element of this intervention as it will be difficult to encourage a cultural shift within the community if Council is not demonstrating that they are a part of this shift themselves. Council could also introduce more sustainable food menus at services it runs, such as Meals on Wheels and leisure centres.



5.5 Building Low Emissions Roads

Road construction is an area that Council has fairly direct control over and by making simple changes to the use of materials as well as adjustments to infrastructure guidelines in-line with Department of Transport (DoT) specifications, significant emissions savings can be realized. City of Kingston has already undertaken a trial of the use of concrete with recycled content. This program recommends building on the results of trials already undertaken in Kingston and other municipalities. Once Council teams, contractors and community members are confident in the materials and comfortable to work with them, council infrastructure guidelines can be updated to reflect lower emissions DoT specifications. It is expected that this program could save up to 20,000 tCO₂e up to 2030, with a high degree of certainty.





City of Kingston Opportunities Report

Background

Council constructs, specifies, and fixes many kilometres of road each year. This construction and maintenance work produces large amounts of greenhouse gas emissions. However, there is wide scale potential for utilising recycled or lower footprint materials in all aspects of road construction and maintenance as well as lower emission processes such as warm mix asphalt.

There are also many opportunities to lower the emissions from the provisions and maintenance of other hard surface infrastructure. This action can cover a range of works including:

- Roads
- Footpaths and driveway cross overs
- Shared paths
- Car parks
- Drainage and water infrastructure
- Outdoor sporting courts such as tennis, netball, basketball and skating

This represents a very cost-effective area for Council to take action on and, as Council has significant control over this emissions source, the level of certainty that the project will be successful is high. The updating of road construction specifications should also be considered important. There are many opportunities within Department of Transport (DoT, formerly VicRoads) specifications to require low emissions roads without changing of specifications. This includes all aspects of road and pathway construction and repair, from the road base to resurfacing. Importantly, the emissions from the concrete in kerb and channel and paths is as much as that from the road and asphalt. Kingston can provide leadership to other councils to do the same and were required work with DoT to improve requirements. As a relatively low-cost program to implement it could generate much larger impacts externally through influence.

The table below outlines some of the best practice approaches that could be adopted for reducing emissions from the range of normal construction areas. DoT specifies through codes of practice the requirements for road and path building materials.

Table 3: Example differences between specifications

Scenario	Infrastructure type	Description
Standard Specification	Asphalt	Asphalt, standard hot mix, 5.5% virgin bitumen (0% RAP).
	Kerb & Channel	N25 Portland cement-based concrete.
Partial Sustainable Specification	Asphalt	As per standard specification and warm mix.
	Kerb & Channel	As per standard specification and assume 50% geopolymer instead of Portland cement (25% slag, 25% fly ash).
Leading Sustainable Specification	Asphalt	Asphalt, warm mix, 3.5-4.4% virgin bitumen (20-40% RAP). Asphalt is to include maximum amount of recycled material as per relevant state specification.



City of Kingston Opportunities Report

	Kerb & Channel	As per standard specification and assume 100% geopolymer instead of Portland cement (50% slag, 50% fly ash).
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Barriers

The identified barriers for this action are:

- Knowledge and technical capacity: There are still relatively few practitioners in Australia who have experience with the slightly different processes associated with these materials.
- Procurement issues: Because there has not been substantial demand for these products to date, it can be challenging to find good procurement channels. Generally, it will require service providers to source new procurement channels, which they may be resistant to doing.
- Upfront costs: Use of innovative materials and the associated supply chain challenges may incur an increase in costs which will have to be justified within Council.
- Concerns around safety and durability: As this is an innovative specification there are few examples of how the materials perform in situ over time. There may be a requirement from within Council for more research and development before implementation.
- Specifications: Both Council and external specifications can reduce the ability of Council to create low emission roads. Influencing the VPA specifications may take longer than any internal action Council can take but will have significantly higher impact on emissions

Interventions

Following the successful implementation of the trials undertaken by the City of Kingston, Council will update infrastructure guidelines and processes to include the following requirements, in-line with relevant DoT Specifications:

- Use of low carbon recycled priority materials (glass, plastic, rubber, paper or cardboard) in council infrastructure projects
- Use of recycled civil materials (e.g. soil, rock, crushed concrete, recycled asphalt pavement) in council infrastructure projects
- Review of road and path designs to identify design changes that can reduce the use of materials. This may also be an opportunity to review the volume of hard surfacing and opportunities to introduce more non-permeable and green space within relevant streetscapes (especially residential roads and key precincts).
- Importantly we recommend Council implement simple changes in the short term (first 12 months) and then initiate an internal working group to progress some of the longer-term elements that require investigation or detailed consultation over time.

Enablers



City of Kingston Opportunities Report

The most significant enabler for this solution is the price parity and function equivalence of sustainable concrete and asphalt materials for many applications. This ensures that transitioning to these products will be straight forward.

Impact

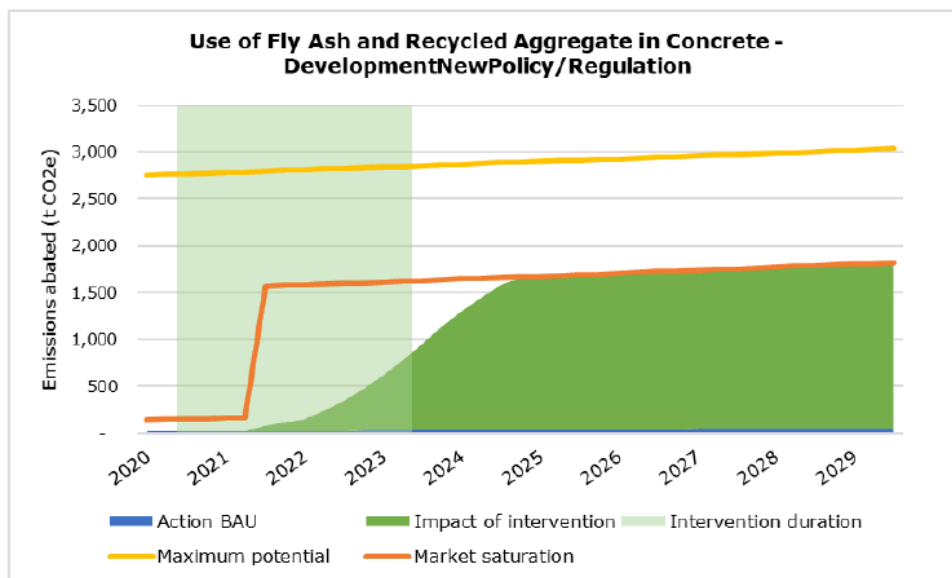
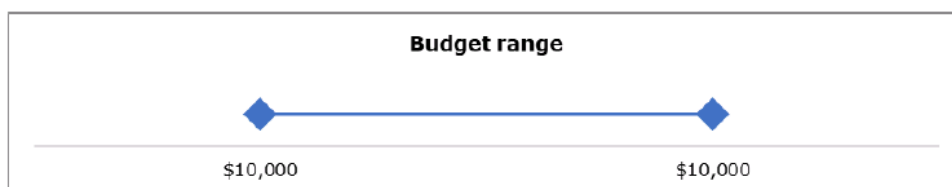


Figure 28: Estimated impact of fly ash and recycled aggregate in concrete





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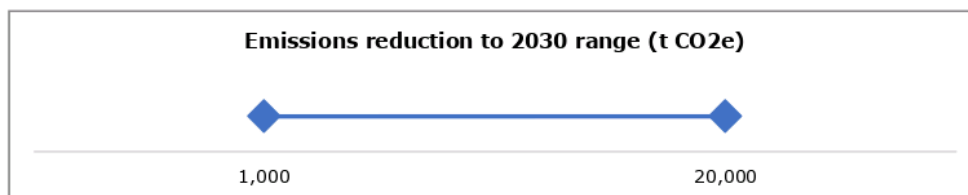


Figure 29: Estimated upper and lower bands for budget and emissions from intervention

Looking Forward

Because of the role that Council plays in road building, there is only limited need for collaboration on this action. One area that would be sensible to focus on, however, is the need for improved capacity and procurement capabilities within local service providers. A first step would be to discuss with service providers the capacity of existing supply chains and understand if there are any barriers to Council implementing this action successfully. Further, a close working relationship with DoT will ensure a leading sustainability specification can be designed within the requirements for road and pathway building in Victoria.

5.6 Community Renewable Energy Projects

Community renewable energy projects are an important way for community groups to engage in significant clean energy projects. This program is passive or reactive, that is to say that it will respond to projects that are driven by the community, but will not seek to cultivate them itself. Council's role here is to ensure that when community groups propose renewable energy projects such as solar farms, microgrids or virtual power plants, there is support in navigating the process. This may involve legal, procurement or planning support, as required. Outcomes of this program depend largely on active community groups within the City of Kingston. Modelling indicates that the potential for emissions reductions through this program is 4,000 tCO₂e up to 2030.



Background

Community renewable energy refers to projects where a community group initiates, develops, operates, and benefits from a renewable energy resource. Community renewable energy projects include arrangements such as community owned solar farms or wind turbines, micro-grids, and virtual power plants (VPPs). There are numerous examples of successful community renewable energy projects across Victoria, and other states in Australia¹⁵.

Where community groups or other stakeholders seek to undertake community renewable energy projects, there will be a role for Council to play in facilitating these projects. This includes allowing for planning approval, supporting the administration of these projects and possibly support in facilitating stakeholder engagement and connections.

Barriers

¹⁵ Case studies of community energy projects in Victoria: <https://www.energy.vic.gov.au/renewable-energy/community-energy>



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The identified barriers for this action are:

- May not be appropriate for the community: This action requires members of the community to have the knowledge, capacity, and drive to lead on the project and commit to ongoing management.
- Mutual benefits not properly distributed: Benefits such as lower energy prices may not reach those in the community who need them most.
- Requires a suitable location: This action requires a site or sites with suitable energy generation potential to be available to the community for this long-term purpose.
- Requires the community to fully participate, and to fund some initial investment: This action is community led and will require active commitment from community members.
- Requires informed decisions on revenue mechanisms (what is most practical for the community e.g. Power Purchase Agreement): Establishing such a mechanism with consensus from all parties and the appropriate legal protections in place can be complex.

Interventions

Facilitate Services for Community Renewable Energy Projects

To address these barriers, Council's intervention will be to facilitate services to community groups interested in community renewable energy projects. These services could include developing legal templates, providing meeting locations (possible council owned community buildings for example), and establishing virtual networks.

Enablers

The Victorian State Government support for community projects¹⁶ will provide an excellent support for Council's initiatives, and should be examined for compatibility. Additionally, Sustainability Victoria provides resources¹⁷ for supporting community energy projects.

¹⁶ <https://www.energy.vic.gov.au/renewable-energy/community-energy>

¹⁷ <https://www.sustainability.vic.gov.au/You-and-your-home/Save-energy/Support-community-energy>

Impact

Overall the expected impact of community solar for the municipality is not expected to be high, however through engagement with Council it could be expected that two or three mid-sized projects may move forward that otherwise would not have.

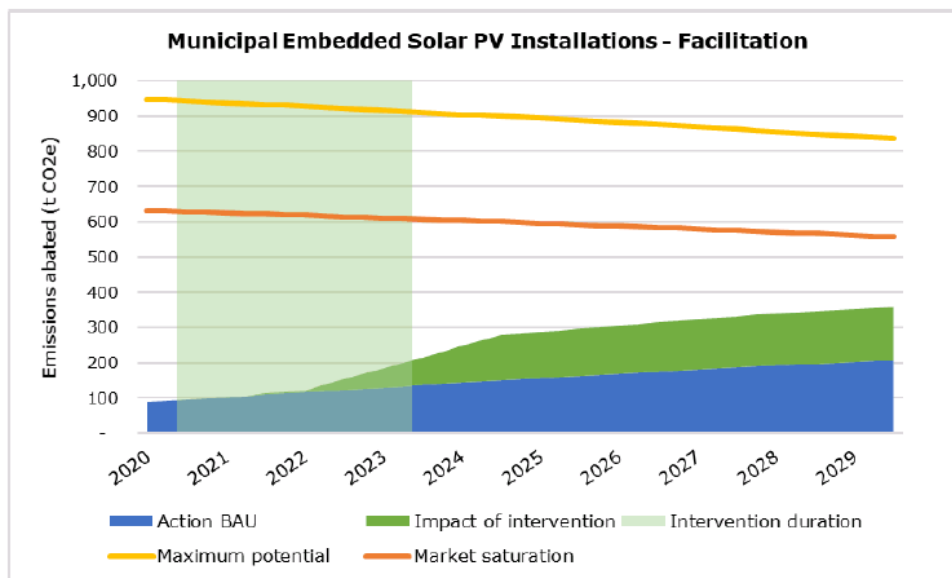


Figure 30: Estimated impact of intervention on community solar projects

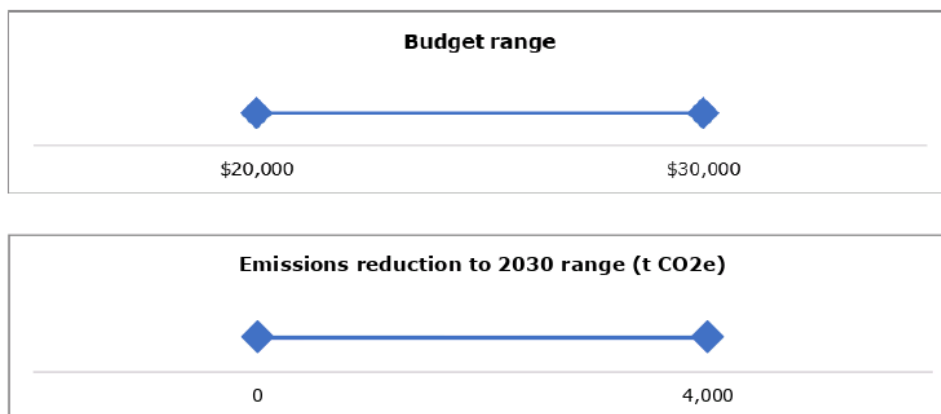


Figure 31: Estimated upper and lower bands for budget and impact

Looking Forward



City of Kingston Opportunities Report

This program will be led internally by the Environmental Planning and Economic Development teams. However, it is important to note that this action is community driven and so relies on the self-establishment of a community group to lead the project.

As a first step information and resources relevant to this program should be added to Council's website as part of the planned website renewal. If Council is aware of an existing community group or groups seeking to develop a renewable energy project, Council can inform the group/s about the available facilitation support, and work with the group/s to facilitate the project as needed.

There are existing organisations such as the Climate Action Network Australia (CANA), and Beyond Zero Emissions Zero Carbon Communities (ZCC) that specialise in supporting community energy projects. These organisations will be able to offer advice and resources to Council in optimising their facilitation role as well as offering additional support to the community groups directly.

The Victorian Government is also supporting the development and implementation of community renewable energy projects by providing resources and case studies (such as Sustainability Victoria's Z-Net pilot in Hepburn Shire), and has previously provided funding through the New Energy Jobs Fund and the Zero Carbon Community Transition grants. Council should continue to stay abreast of the funding opportunities available to community groups and integrate this into the facilitation offering as relevant.

CONFIDENTIAL



6. Summary of Opportunities

The regional costs ('Program Budget') outlined in **Error! Reference source not found.** is an estimated allocation of costs only. The split of program costs is to be agreed upon by SECCA and SECCA councils.

Table 4: Summary of proposed municipal and regional action areas and interventions with rating for program efficiency

Action	Interventions	Program Budget (\$)	Program Years Active	Total Impact to 2030/31 (t CO ₂ e)	Program Efficiency Rating
Future Proofing Businesses and Industry	Facilitate - Facilitate renewable energy group PPAs for industrial organisations with 'mid-sized' electricity demand (less than 40 GWh p.a.).	580,000	2	890,000	High Cost / High Yield
	Facilitate - Implementing working groups to focus on a specific set of interventions to address the challenges discussed by key stakeholders around energy efficiency and degasification.				
	Advocate - Advocate to SEMMA to investigate new technologies and educate their members.				
Low Emissions Buildings Through Design	New implementation of existing regulations or policies - Work within approvals process for new buildings to establish a common understanding of what	300,000	3	540,000	High Cost / High Yield



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	constitutes acceptable ESD and encourage all new buildings to achieve net-zero energy or net-zero energy ready.					
	Facilitate - Work with developers to pioneer zero net emission buildings and zero-net emission housing					
Energy Efficiency Retrofits and Appliance Upgrades for Residential Buildings	Facilitation - working with businesses to increase the rate of uptake of energy efficient solutions	10,000	3	10,000	Low Cost / Low Yield	
Energy Efficiency Retrofits and Appliance Upgrades for Commercial Buildings	Facilitation - linking owners and operators of commercial buildings to procurement support	10,000	3	7,000	Low Cost / Low Yield	
Expanding the Electric Vehicle Charging Network	Strategic Planning (Regional) - Identifying and setting aside land available for EV charging points, including select parking spaces, or it may be through requiring EV charging points in new developments in certain zones					
	Facilitate - Engaging with owners or potential owners of charging infrastructure and work together with the relevant stakeholders to facilitate discussions that result in the removal of identified barriers.	570,000	3	500,000	High Cost / High Yield	



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City of Kingston Operational Plan 2016-2019					
Solar for Rentals	Facilitate - Work with solar installation companies and real estate agents to devise schemes that provide financial mechanisms for landlords to install solar on rental properties	190,000	3	160,000	High Cost / High Yield
	Educate - Deliver workshops on available financial incentives and benefits of Solar PV for residents				
Municipal Programs					
Low Emissions Buildings Through Design	Incentivize - Planning scheme and rates incentives for positive outcomes. There are a variety of ways that this could work, for example faster processing of planning permits that meet specific requirements, or discounted rates.	\$450,000	3	110,000	High Cost / High Yield
	Educate - Inform businesses on available financing options such as Sustainable Australia Fund or Better Building Finance as part of EUA promotion				



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Transition to Car Share Services	Regulation - Adoption of a policy that promotes car share programs. This policy can focus on provision of dedicated parking for car share vehicles and the positive impacts of car sharing	\$300,000	3	80,000	High Cost / Mid Yield
	Facilitation - Facilitate the establishment of practical and easily available car and bike share schemes which are mutually beneficial to the service providers and residents				
	Education - Educate residents of the available options and shift social norms, with focus on addressing concerns on convenience and practicality of using car share programs				
Mode shift to bicycles	Facilitate and deploy the installation of bike paths and infrastructure throughout Kingston.	\$400,000	3	30,000	High Cost / Low Yield
Supporting Electric Vehicle Uptake	Strategic Planning (Local) - Identifying and setting aside land available for EV charging points, including select parking spaces, or it may be through requiring EV charging points in new developments in certain zones				High Cost / High Yield



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	Incentivise - Provide incentives to people using EVs (protected designated parking areas, discount parking rates, use of transit lanes) or incentive through provision of parking spaces.	\$760,000	3	340,000	
	Education - Promotion of electric vehicle benefits and location of charging infrastructure through websites and similar communication methods				
Promoting a Low Emissions Diet	Education - Connecting the community to educational materials on websites which promote diets that produce lower emissions	Not estimated	n/a	Not estimated	
Building Low Emissions Roads	Regulation - Update Infrastructure guidelines and processes.	\$10,000	3	20,000	Low Cost / Low Yield
Community Renewable Energy Projects	Facilitation - Provide facilitation service to community groups interested in projects - develop legal templates, provide meeting locations (possible council owned community buildings for example), and establish virtual networks	\$30,000	3	4,000	Low Cost / Low Yield

Council Meeting

22 February 2021

Agenda Item No: 8.4

KP-2020/554 - 172-176 OLD DANDENONG ROAD HEATHERTON

Contact Officer: Hugh Charlton, Statutory Planner

Purpose of Report

This report is for Council to consider Planning Permit Application No. KP-2020/554 - 172-176 Old Dandenong Road Heatherton.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That Council determine to support the proposal and issue a Planning Permit for Use and development of a Place of Worship in a Environmental Significance Overlay 4, alterations to a road in a Road Zone 1 and removal of native vegetation at 172-176 Old Dandenong Road Heatherton, subject to the conditions contained within this report.

EXECUTIVE SUMMARY			
Address	172-176 Old Dandenong Road Heatherton		
Legal Description	Lot 1 on TP449270C		
Applicant	Vincentian Retreat Centre Melbourne Inc		
Planning Officer	Hugh Charlton		
PLANNING REQUIREMENTS			
Planning Scheme	Kingston		
Zoning	Clause 35.04 – Green Wedge Zone A		
Overlays	Environmental Audit Overlay		
	Environmental Significance Overlay Schedule 4		
	Design and Development Schedule 5		
Particular Provisions	Clause 52.06 – Car parking		
	Clause 52.17 – Native Vegetation		
	Clause 52.29 – Land adjacent to a Road Zone 1		
	Clause 52.34 - Bicycle Facilities		
Permit Trigger/s	Clause 35.04 – 5 – Use and development of a Place of Worship in a Environmental Significance Overlay 4, alterations to a road in a Road Zone 1 and removal of native vegetation		
APPLICATION / PROCESS			
Proposal	Use and development of a Place of Worship in a Environmental Significance Overlay 4, alterations to a road in a Road Zone 1 and removal of native vegetation		
Reference No.	KP-2020/554	RFI Received	26/11/2020
App. Received	17/9/2020	App. Amended	21/1/2021
Site inspection	Yes		
S.52 Advertising	3/12/2020	Advertising Completed	21/12/2020
S.55 Referrals	Yes		
Internal referrals	Yes		
Objection(s)	None		
LEGISLATIVE			
Covenant/other Restriction	No	Complies: N/A	
Aboriginal Cultural Sensitivity Area	YES		
CHMP	YES		
Considered Plans	Prepared by Bruce Henderson Architects Pty Ltd, Drawing No's. TP101 to TP-712 inclusive, Revision 1 dated 19/08/2020, received by Council on 17/9/2020		

1. SITE HISTORY

There are no recent planning decisions relevant to the assessment of this application.

2. SUBJECT LAND

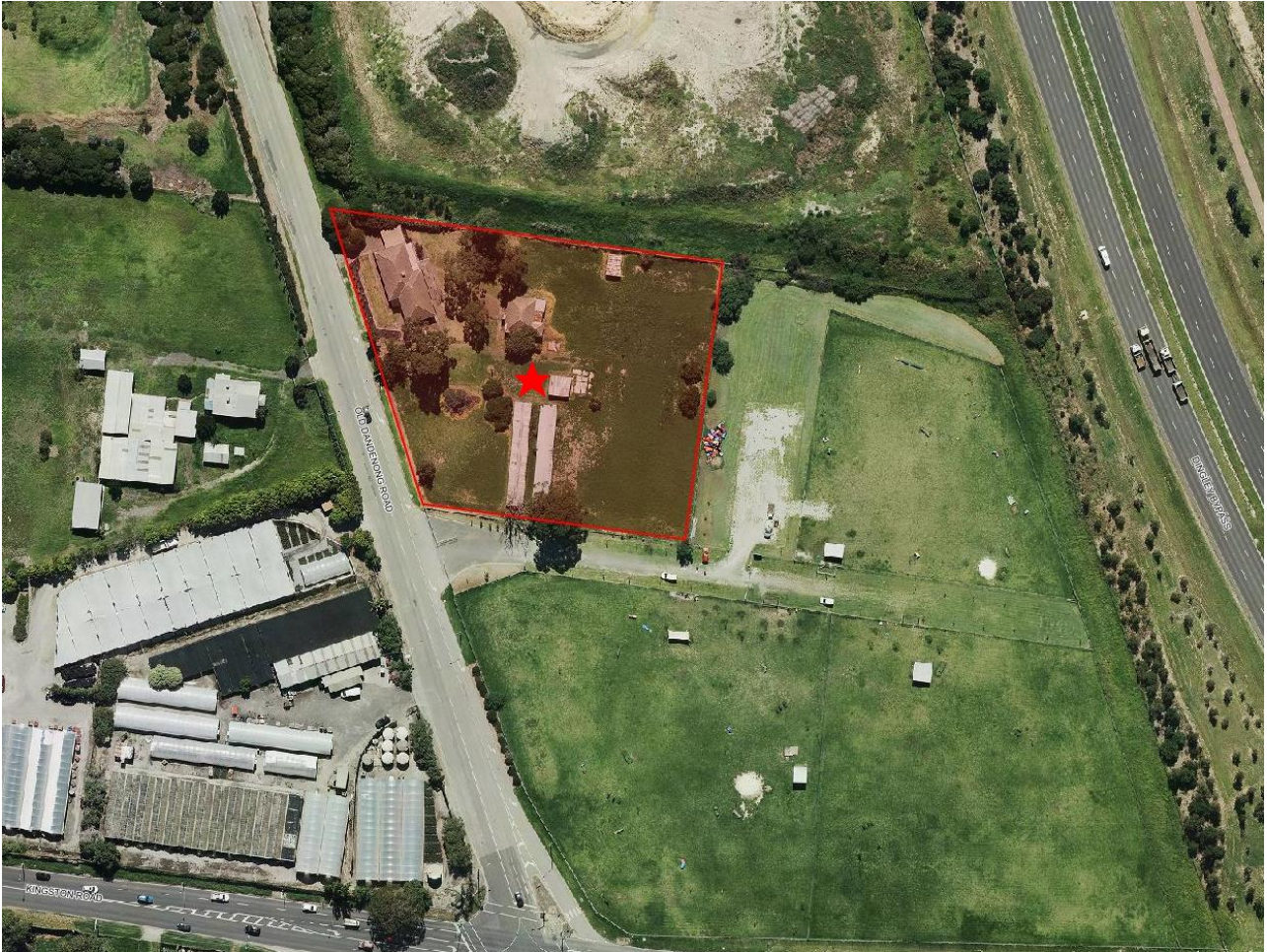
The photograph below illustrates the subject site from a streetscape perspective.



Built form	2 single storey dwellings, carport, outbuildings.		
Lot Size (m²)	0.8ha	Dimensions	Width: 91.5m Length: 83m
Topography	The land falls gently to the rear and to the south		
Fencing	2m cyclone mesh		
Vegetation	A range of sporadic vegetation including identified significant trees and one native tree		
Easement(s)	None		
Footpath assets / access	2 existing gravel crossovers		

3. SURROUNDING LAND

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



North	Former Landtrak landfill
East	Open agricultural land and associated outbuildings , Dingley Bypass beyond
South	Open land and associated outbuildings used as a dog park, previously a landfill
West	Old Dandenong Road and a single dwelling opposite and a large nursery diagonally opposite

4. PROPOSAL

Description	<ul style="list-style-type: none"> • Demolition of most existing structures including 1 dwelling • Retention of 1 existing dwelling to the north for an associated priest's residence, no changes proposed • Use and development of a Place of Worship in a Environmental Significance Overlay 4, alterations to a road in a Road Zone 1 and removal of native vegetation comprising of 1 tree 		
Storeys	Single storey	Maximum building height	12m
Setback	37m from street, 14 – 20m to side boundaries 4m from eastern rear boundary		
Floor area	1221 sqm		
Vegetation removal/retention	Removes 5 non significant trees over 8m high. Retains large significant Mahogany Gum tree along the southern boundary and other trees Removes 1 native coastal tea tree		
Building materials	Range of white brickwork and render, concrete, aluminium cladding, timber screens		
Car parking	90 spaces, gravel car park, compliant with Clause 52.06 car parking requirements		
Number of worshippers	Typically 200-250 worshippers, up to maximum of 300 worshippers on special events such as Easter and Christmas. Further detail below:		

Day	Service Time(s)	Anticipated Attendance Rate
Monday – Thursday	7:00PM – 7:45PM	24-40
Friday	7:00PM – 9:30PM	200-250
Saturday	9:00AM – 3:00PM	150-200
Sunday	7:00PM – 9:00PM	200-250
Special events ¹	7:00PM – 8:00PM	Up to 300

5. ADVERTISING

The proposal was advertised to surrounding owners and occupiers pursuant to section 52 of the Act. No objections to the proposal was received.

6. OBJECTIONS

None received.

7. PLANNING CONSULTATION MEETING

As no objections to this application were received, no planning consultation meeting was required.

8. AMENDMENTS

An amendment pursuant to section 57a was submitted on 21 January 2021 in response to officer concerns with:

- extent and visibility of car parking, contrary to the Council's Green Wedge Plan.
- an excess of car parking spaces, more than required under Clause 52.06 that could be reduced to still comply with 52.06 and allow for more landscaping opportunities
- car parking impact to the retained Mahogany Gum along the southern boundary

The amendments made the following changes:

- revised the car parking plan by relocating car parking, increasing landscaping, reducing the spaces by 15 to meet the car parking requirements of Clause 52.06
- designated an overflow car parking area beyond the retained Mahogany Gum that would be used less frequently

9. REFERRALS

INTERNAL REFERRALS

Department / Area	Comments / Rationale / Recommended Conditions
Strategic	Supported the proposal being consistent with Council's Green Wedge Plan, subject to improving the landscaping to the car parking area
Environmental consultant	Supports the preliminary gas risk assessment provided. Had no objection to the proposal subject to condition for a full gas risk assessment to be undertaken
Urban Design	Supported the proposal, no comments provided
Traffic Engineer	No objection raised, subject to conditions included on any permit issued relating to detail design recommendations for vehicle circulation and safety and provision of a shared user path
Vegetation Management Officer	No objection raised to removal of trees noting the majority will be retained, subject to conditions included on any permit issued relating to an improved landscape plan that additionally retains Tree 12 (<i>Koelreuteria paniculata</i>) and improves the car parking around the large Tree 11 (Mahogany Gum) intended to be retained
Roads and Drains	No objection raised, subject to conditions included on any permit issued relating to reinstatement of crossovers. It is noted that Department of Transport is the Road Authority in this instance.

Development Engineer	No objection raised, subject to conditions included on any permit issued relating to stormwater management, a groundwater assessment report, and provision of an apex adjacent to the laneway to protect from overland flows.
Native Vegetation consultant	No objection to the removal of the 1 native coastal tea tree, and that there was no native offset requirement.
ESD	Satisfied with the SDA provided
CMP	CMP not required.

EXTERNAL REFERRALS

Department	Section 52/55	Determining / Recommending	Objection	Comments
Department of Transport	55	Determining (RDZ1 & Public Transport 66.02-11)	None	No objection subject to conditions
EPA	52	Recommending	None	No objection

10. POLICY CONSIDERATIONS

General Provisions

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

Planning Policy Framework

The State Planning Policy Framework sets out the relevant state-wide policies for residential development at **Clauses 11** Settlement, **11.01-1R** – Green Wedges, **15** Built Environment and Heritage.

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.

The protection of Melbourne's Green Wedges is detailed at **Clause 11.01-1R** (Green wedges), with the importance of strategic planning highlighted in regard to land management. Development is not excluded within the green wedge, however should be supported where it provides for environmental, economic and social benefits. It also seeks to consolidate new residential development within existing settlements and in locations where planned services are available and green wedge area values can be protected.

Clause 15 (Built Environment and Heritage) aims to ensure all new land use and development appropriately responds to its landscape, valued built form and cultural context, and protect places and sites with significant heritage, architectural, aesthetic, scientific and cultural value.

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

The Subject Land **is** identified in an area of Aboriginal Cultural Heritage Sensitivity,

The proposed development is considered to a high impact activity, accordingly, a mandatory Cultural Heritage Management Plan ('CHMP') is required. *Alpha Archaeology Pty Ltd* has prepared a CHMP (No. 16930) in accordance with Part 4 of the Victorian *Aboriginal Heritage Act 2006*.

The CHMP has been approved by *Aboriginal Victoria* and is referenced in the recommended permit notes. The CHMP has the following summary of its assessment and findings:

"No Aboriginal cultural heritage was found during the assessment, and no areas are identified as likely to contain Aboriginal cultural heritage. No specific cultural heritage management conditions are required".

It is considered that the proposal accords with the above policies.

Local Planning Policy Framework

The site is located within the **South East Non Urban Area Policy (Clause 22.02)** which seeks to:

- *Protect and create a high quality rural landscape.*
- *Protect and create flora and fauna habitats and networks.*
- *Result in an urban form which is of a high design standard and low visual impact.*
- *To ensure that use and development does not compromise metropolitan urban growth strategies.*

This policy also states that Non-urban land should be used for activities which are consistent with the function and character of the area. Some of the suggested uses include

- *Agriculture, horticulture, extractive industries, land fill operations.*
- *Creation and enhancement of environmental features, including wetland systems.*
- *Public open space facilities including parks, sports fields, bicycle networks, etc.*
- *Public utilities and major infrastructure facilities such as retarding basins and effluent treatment works.*
- *Low density institutional uses eg: schools, clubs, churches*

The proposed place of worship is a 'low density institutional use', one of this policy's preferred uses for the non urban land being consistent with the function and character of the area. The proposal accords with the policy objectives, along with the amended car parking scheme provided by the applicant that softens and landscapes the car parking. The proposal is of low visual impact and unlikely to compromise any established biodiversity in accordance with the above local policy.

It is considered that the proposed development generally complies with the Local Planning Policy Framework guidelines which allows for compatible, low scale and low density housing in appropriate locations. This is discussed in the assessment under section 12 of this report.

Council Policy - Green Wedge Plan

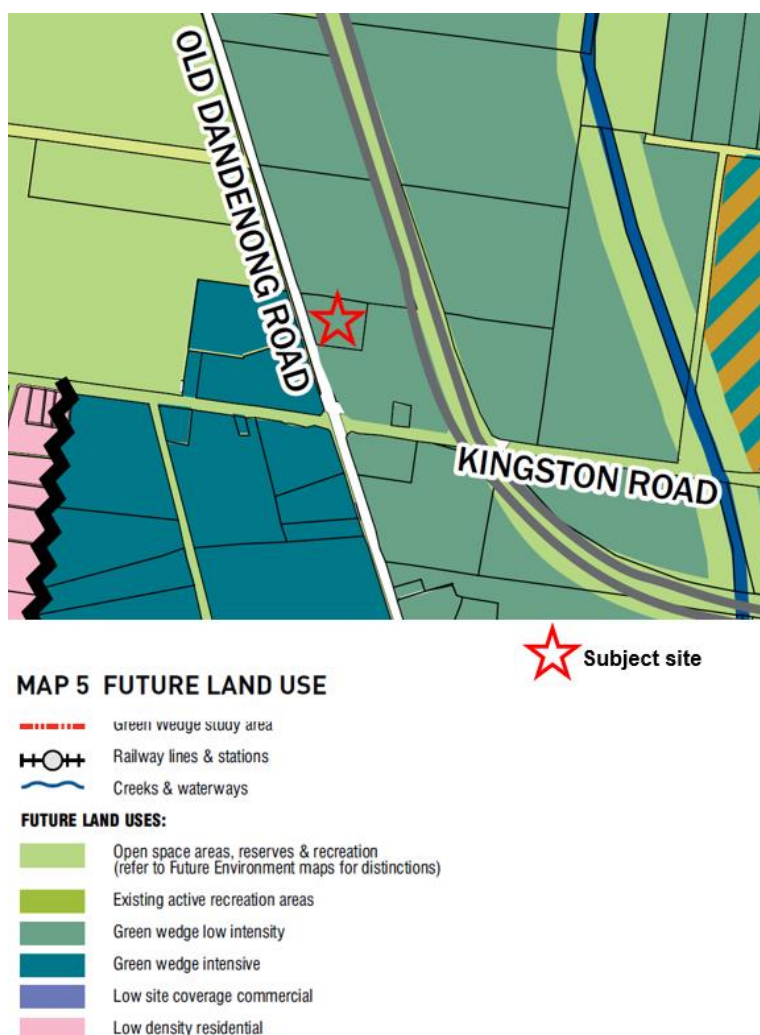
Section 60 1A (g) allows the Responsible Authority to consider '*any other strategic plans, policy statement, code or guideline which has been adopted by a Minister, government department, public authority or municipal council*'.

The Kingston Green Wedge Plan (the Plan) was adopted by Council in 2012. The plan *'identifies the values and features of the Green Wedge, the preferred land uses, environmental and natural resources that should be protected, and the needs of the local community. The Plan will stand alone, but is also intended to sit within the South East Green Wedge Management Plan when completed.'*

The Plan identified Kingston's Green Wedges as non urban areas of metropolitan outside the Urban Growth Boundary, identified for various uses including agriculture, biodiversity, recreation, open space, natural resources, heritage and landscape conservation and to preserve locations for service industries and infrastructure away from urban uses such as the airport, freeway reservations, quarries and waste management operations.

This reference document guidelines have been developed to manage new development, control negative change and protect and strengthen the valued qualities of the Green Wedge environment.

This plan identifies the subject land as being within a typology of Green Wedge Low Intensity Area Map 5:



Council's City Strategy Department notes the proposal is consistent with the Green Wedge Plan and the design guidelines that ensure that buildings are well designed and fit into the landscape. The new buildings will protect and strengthen the existing character of the green wedge environment and provides for adequate space around buildings for existing and new vegetation and landscaping.

The proposal is low intensity and offers a community use which is compatible for a green wedge area.

The proposal is considered to be consistent with the long-term vision and policy intentions stated in the Green Wedge Plan, as demonstrated by the following assessment against the Building design guidelines for Typology 4 Green Wedge Low Intensity Area:

Objective	Complies	Comment
Buildings should be subordinate visually to the spacious, rural landscape.	Yes	Proposed building is low 2 storey scale and setback 37m from street, behind a range of retained and proposed intensive tree plantings
Minimise building footprints and limit the overall presence of built form to enhance the rural character and maintain a sense of openness	Yes	Proposed building is not excessive with comparison to the remainder of the site, less than the broad extent of shed structures on nearby properties, and maintains an open sense reflective of the rural character
Locate buildings and farming infrastructure such as sheds and machinery away from roads and where possible, within existing clusters of buildings/structures	Yes	None proposed
Locate horticultural structures so that they are not highly visible from roads or other public places, or screen with substantial vegetation.	Yes	None proposed
Maintain wide spacing between groups/clusters of buildings.	Yes	Buildings will be approximately 25 metres apart
Avoid development on any property boundary.	Yes	Building is setback 14 – 20m to side boundaries, and 4m from eastern rear boundary
Limit building heights to a maximum of 8 metres (2 storeys) above natural ground level.	Yes	Proposed building is 2 storeys and predominantly less than 8 metres high
Ensure development adopts best practice environmentally sustainable design and development principles.	Yes	Council's ESD officer supports the submitted SDA and ESD measures proposed

Ensure all buildings and structures are designed and oriented to utilise natural light and ensure optimal thermal performance.	Yes	Council's ESD officer supports the submitted SDA and ESD measures proposed
Avoid large areas of nonpermeable surfaces including yards, driveways and car parking areas.	Yes	Car parking will be gravel, softened by a range of intensive vegetation and tree plantings, and further improved by the recommended permit conditions to reduce the extent of parking
Utilise materials, colours and finishes that best immerse built form within the rural landscape (i.e. dark, natural colours, muted tones, matte finishes and nonreflective materials).	Yes	Colour scheme is largely white or off white in muted natural tones
Bright, bold, extravagant colour schemes are to be avoided.	Yes	Avoided
Use glazing and roofing materials of low reflectivity.	Yes	Flat roof proposed behind a parapet
Minimise the size and extent of signage and advertising, particularly internally illuminated signs.	Yes	None proposed
Locate signage on the building where possible, so that it complements the architecture.	Yes	None proposed
Encourage the removal of environmental weeds and other exotic vegetation and their replacement with appropriate native vegetation.	Yes	Will be removed subject to the vegetation officers recommended conditions
Minimise native vegetation removal in new development. Development which requires native vegetation removal should aim to replace or rehabilitate with an equivalent vegetation cover	Yes	Minimal native vegetation comprising 1 coastal tea tree to be removed. Will be replaced by numerous other native species and trees

using species.	locally	appropriate		
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Green Wedge Zone

The purpose of the Zone states the following:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for the use of land for agriculture.*
- *To recognise, protect and conserve green wedge land for its agricultural, environmental, historic, landscape, recreational and tourism opportunities, and mineral and stone resources.*
- *To encourage use and development that is consistent with sustainable land management practices.*
- *To encourage sustainable farming activities and provide opportunity for a variety of productive agricultural uses.*
- *To protect, conserve and enhance the cultural heritage significance and the character of open rural and scenic non-urban landscapes.*
- *To protect and enhance the biodiversity of the area.*

In terms of the use, the proposal is considered satisfactory due to:

- A site situated on a small parcel of land that would have limited agricultural, tourism, or recreational opportunities, particularly given the heavy resource recovery in the area
- An encouraged use specified in Council's South East Non Urban Area Policy at Clause 22.02
- Predominantly for a small number of patrons are during most operating hours, with adequate provision to accommodate up to 250 worshippers during the week or up to 300 on special annual events such as Christmas or Easter
- Parking is fully provided on site in accordance with the car parking requirements of the Kingston Planning Scheme
- There is a generous distance to neighbouring properties and limited sensitive uses, the closest being a dwelling beyond Old Dandenong Road opposite
- Any noise emissions are anticipated to be low and can be regulated by EPA SEPP requirements.
- A further condition is recommended to limit external broadcasts or amplified sound systems.
- It is however noted that this application is bringing a new type of use to an area where there are typically offensive uses present. To ensure there are not conflicts in this regard, a suitable condition is recommended for an Operation Management Plan stating that:
 - the site must not be used as a parish, where any events such as weddings, funerals, baptisms, or other specific sacraments would not take place.
 - the operator (and users) accepts there is a lesser degree of amenity in this Green Wedge Zone and overlay area affected by the ESO4, that there are existing established businesses nearby that may generate off-site impacts that, within reason, are accepted as part of the existing character and established use rights, that the introduction of their place of worship must protect the existing operation of established businesses, and that the primary responsibility for attenuation measures rests with the place of worship being the agent of change. Further, they agree that they will not raise undue or obstructive concerns to these existing operations.

The proposal for a Place of worship accords with the purpose of the Zone noting that this a section 2 use.

It is considered that the proposed development accords with the relevant purposes of the Zone by providing development that is sympathetic to any remnant open rural character and scenic non-urban landscapes.

The proposal remains sensitive to the open character and landscaped environment by a built form that is substantially setback from the street and neighbouring properties, and offer a low equivalent two storey scale with a predominant building height of 7.4m.

The gravel car park is sensitive to the open character by appropriately avoiding large expanses of hard stand. The amended car parking scheme sets back the car park further from the street allowing for a broad landscaped setback and will be softened by landscaped garden beds and extensive planting of 39 trees.

The proposal is considered to enhance the landscape character, retaining the significant trees and improving the native vegetation, subject to the recommended conditions.

Environmental Audit Overlay

This overlay that mitigates the effect of potentially contaminated land on 'sensitive' uses is not applicable as a place of worship is not a listed sensitive use.

Design and Development Schedule 5

This overlay for airport height control is not applicable as the proposed height is less than the specified consideration of 25 metres above ground level.

Environmental Significance Overlay 4 (ESO4)

ES04 applies to the site as part of land north of Kingston and Heatherton Roads outside the Urban Growth Boundary. The purpose of this overlay is to ensure that development is designed to mitigate any potential environmental impacts associated with any on-site and nearby landfills.

The resulting environmental effects primarily relate to the migration of landfill gas and leachate contamination of waters (groundwater or surface water), which not only occur during the operation of the landfill, but also for decades after the closure and rehabilitation of the landfill.

As noted in the applicant's submission:

The Site History Assessment (SHA) prepared by *Compass Environmental Pty Ltd* confirms that no quarrying or landfill has ever occurred at the Site and that no municipal (putrescible) waste landfills (current or historical) were located within 500 metres of the Site boundary. However, the SHA does confirm the location of three solid inert and clean fill landfills (historic or current) within a 200 metre buffer of the Site boundary:

Landfill address	Distance and Direction from site (m)	Landfill Use/Waste Type	Years of Operation
150 – 170 Dandenong Road	Directly north and northeast	Clean Fill material (soil)	Circa 1990s – current. The landfill within 200m buffer of the site appeared to be filled by 2009.
217 – 229 Kingston Road	Directly south and east of the site	Solid inert waste (building rubble etc.) and clean fill material (soil)	1997-2007 for solid inert material, and 2007 to 2015 for clean fill material.
91-185 Kingston Road	West	Clean Fill material (soil) and acid sulphate soil.	Circa 2000s – current. Only small portion of site is within 200 m buffer, while the landfill is active, land within 200 m buffer is filled.

Section 6 of the SHA recommends some further testing and monitoring works. However, the completion of these works is premature at the current time. It would be more appropriate to require ongoing monitoring and any additional assessments via a condition on a future planning permit.

The EPA in this instance was referred to for information, but is not a determinative authority. The EPA provided background statutory information but no comments relating to the specifics of the proposal.

Council's Environmental consultant has reviewed the SHA and supported the preliminary site assessment. Council's Environmental consultant had no objection to the proposal subject to condition for a full gas risk assessment undertaken prior to construction of the development. These conditions have been included within the officer recommendation.

Council's Environmental consultant further recommended we could also potentially consider the potential risk to the existing residential building that is proposed to be occupied by priest. In review, the planning officer notes the existing dwelling is long standing and will be retained in its current form. The use is not changing nor are any works proposed to the dwelling, thus it is not necessary to consider the risk to the existing dwelling.

Native vegetation – Clause 52.17

The purpose of this clause is to ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. Given the lot size exceeds 0.4ha, consideration of this particular provision is required.

There is one native coastal tea-tree (Tree 10) is to be removed subject to Clause 52.17. The other trees to be removed are non native or exempt from consideration under Clause 52.17-7.

Tree 10 is a *Leptospermum laevigatum* (coastal tea-tree) which has medium arboricultural value. In comparison to other trees on the land, Tree 10 is a small tree with a height of approximately 8 metres and makes limited contribution to the landscape value of the site. Council's consultant ecologist supports the removal of this tree and notes there is no offset requirement under Clause 52.17-5 in this instance. The replacement plantings on site will provide for an offset in excess of the 1 tree removed.

The applicant's intention for extensive replanting and increasing vegetation cover is noteworthy, including 39 predominantly native trees to be replanted on site. Council's Vegetation Management Officer generally supports the landscape plan provided subject to refinements to species and retention of 1 additional tree in the centre of the site which can be readily retained.

Car parking - Clause 52.06

A place of worship falls under the definition of place of assembly which has a requirement of 0.3 spaces per patron. For the proposed maximum of 300 patrons, 90 car spaces are required which have been provided. Complies.

Clause 52.06 – 9 Design standards – Swept paths, accessways, pedestrian safety, splays, and disabled parking are considered compliant by Council's Traffic Engineer subject to detailed design change recommendations.

It is noted that the changes recommended have already been achieved as shown in plan TP-201 including the main driveway alignment intersects Old Dandenong Road at a right angle and the circular forecourt driveway exceeds a minimum width of 4 metres.

A further condition is recommended by the planning officer that each car space be clearly delineated by fixed markers or details of another non intrusive methods be specified.

Land adjacent to a Road Zone 1 - Clause 52.29

The proposed development alters the access to a road in a Road Zone Category 1 (Old Dandenong Road), thus a permit is triggered under this clause.

The relevant road authority the Department of Transport has no objection to the site vehicle access, subject to detailed design requirements to the crossovers. These conditions have been included verbatim into the officer recommendations.

Bicycle Facilities - Clause 52.34

A place of assembly (in which place of worship is nested under) has a requirement for 1 to each 1500 sq m of net floor area for employees, and 2 + 1 space per 1500 sq m of net floor area for visitors.

Based on the proposed NFA the proposal would require 4 bicycle spaces. 8 bicycle spaces are proposed in excess of the requirement.

11. 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 and 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, and,
- The proposal satisfies the requirements of the Kingston Planning Scheme, including the PPF, MSS, Zoning and Overlay controls and Particular Provisions.

12. RECOMMENDATION

That the Planning Committee determine to support the proposal and issue a Planning Permit for Use and development of a Place of Worship in a Environmental Significance Overlay 4, alterations to a road in a Road Zone 1 and removal of native vegetation at 172-176 Old Dandenong Road Heatherton, subject to the following conditions:

1. Before the use/development starts amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the advertised plans prepared by Bruce Henderson Architects Pty Ltd, Drawing No's. TP101 to TP-712 inclusive Revision 1 dated 19/08/2020,

received by Council on 17/9/2020, and amended plan Drawing Alternative car parking layout Version 2 dated 1/12/2020, but modified to show:

- a) all plans updated to show the amended car parking layout shown on the Alternative car parking layout Version 2 dated 1/12/2020
- b) carparks 1-15 and the associated gravel driveway to be only for overflow carparking and sign posted accordingly
- c) each car space be clearly delineated by fixed markers or details of another non intrusive methods be specified
- d) parking spaces, aisles and circular driveway widths be clearly dimensioned
- e) all building boundary setbacks dimensioned
- f) the proposed stormwater discharge located at least 500mm from the vehicle crossing
- g) the provision of a landscape plan in accordance with the submitted development plan, with such plans to be prepared by a suitably qualified landscape professional to the satisfaction of the Responsible Authority and incorporating:
 - i. The three (3) proposed '*Eucalyptus ficifolia*' to be substituted for *Eucalyptus camaldulensis* (River Red Gum);
 - ii. The sixteen (16) proposed '*Eucalyptus sideroxylon* 'Rosea'' to be substituted for *Eucalyptus viminalis* ssp. *pyroriana* (Rough-barked Manna Gum);
 - iii. The thirteen (13) proposed '*Tristaniopsis laurina* 'Luscious'' to be substituted for *Eucalyptus radiata* (Narrow-leaved Peppermint);
 - iv. The seven (7) proposed '*Stenocarpus sinuatus*' to be substituted for *Banksia integrifolia* (Coast Banksia);
 - v. Tree 6 (*Fraxinus angustifolia* (Desert Ash) directly south of the existing crossover) to be replaced with one (1) *Eucalyptus viminalis* ssp. *pyroriana* (Rough-barked Manna Gum);
 - vi. The retention of Tree 12 (*Koelreuteria paniculata* (Golden Rain Tree));
 - vii. The replacement of carparks 20-26 with landscaping that is contiguous with the surrounding garden beds;
 - viii. The replacement of carparks 38-39 and 44-45 with an area of suitably landscaped garden bed, including the planting of one *Eucalyptus camaldulensis* (River Red Gum);
 - ix. The area within 5m of the trunk of Tree 11 *Eucalyptus botryoides* (Mahogany Gum) to be landscaped in a way that prevents carparking in this position;
 - x. Tree protection measures including for street trees accurately drawn to scale and labelled as per the endorsed Tree Management Plan.
- h) the location of tree protection measures illustrated to scale and labeled on the floor plan as per the endorsed Tree Management Plan and any plan changes where required
- i) all requirements of the Department of Transport and any changes required by Conditions 17 to 21 of this permit
- j) endorsement of the submitted Sustainable Design Assessment prepared by GIW dated 27 August 2020 Rev B, updated where required, and a summary of the key commitments clearly shown on plans
- k) provision of a Waste Management Plan in accordance with Condition 22 of this permit.

2. The development and use 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.
4. Public services and gatherings associated with the use must operate only between the hours of:
 - Monday to Thursday – 7pm to 8pm;
 - Friday – 7pm – 9.30pm;
 - Saturday – 9am – 3pm;
 - Sunday – 7pm to 9pm, and
 - Sunday – an additional service between 9am – 6pm for a 1 hour maximum duration
5. The maximum number of patrons allowed to be present on the premises during the above permitted times must be limited to 250, unless during any special annual service under condition 6, or otherwise as approved by the Responsible Authority in writing.
6. Special annual services are permitted to no more than 5 times per calendar year, limited to a maximum of 300 patrons to be present on the premises, or otherwise as approved by the Responsible Authority in writing.
7. There must be at least a 20 minute separation between public services of more than 150 patrons.

Trees to be retained

8. The retention of the *Eucalyptus botryoides* (Mahogany Gum) located adjacent the site's southern boundary and marked as Tree 11 within the submitted Arborist Report (31/08/2020).
9. The retention of the *Eucalyptus sideroxylon* (Red Ironbark) located adjacent the site's northern boundary and marked as Tree 14 within the submitted Arborist Report (31/08/2020).
10. The retention of the *Corymbia maculata* (Spotted Gum) located adjacent proposed carpark 61 and marked as Tree 20 within the submitted Arborist Report (31/08/2020).
11. The retention of Tree 12 *Koelreuteria paniculata* (Golden Rain Tree).

Tree Protection Fencing

12. Concurrent with the endorsement of plans, a Tree Management Plan prepared by a suitably qualified arborist in accordance with AS4970-2009, must be submitted to and be endorsed by the Responsible Authority and incorporating:
 - a. A Tree Management Plan (written report) must provide details of:
 - i. Any non-destructive root investigation undertaken to determine the location and distribution of roots of trees nominated on the Tree Protection Plan.
 - ii. Proposed footings and construction methods for any buildings or structures within the Tree Protection Zone nominated on the Tree Protection Plan.

- iii. How excavation impacts, including soil level changes, on trees to be retained will be managed.
- iv. How the canopy of trees nominated on the Tree Protection Plan will be protected.
- v. Any other measures required to demonstrate the successful ongoing retention and viability post-construction of any trees nominated on the Tree Protection Plan.
- b. A Tree Protection Plan (scale drawing) must provide details of:
 - i. The Tree Protection Zone and Structural Root Zone, calculated in accordance with AS4970-2009, for all trees to be retained on the site and for all trees on neighbouring properties where the Tree Protection Zone falls partially within the subject site.
 - ii. Tree protection fencing, or ground protection where required, provided in accordance with AS4970-2009.
 - iii. Stages of development at which inspections are required to ensure tree protection measures are adhered to must be specified.
 - iv. Appropriate signage on any tree protection fencing prohibiting access, excavation, changes in soil levels, or any storage within the Tree Protection Zone in accordance with AS4970-2009 unless with the prior written consent and under the direct supervision of the consulting arborist.
 - v. Maintenance of the area(s) within the Tree Protection Zone in accordance with AS4970-2009.
 - vi. Any pruning to be undertaken being in accordance with AS4373-2007.
 - vii. A notation to refer to the Tree Management Plan.
- 13. 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.
- 14. 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.

Environmental site assessment

- 15. Before the commencement of works (other than works required to comply with this condition), the owner of the land must to the satisfaction of the Responsible Authority:
 - a) Implement any recommendations from the *Site History Assessment* prepared by *Compass Environmental Pty Ltd* dated 10/10/2019 Revision 0.
 - b) engage a professional environmental consultant with demonstrated experience in the assessment of landfill gas risks to conduct an assessment of the potential for landfill gas to impact on the development and prepare and submit to the responsible authority the scope of the proposed risk assessment
 - c) upon approval of the scope of the risk assessment by the responsible authority, have the consultant conduct the risk assessment and prepare a report to be submitted to the responsible authority which contains the consultant's opinion as to any potential risk

associated with landfill gas beneath the land and any recommendations for the management or monitoring of the gas.

- d) implement any recommendations of the risk assessment report
- e) if the risk assessment report or audit report requires ongoing management or monitoring, the owner must enter into an agreement under section 173 of the Planning and Environment Act 1987 with the responsible authority requiring the implementation of any ongoing requirements.

The owner/operator under this permit must pay the reasonable costs of the preparation, execution and registration of the section 173 agreement.

Operation Management Plan

- 16. Prior to the commencement of the use, an Operation Management Plan must be submitted to and approved by the Responsible Authority and which must include:
 - a) the site must not be used as a parish, where any events such as weddings, funerals, baptisms, or other specific sacraments would not take place.
 - b) the operator (and users) accepts there is a lesser degree of amenity in this Green Wedge Zone and overlay area affected by the ESO4, that there are existing established businesses nearby that may generate off-site impacts that, within reason, are accepted as part of the existing character and established use rights, that the introduction of their place of worship must protect the existing operation of established businesses, and that the primary responsibility for attenuation measures rests with the place of worship being the agent of change. Further, they agree that they will not raise undue or obstructive concerns to these existing operations.

Department of Transport conditions

- 17. Prior to the commencement of the use, a sealed access crossover at least 3.1 metres wide for the priest's residence must be constructed to the satisfaction of the Responsible Authority and at no cost to Head, Transport for Victoria.
- 18. Prior to the commencement of the use, a sealed access crossover and driveway for the main site entrance at least 6m wide at the property boundary must be constructed to the satisfaction of the Responsible Authority and at no cost to Head, Transport for Victoria.
- 19. Prior to the commencement of use or occupation, the disused/redundant vehicle crossing must be removed, and the area reinstated to the satisfaction of the Responsible Authority and at no cost to the Head, Transport for Victoria.
- 20. Vehicles must enter and exit the land in a forward direction at all times.
- 21. Any security boom, barrier, gate or similar device controlling vehicular access to the premises must be located a minimum of 6m inside the property to allow vehicles to store clear of the Old Dandenong Road pavement and footpath.

Waste Management Plan

22. Concurrent with the endorsement of plans, a Waste Management Plan (WMP) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Plan will be endorsed and will then form part of the permit. The 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 of waste collection.
 - d. The size of the collection vehicle and the frequency, time and point of collection.
23. The WMP must be implemented to the satisfaction of the Responsible Authority. The WMP must not be modified unless without the written consent of the Responsible Authority.

Drainage and Water Sensitive Urban Design

24. 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 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.
25. 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 25L/s.
 - c. All stormwater (drainage) works must be maintained to the satisfaction of the Responsible authority.

Infrastructure and Road Works

- 26. 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.
- 27. Property boundary and footpath levels must not be altered without the prior written consent from the Responsible Authority.
- 28. All redundant vehicle crossings must be removed (including redundant portions of vehicle crossings) to the satisfaction of the Responsible Authority.
- 29. Prior to the commencement of development, property boundary, any footpath and vehicle crossing levels must be obtained from Council's Roads and Drains Department with all levels raised or lowered to the satisfaction of the Responsible Authority.

Parking and Traffic Management

- 30. 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:
 - i) Constructed to the satisfaction of the Responsible Authority.
 - ii) Properly formed to such levels that they can be used in accordance with the plans.
 - iii) Drained to the satisfaction of the Responsible Authority.
 - iv) In accordance with any Council adopted guidelines for the construction of car parks.
- 31. Parking areas and access lanes must be kept available for these purposes at all times and maintained to the satisfaction of the Responsible Authority.
- 32. 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.
- 33. The car parking provided on the land must always be made available for the use by persons on or visiting the subject premises to the satisfaction of the Responsible Authority and no measure restricting access by such persons to the car park may be taken without the prior written consent of the Responsible Authority.
- 34. The loading and unloading of goods to and from vehicles must only be carried out in the designated areas on the land.

General amenity conditions

- 35. The development and use of the site shall not cause nuisance or be detrimental to the amenity of the neighbourhood by the emission of noise. In this regard any nuisance shall be assessed in accordance with the Australian Standards AS1055 and AS2107 relating to the measurement of Environmental Noise and recommended sound levels.
- 36. No external broadcasting or external amplified sound systems are allowed.

Time limits

- 37. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

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

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

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

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

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

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

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

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

Note: All buildings and works must be carried out in accordance with the approved Cultural Heritage Management Plan prepared by Alpha Archaeology dated 22 April 2020 as required by the *Aboriginal Heritage Act 2006*. A copy of the approved CHMP must be held on site during the construction activity.


Note: The Side Entry Storm Water pit within the main entrance vehicle crossing must be constructed to the satisfaction of Council's Roads and Drains Department. (note; The pit must be located either wholly within the vehicle crossing or 500mm outside the proposed vehicle crossing).

Note: The proposed development requires the construction and removal of crossovers. Separate approval under the Road Management Act 2004 for this activity is required from the Head, Transport for Victoria. Please contact the DoT (Roads) prior to commencing any works.

Or in the event that the Planning Committee determines to refuse the application, it could do so on the following grounds:

1. The proposal fails to comply with relevant state and local planning policies contained within of the Kingston Planning Scheme.
2. The proposal is contrary to the purpose of Clause 35.04 – Green Wedge Zone.
3. The proposal is contrary to the Green Wedge Plan 2012.

Appendices

Appendix 1 - KP-2020/554 - 172 -176 Old Dandenong Road, HEATHERTON VIC
3202 - Committee Plans for decision (Ref 21/9869)  [↓](#)

Author/s: Hugh Charlton, Statutory Planner
Reviewed and Approved By: Nicole Bartley, Team Leader Statutory Planning
Jaclyn Murdoch, Manager City Development

8.4

KP-2020/554 - 172-176 OLD DANDENONG ROAD HEATHERTON


- 1 KP-2020/554 - 172 -176 Old Dandenong Road, HEATHERTON
VIC 3202 - Committee Plans for decision 189**

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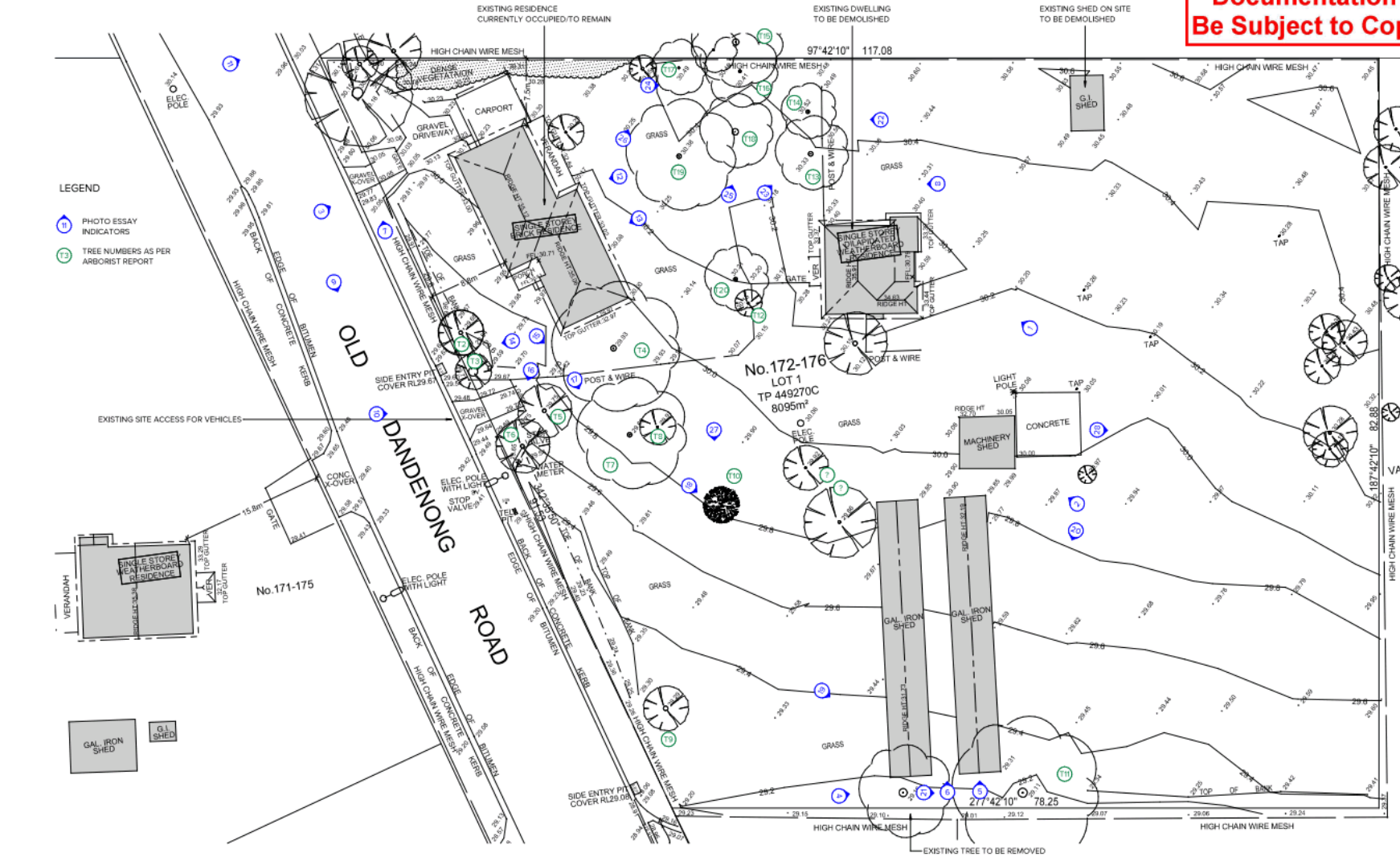
VINCENTIAN RETREAT CENTRE PROPOSED PLACE OF WORSHIP

TOWN PLANNING SUBMISSION
172-176 OLD DANDENONG RD HEATHERTON
19/08/20
JOB NO. PE18109



 BRUCE HENDERSON ARCHITECTS	MELBOURNE LONDON HANOI 162 TOORAK ROAD SOUTH YARRA VICTORIA 3141 T: +61 3 9860 4000 ARBV REG. NO. 50072 www.bh-architects.com	NOTES: All drawings, layouts and area calculations are indicative only and are subject to approval by the relevant Authorities and attention due to Design Development. Drawings are not to be used for construction. All apartment and balcony areas are calculated as Gross Floor Area in accordance with the Method of Measurement for Residential Property as published by the Property Council of Australia.	REV	DATE	DESCRIPTION	PROJECT: VINCENTIAN RETREAT CENTRE PROPOSED PLACE OF WORSHIP 172-176 OLD DANDENONG RD HEATHERTON DRAWING TITLE: COVER SHEET	DATE: 19/08/20	JOB No: PE18109
			1	19/08/20	ISSUED FOR TOWN PLANNING SUBMISSION		SCALE:	REVISION No: 1
		DESIGNER: YC					DRAWN: YL/YC	
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							TOWN PLANNING	TP-000

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NOTES
Do not code. All drawings, typists and site calculations are
indication only and are subject to approval by the relevant Authorities and
approval due to Design Development. Drawings are not to be used for
construction. All apartment and balcony areas are calculated as Gross Floor
Area in accordance with the Method of Measurement for Residential Property
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DRAWN: YC

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REV	DATE	DESCRIPTION
1	19/08/20	ISSUED FOR TOWNPLANNING SUBMISSION



PROJECT:
VINCENTIAN RETREAT CENTRE
PROPOSED PLACE OF WORSHIP
172-176 OLD DANDENONG RD HEATHERTON

DRAWING TITLE:
SURVEY PLAN

DATE: 19/08/20 JOB No: PE18109
SCALE: 1:200@A1 REVISION No: 1
DRAWN: YLYC
DRAWING STATUS: DRAWING No:
TOWN PLANNING TP-101

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1. EXISTING VEHICULAR ACCESS TO REMAIN ALSO MAIN PEDESTRIAN ACCESS
2. EXISTING SINGLE STOREY BRICK RESIDENCE TO BE OCCUPIED BY PRIEST WHO WILL BE CARETAKER FOR PROPOSED PLACE OF WORSHIP
3. EXISTING DILAPIDATED HOUSE TO BE DEMOLISHED
4. EXISTING SHEDS ON SITE TO BE DEMOLISHED
5. EXISTING MACHINERY SHED AND CONCRETE PAD TO BE DEMOLISHED
6. EXISTING SHED ON SITE TO BE DEMOLISHED
7. EXISTING TREES TO BE RETAINED ACCORDING TO ARBORIST REPORT
8. LANDSCAPE BUFFER TO EAST AS PER LANDSCAPE PLAN PREPARED BY JOHN PATRICK LANDSCAPE DESIGN
9. 150-170 OLD DANDENONG ROAD LANTRAK MATERIALS TOPSOIL SUPPLIER (POTENTIAL NOISE SOURCE)
10. VEGETATED SOIL BATTER
11. 217-227 KINGSTON ROAD DOGGY PLAY PARK TO BE UPGRADED
12. VEHICULAR ACCESS TO THE DOGGY PLAY PARK
13. 217-227 KINGSTON ROAD DOGGY PLAY PARK TO BE UPGRADED
14. GREEN WEDGE A ZONE LAND
15. 171-175 OLD DANDENONG ROAD RESIDENCES AND OTHER BUILDINGS
16. 177-179 OLD DANDENONG ROAD LEVERETT G H & CO NURSERY AND GARDEN SUPPLIES
17. 177-179 OLD DANDENONG ROAD NELLIE KELLY PASSIONFRUIT NURSERIES

 WINDS
 MAIN NOISE SOURCE



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DRAWN BY: YC
CHECKED BY: YC
DATE: 19/08/20
PROJECT: VINCENTIAN RETREAT CENTRE
PROPOSED PLACE OF WORSHIP
172-176 OLD DANDENONG RD HEATHERTON

REV	DATE	DESCRIPTION
1	19/08/20	ISSUED FOR TOWNPLANNING SUBMISSION



PROJECT:
VINCENTIAN RETREAT CENTRE
PROPOSED PLACE OF WORSHIP
172-176 OLD DANDENONG RD HEATHERTON
DRAWING TITLE:
SITE AERIAL / SITE ANALYSIS

DATE:	19/08/20	JOB No:	PE18109
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- 2. EXISTING SINGLE STOREY RESIDENCE OCCUPIED BY PRIEST WHO WILL BE CARETAKER FOR PROPOSED PLACE OF WORSHIP
- 3. EXISTING TREES TO BE RETAINED IN ACCORDANCE WITH ARBORIST REPORT BY JOHN PATRICK LANDSCAPE DESIGN
- 4. PROPOSED GRAVEL CAR PARKING (UNSEALED)
- 5. PROPOSED PAVED FORECOURT AND DROP OFF
- 6. PROPOSED PLACE OF WORSHIP
- 7. PROPOSED DISABLED CAR PARKING
- 8. LANDSCAPE BUFFER TO EAST AS PER LANDSCAPE PLAN PREPARED BY JOHN PATRICK LANDSCAPE DESIGN
- 9. PROPOSED NEW INTERMITTENT LANDSCAPING TO NORTH AND SOUTH BOUNDARIES IN ACCORDANCE WITH JOHN PATRICK LANDSCAPE DESIGN
- 10. PROPOSED NEW "DENSE" LANDSCAPE TO WEST BOUNDARY IN ACCORDANCE WITH JOHN PATRICK LANDSCAPE DESIGN
- 11. EXISTING RESIDENCE FRONTYARD AND LANDSCAPING TO NOT FORM PART OF APPLICATION EXTENT



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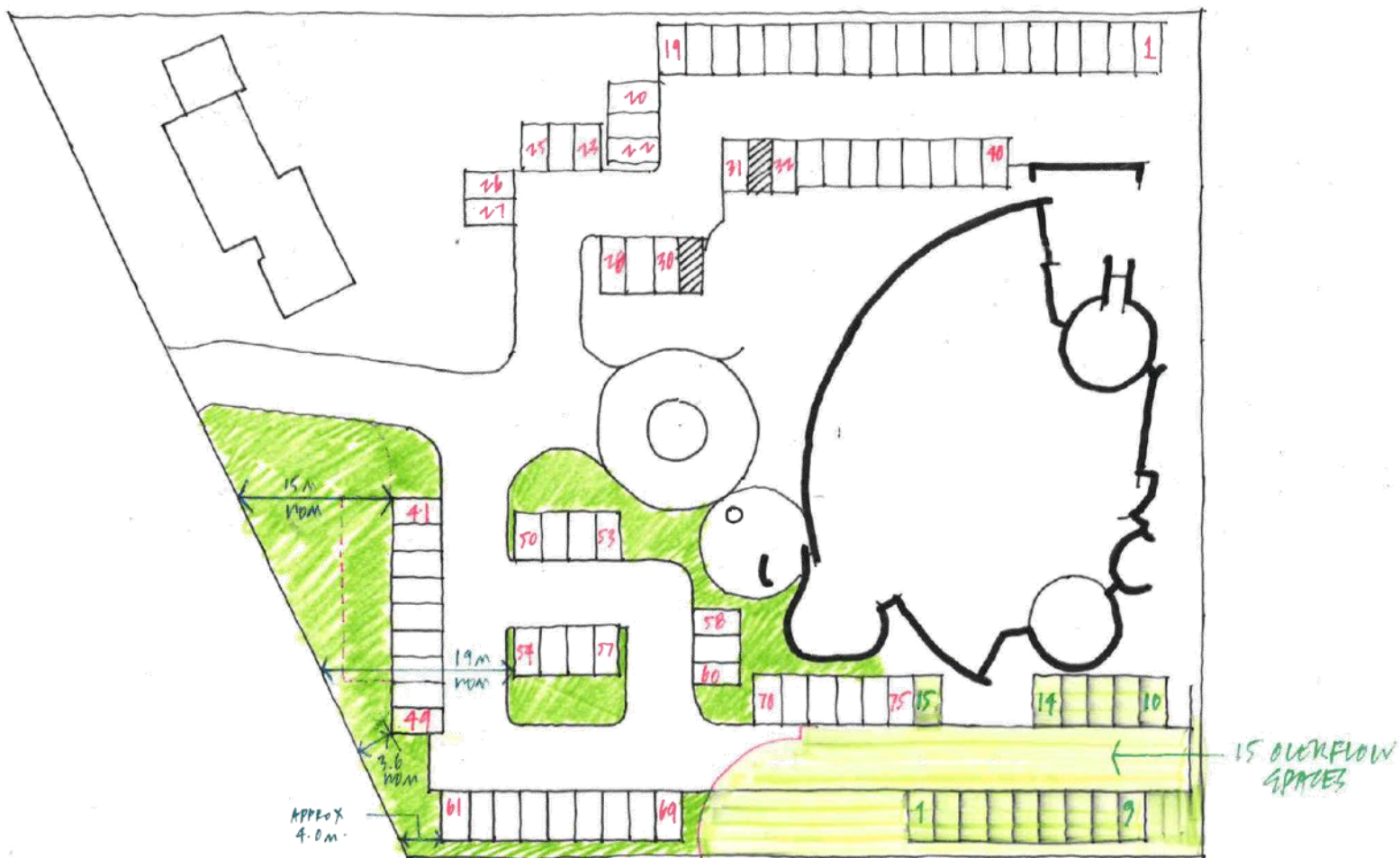
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DRAWING TITLE:
SITE PLAN / DESIGN RESPONSE

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DRAWING STATUS:	TOWN PLANNING	DRAWING No:	TP-103

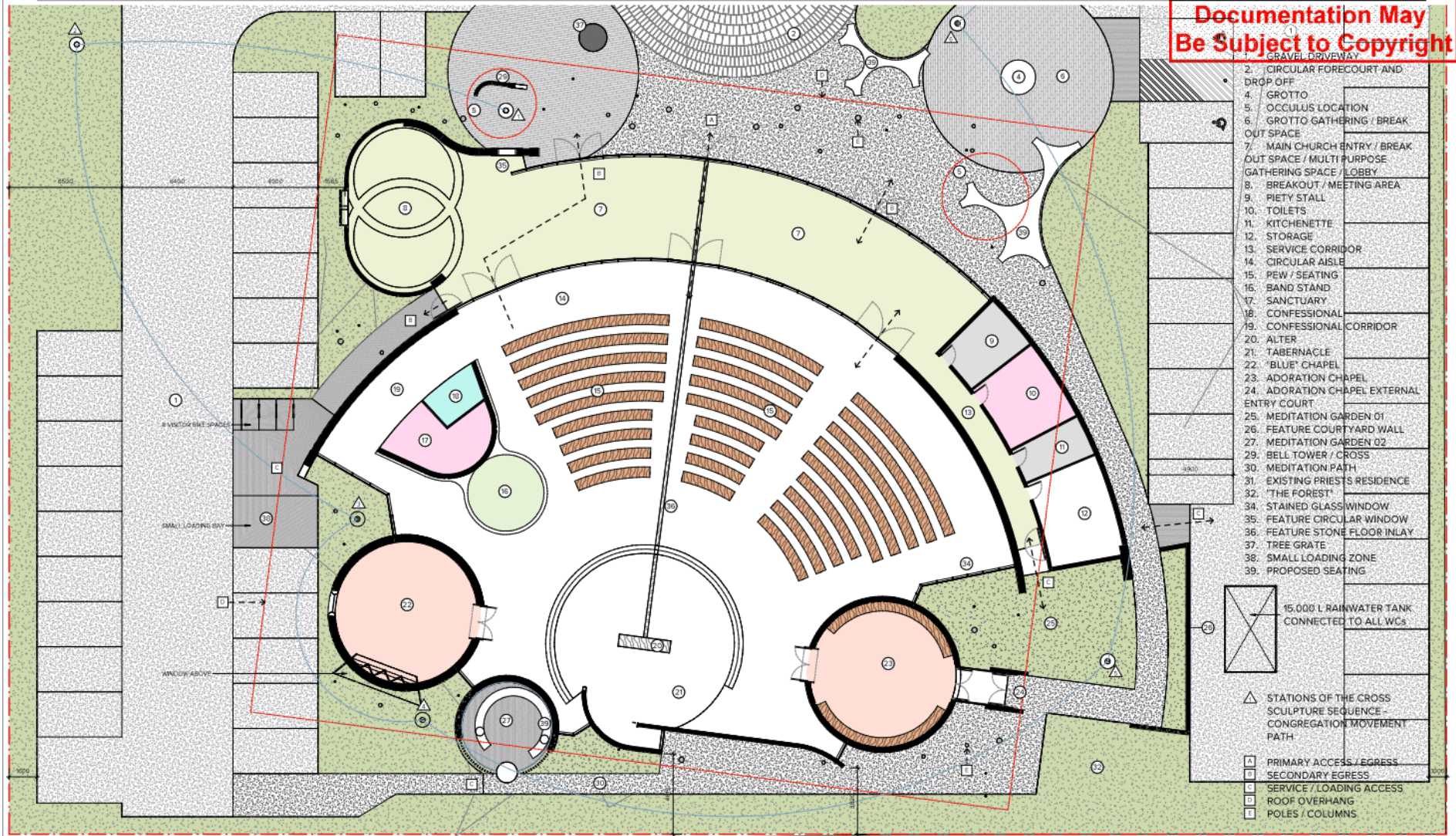


172 - 176 OLD DANDEMONG RD, HEATHERTON
1.12.2020
ALTERNATIVE CARPARK SOLUTION - VERSION 2.

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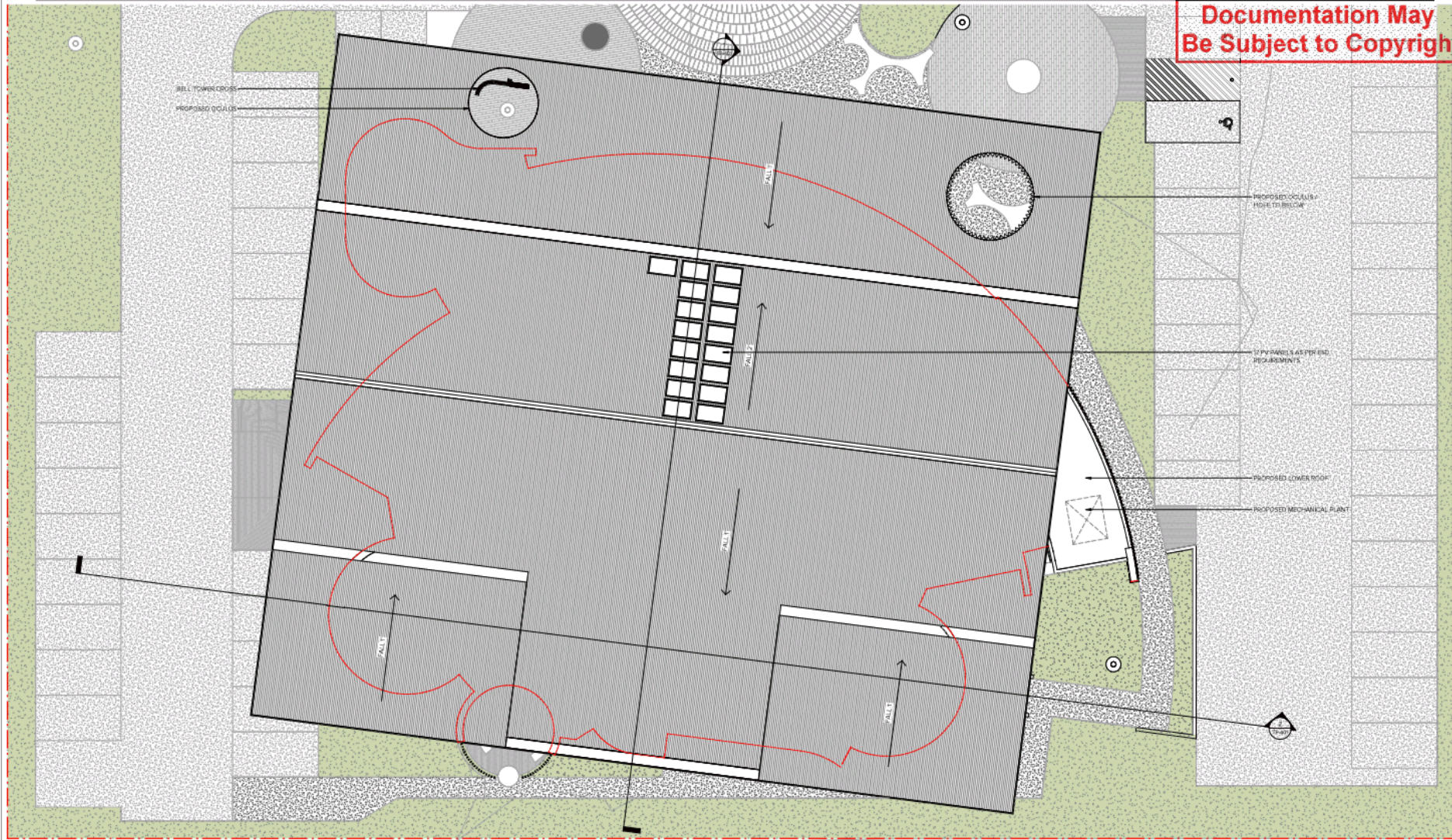
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DRAWING TITLE:
GROUND PLAN

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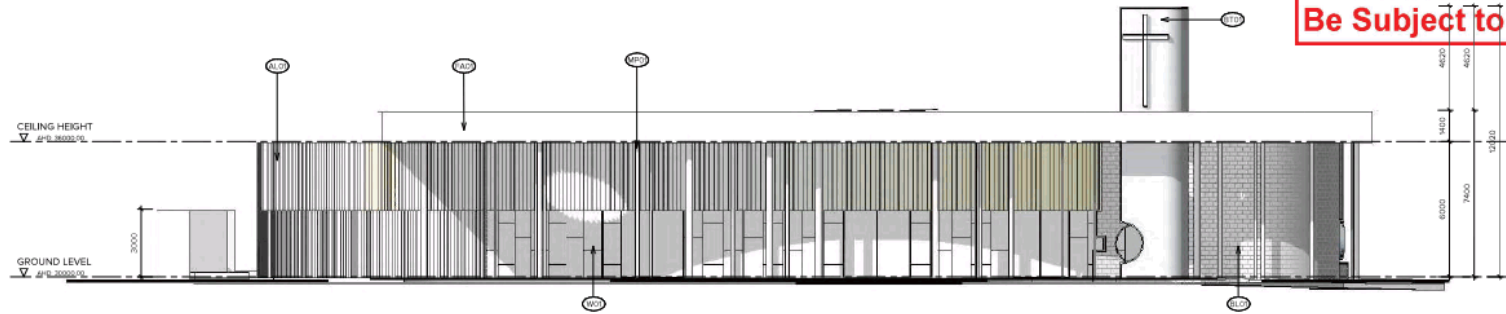
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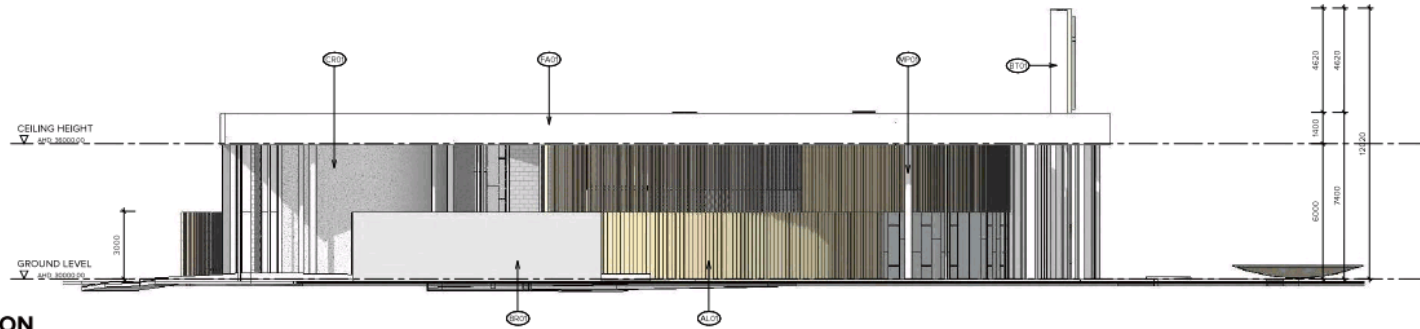
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DRAWING TITLE:
ROOF PLAN

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WEST ELEVATION - ENTRY



NORTH ELEVATION

- | | | |
|--|---|--|
| AL01 - ALUMINUM SHEET CLADDING AND LOUVRE BLADES IN ANODIZED OR EQUIVALENT POWER COAT FINISH IN "BRONZE / BRASS" COLOR / TONE | CR01 - MASONRY WALL CONSTRUCTION WITH HEAVY TEXTURED RENDER FINISH - COLOR "WHITE" | W01 - POWER COATED ALUMINUM COMMERCIAL FRAMED WINDOWS IN COLOR "DARK BRONZE" |
| BL01 - CONCRETE BLOCKWORK IN FEATURE LINEAR PATTERN - COLOR "ALABASTER" | FA01 - PROPOSED FASCIA COMPRESSED SHEET OR ALTERNATIVE SUBSTRATE WITH PAINT FINISH OVER - COLOR "WHITE" | W02 - FRET PATTERN INTERLAYER TO CLEAR GLAZED FEATURE WINDOW WITH CIRCULAR PATTERN |
| BL02 - CONCRETE BLOCKWORK IN FEATURE LINEAR PATTERN - COLOR "GREY" WITH EXPRESSED HORIZONTAL LEDGES AND COVERED MOSAIC TILES | MP01 - CIRCULAR STEEL COLUMNS AND ALUMINUM POLES IN VARIOUS DIAMETERS, NOMINAL 100, 200, 300 MM, IN POWER COAT WHITE COLOR FINISH | W03 - TRIANGULATED GLAZED FACADE IN COMMERCIAL POWDER COATED / ANODIZED FRAME - COLOR TO MATCH AL01 |
| BR01 - FACE BRICKWORK IN COLOR "CREAM" | OC01 - OFF-FORM CONCRETE WALL FINISH | W04 - FEATURE WINDOW "VESICA PISCIS" TWO INTERLOCKING CIRCLES IN ALUMINUM FRAME, WITH POWDER COAT "BRONZE / BRASS" |
| BR02 - BRICKWORK WITH BAGGED CEMENT FINISH IN COLOR "WHITE" | TS01 - TIMBER OR ALUMINUM EQUIVALENT SCREEN COMPRISING NOMINAL 40X80 SECTIONS, COLOR: DULUX "NAMADJI" | |
| BT01 - PROPOSED FEATURE BELL TOWER WITH CROSS MASONRY CONSTRUCTION OR PRE-CAST CONCRETE WITH TEXTURE FINISH IN VERTICAL PATTERN WITH ANODIZED / POWER COAT EQUIVALENT FEATURE METAL EDGE DETAIL IN "BRASS" CUSTOM STEEL / ALUMINUM CROSS IN METALLIC / POWER COAT FINISH | | |



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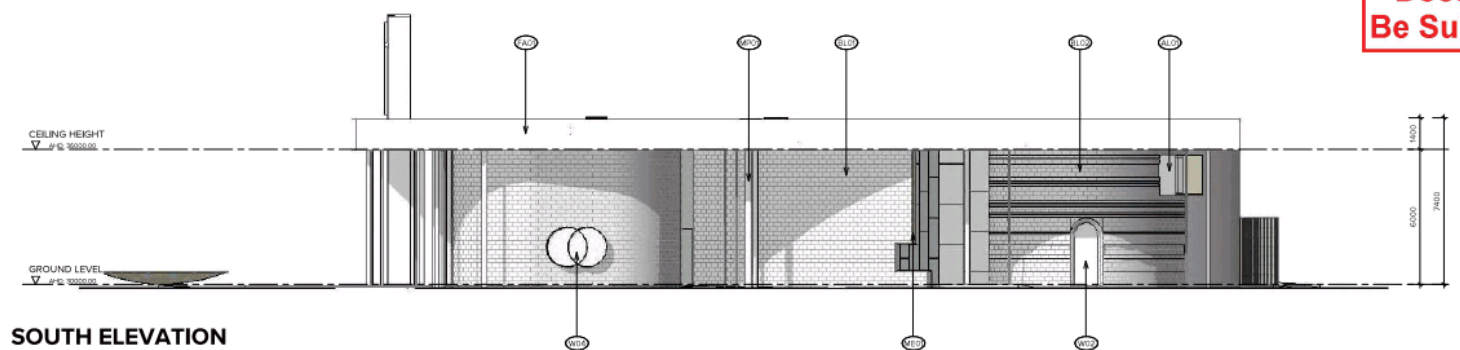
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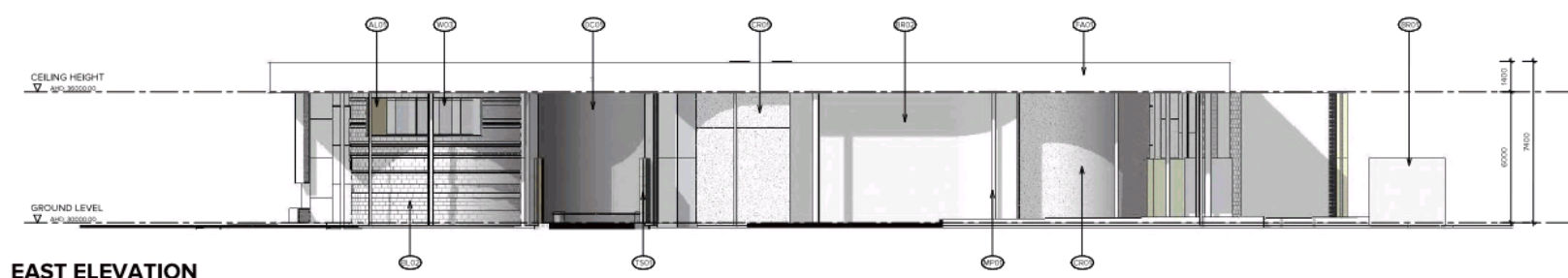
PROJECT:
VINCENTIAN RETREAT CENTRE
PROPOSED PLACE OF WORSHIP
172-176 OLD DANDENONG RD HEATHERTON
DRAWING TITLE:
ELEVATIONS

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SOUTH ELEVATION



EAST ELEVATION

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- BL02 - CONCRETE BLOCKWORK IN FEATURE LINEAR PATTERN - COLOR "GREY" WITH EXPRESSED HORIZONTAL LEDGES AND COVERED MOSAIC TILES
- BR01 - FACE BRICKWORK IN COLOR "CREAM"
- BR02 - BRICKWORK WITH BAGGED CEMENT FINISH IN COLOR "WHITE"
- BT01 - PROPOSED FEATURE BELL TOWER WITH CROSS MASONRY CONSTRUCTION OR PRE-CAST CONCRETE WITH TEXTURE FINISH IN VERTICAL PATTERN WITH ANODIZED / POWER COAT EQUIVALENT FEATURE METAL EDGE DETAIL IN "BRASS" CUSTOM STEEL / ALUMINUM CROSS IN METALLIC / POWER COAT FINISH
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- W02 - FRET PATTERN INTERLAYER TO CLEAR GLAZED FEATURE WINDOW WITH CIRCULAR PATTERN
- W03 - TRIANGULATED GLAZED FACADE IN COMMERCIAL POWDER COATED / ANODIZED FRAME - COLOR TO MATCH AL01
- W04 - FEATURE WINDOW "VESICA PISCIS" TWO INTERLOCKING CIRCLES IN ALUMINUM FRAME, WITH POWDER COAT "BRONZE / BRASS"




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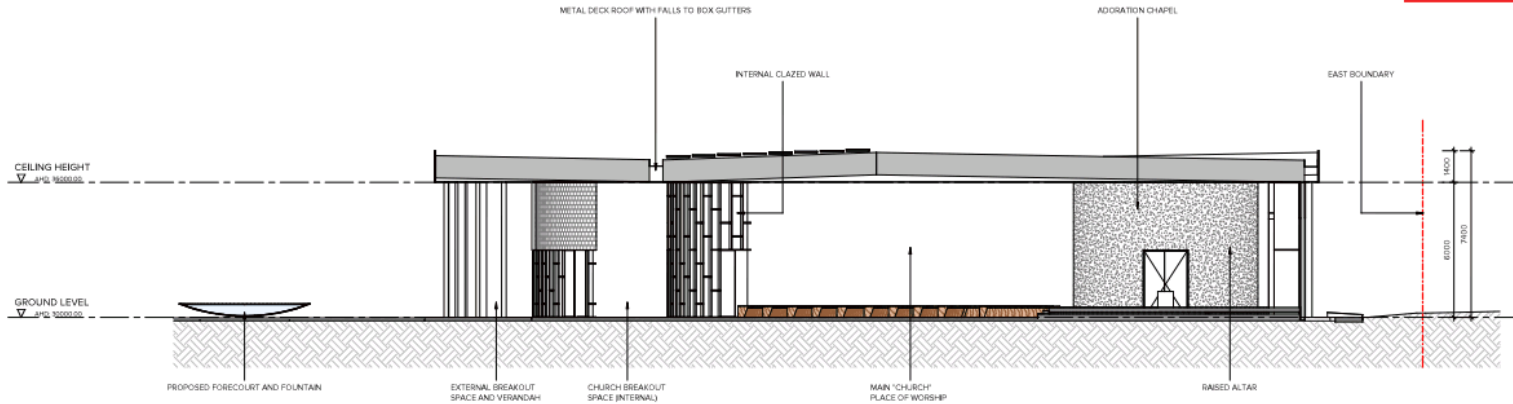


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PROPOSED PLACE OF WORSHIP
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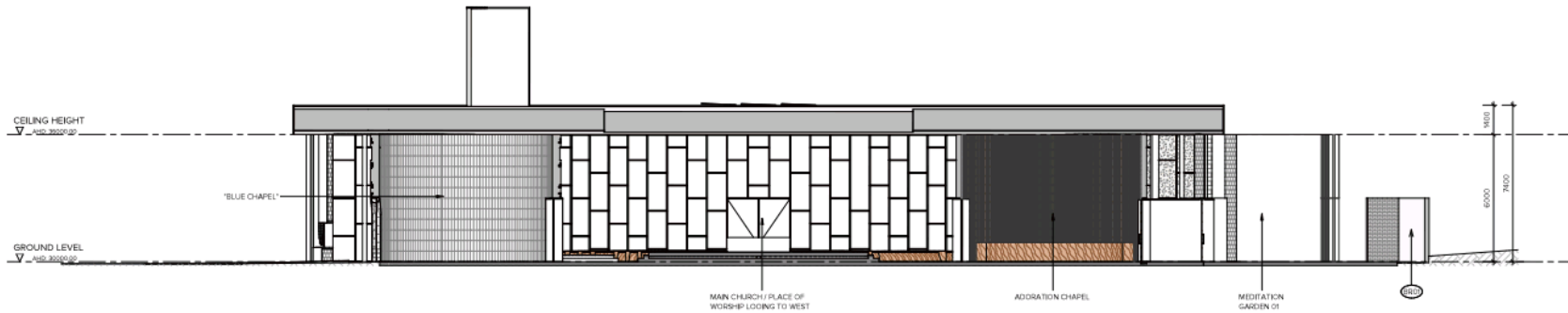
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AXIAL SECTION



PULPIT SECTION



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VINCENTIAN RETREAT CENTRE
PROPOSED PLACE OF WORSHIP
172-176 OLD DANDENONG RD HEATHERTON
DRAWING TITLE:
AXIAL SECTION

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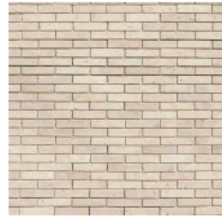
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BL01



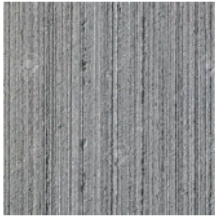
BL02



BR01



BR02



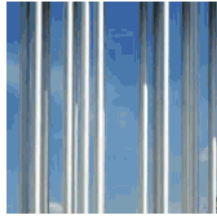
BT01



CR01



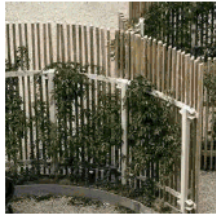
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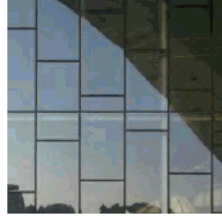
MP01



OC01



TS01



W01



W02



W03



W04

- AL01 - ALUMINUM SHEET CLADDING AND LOUVRE BLADES IN ANODIZED OR EQUIVALENT POWER COAT FINISH IN "BRONZE / BRASS" COLOR / TONE
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DRAWING TITLE:
MATERIAL SCHEDULE

DATE: 19/08/20 JOB No: PE18109
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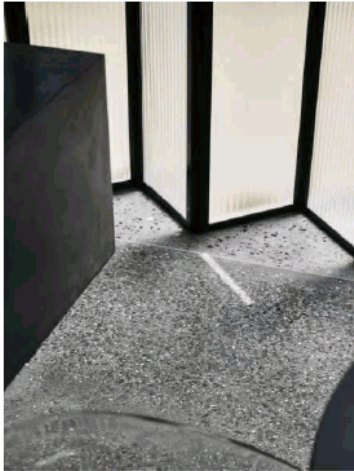
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BLUE CHAPEL

CONCEPT IMAGE WITH FEATURE BANDED MOSAIC TILING / "JEWELRY" AND CONCRETE BLOCKWORK BANDING - BOTH PROTRUDING AND RECESSING



WHILE MOST OF THE CHURCH IS DESIGNED AROUND A MONOCHROMATIC COLOR PALETTE BASED AROUND THE COLOR WHITE, WITH VARIANCES IN TEXTURE AND TONE, VARIOUS ELEMENTS ARE JUXTAPOSED AND ELEVATED IN THEIR STATUS THROUGH THEIR RICH AND FINE GRAIN DETAIL. WHEN ONE ENTERS THE CHAPEL, THEY ARE CONFRONTED WITH A WINDOW DIRECTLY AHEAD OF THEM WITH A FRETTED INTERLAYER BETWEEN TWO SHEETS OF GLASS. WHILE THERE IS NATURAL LIGHT AND A CONNECTION TO THE OUTSIDE THE GESTURE IS BLURRED. THIS IS PURELY AN INTERNAL SPACE, BUT THROUGH VARIOUS GESTURES IT IS STILL CONNECTED TO THE OUTSIDE. ONCE INSIDE, THE ONLY OTHER HINT OF THE OUTSIDE IS VIA A FEATURE BAY WINDOW LOCATED HIGH UP ON THE LEFT-HAND SIDE. THE WINDOW COMPRISES A LARGE, BRIGHT METAL SHROUD WITH TRIANGULATED GLASS ALLOWING SUN TO PENETRATE WHILE STILL PROTECTED FROM THE LARGE PAVILION ROOF OVERHANG AND PREVENTING VIEWS OUT.




FEATURE BAY WINDOW TO "BLUE CHAPEL"

BANDED MOSAIC TILE "JEWELRY"

PROPOSED FRETTED GLASS PATTERN PICKS UP THE CIRCULAR THEME

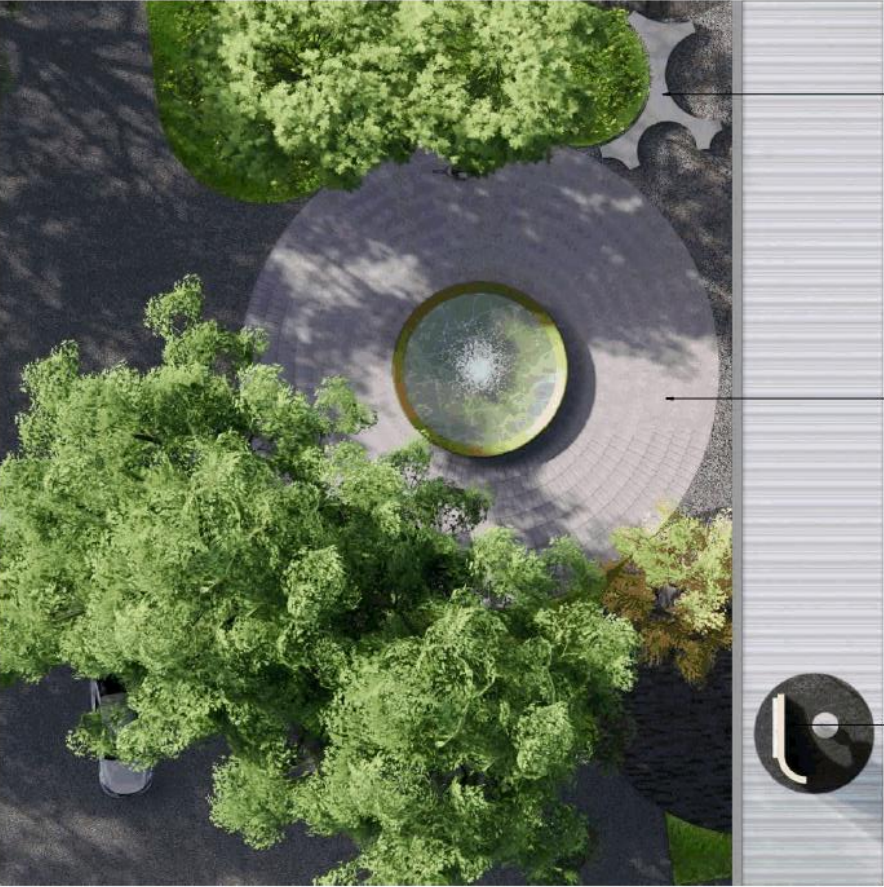


NOTIONAL "12 STATIONS OF THE CROSS" SCULPTURES

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ENTRY FOUNTAIN



PROPOSED SEATING

PROPOSED FORECOURT, DROP OFF AND
FOUNTAIN CONCEPT SET AMONGST
THE LANDSCAPED SETTING

PROPOSED BELL TOWER AND CROSS
PENETRATE THE PAVILLION ROOF
THROUGH THE USE OF AN "OCULUS"



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DRAWING TITLE:
DESIGN RESPONSE - ENTRY FOUNTAIN
CONCEPT

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VIEW FROM DRIVEWAY ENTRY



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DRAWING TITLE:
ARTISTS IMPRESSION 01

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ARTISTS IMPRESSION 02

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DRAWING TITLE:
ARTISTS IMPRESSION 03

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THE BLUE CHAPEL



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ARTISTS IMPRESSION 04

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ARTISTS IMPRESSION 05

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ARTISTS IMPRESSION 06

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ARTISTS IMPRESSION 07

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DRAWING STATUS:	TOWN PLANNING	DRAWING No:	TP-707

22 February 2021

Agenda Item No: 8.5

UPDATE ON THE PRESERVATION OF THE NYLEX SIGN, MENTONE

Contact Officer: Jonathan Guttman, General Manager Planning and Development

Purpose of Report

The purpose of this report is to seek the support of Council to work with the land owner and its tenant, the Bunnings Group Limited, to provide for the restoration of the Nylex sign in Mentone.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That Council:

1. Make an allocation in its 2020/2021 Capital Works budget of up to \$60,000, to support the restoration of the existing Nylex sign located at 29 Nepean Highway, Mentone to be funded through savings delivered through other capital works projects.
2. Make an annual allocation in future operating budgets to support the operational expenses associated with the costs associated with maintaining the sign.
3. Instruct the Chief Executive Officer to do all things necessary to seek to secure an agreement regarding the successful restoration of the Nylex sign in Mentone.

1. Executive Summary

The Nylex sign, which is established at 29 Nepean Highway, Mentone, is heritage listed in the Kingston Planning Scheme and presents an important signifier of the former industrial use of the subject land. First constructed in 1944, the Nylex factory was a significant contributor to the regional economy and reinforced the relationship the area had post the Second World War to the manufacturing sector.

The Nylex sign at the front of the site has had a digital display featuring the time and temperature visible to those travelling along the Nepean Highway. The Mordialloc and District Historical Society Inc. and other interested members of the community have maintained a strong interest in working with the private land owner, its tenant and Council to have the sign restored to its former glory by activating its display once again.

Officers, through recent discussions with Bunnings Group Limited (Bunnings) who are the tenant of the site, are optimistic that through a partnership approach between the Owner, Bunnings and Council the sign can now be restored. Direction is, however, required from Council to provide a capital allocation to a maximum amount of \$60,000 to facilitate a partial payment towards the restoration of the sign. A smaller allocation will likely be required to support the ongoing operational costs in maintaining the sign.

Given the significance of the Nylex facility to many in the community, and the unique nature of this heritage feature being a sign, it is recommended that Council support the partnership approach recommended in this report.

2. Background

Previous Council resolution

It was resolved at the Council meeting on 26 February 2018:

That Council accept the officer report and ask for continued investigation by officers and/or the historical network of partnership, sponsorship or funding alternatives.

Officers have continued to explore the signs restoration since this resolution. The most recent discussions with the tenant have been the most promising in relation to securing the restoration of the sign.

Heritage Review / Planning Scheme Amendment

A citation was completed in 2001 by Heritage consultants Bryce Raworth Pty Ltd examining the then Nylex Facility in Mentone. A copy of the citation regarding the Nylex Factory is provided as part of Appendix 1 to this report. The citation made the following recommendations regarding the Nylex sign:

A heritage overlay is recommended for the illuminated sign at the entry to the site only. It is understood that the sign is to be relocated to a new position a little to the south of its present position in the near future. Provided the sign retains its associations with the Nylex plant and is re-erected on an equally prominent site on the highway, this action is seen as having minimal impact on the cultural heritage significance of the structure. No heritage overlay is recommended for the broader site.

Following this work the sign was subsequently listed in the Kingston Planning Scheme as containing local heritage significance through Planning Scheme Amendment C46. The sign appears in the Schedule to Clause 43.01 of the Kingston Planning Scheme and is listed as Heritage reference feature HO105.

Restoration of the sign

Although the sign is still established on the site, it has been several years since its iconic digital display of the time and temperature has operated. The Mordialloc and District Historical Society Inc. have sought the support of the landowner, tenant and Council to collaborate to examine the restoration of the sign's digital display using required contemporary technologies to once again allow the sign to fully operate.

Through the support of Bunnings Group Limited a recent focus has been placed on the potential restoration of the sign and the required technical experts are now assembled to progress the restoration of the sign. The required work would broadly involve:

- Providing power-supply to the sign which would likely involve trenching to an identified power supply to the sign.
- Painting and rust removal work on the existing signage support structure.
- Establishment of a new digital LED based signage structure that displays the clock and temperature on both sides of the sign and the provision of new frame and cabinet screens to support the sign's reinstallation.

Given the height of the sign, the works would require a crane and boom lifts.

The timing of the works, were they to proceed, will be reliant on discussions regarding the electricity supply issues and asset ownership and management considerations which represent the next phase of discussions between the parties.

3. Discussion

3.1 Council Plan Alignment

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

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

The Nylex sign represents an iconic feature of the municipality's history and represents a feature that warrants restoration. The restoration of the sign and the ability of future communities to interpret the sign as it was (eg. displaying the time and temperature) provides younger members of the community with a 'reference point' to illustrate how such information was shared prior to the advent of technologies in cars (eg. temperature displays) and through mobile devices which make this information readily accessible.

3.2 Consultation/Internal Review

Engagement occurred as part of the establishment of the Planning Scheme Amendment that incorporated the listing of the Nylex clock in the Kingston Planning Scheme. Significant support for the restoration of the Nylex clock has more recently come from the Mordialloc and District Historical Society.

Many members of the community will have a recollection of the Nylex sign displaying temperature and time information and it is anticipated its successful restoration would again allow the sign to be a profiled feature of the City.

It is also hoped that if the sign can be successfully restored, opportunities for broader community engagement and education regarding this heritage feature will be provided.

3.3 Operation and Strategic Issues

3.3.1 Budget Allocation – 2020 / 2021 Capital Work Budget

Although in previous years a capital works budget allocation was provided for the restoration of Nylex sign this allocation was removed from the budget in more recent years. The report recommends that given the interest and potential partnership in now restoring the sign an allocation to a maximum value of \$60,000 be made in the 2020/2021 Capital Works Program. Optimally this would allow for a partial contribution from Council towards the restoration works to occur this financial year on the basis an agreement can be struck between the parties.

On the basis the sign is able to be restored, an annual allocation towards the operational costs of maintaining the sign will also likely be required.

3.3.2 Ownership / Maintenance of the sign

Discussions still need to occur with the land owner and its tenant regarding the final ownership arrangements for the land which the sign is located on. Given the complexities with arranging power supply to the sign and the significant delays this may present, the initial advice from Officers is that retaining the sign on the land owners title may be the most appropriate future management option.

Recognising the overarching objective is to restore the sign, Officers will work with the parties concerned to determine the best ongoing ownership and management outcome to achieve the restoration objective.

3.4 Options

3.4.1 Pursue a partnership approach to restoring the Nylex sign

Council does not own the land the Nylex sign is located on and thus it also does not own the sign. On the basis Council is supportive of seeing the sign restored, it is felt that a partnership approach between the land owner, the tenant (Bunnings Group Limited) who is proposing to coordinate the works and Council is required to secure the restoration of the sign. Although it is possible for Council to determine that it did not wish to contribute to the works to restore the sign it does then run the continued risk that the owner and its tenant will not progress the restoration project.

It is recommended that this option involving a partnership arrangement be pursued.

3.4.2 Not pursuing the restoration of the Nylex Sign

Significant time has been spent by community volunteers and Officers in seeking to secure the restoration of the Nylex sign. It is considered that although it is an option to not pursue the restoration of the sign through a partnership arrangement, Council will likely be unable to further influence the outcome and the status quo would be maintained. On the basis Council were of this view it is recommended it resolve not to pursue any further work regarding this matter.

This option is not recommended.

4. Conclusion

4.1 Environmental Implications

The quotations obtained to undertake the works will provide for the installation of contemporary LED lights which will substantially reduce the consumption of energy to power the sign when compared to the historical technologies deployed to operate the sign.

4.2 Social Implications

As reinforced throughout this report, the Nylex Sign is an iconic feature in Kingston and the sign's restoration has been strongly supported by the Mordialloc and District Historical Society Inc. Given the broader role, this heritage feature would play in displaying community information and education a partnership approach to its restoration is supported.

4.3 Resource Implications

The report recommends a budget allocation of up to \$60,000 to support the sign's restoration in partnership with the landowner and tenant. These funds would be allocated in the 2020/2021 Capital Works budget through savings derived through projects which have been completed under budget.

The ongoing operational costs to provide for the maintenance of the sign would be accommodated in operational budgets and would be required to ensure the sign is provided with power and is regularly maintained.

4.4 Legal / Risk Implications

Council is under no legal obligation to pursue a partnership approach to the restoration of the Nylex sign, however, with such an approach it is unlikely the sign will be restored.

Appendices

Appendix 1 - Nylex Sign 25-29 Nepean Hwy Mentone (Ref 21/36999)  [Download](#)

Author/s: Jonathan Guttmann, General Manager Planning and Development

Reviewed and Approved By: Paul Franklin, Acting Chief Executive Officer

8.5

UPDATE ON THE PRESERVATION OF THE NYLEX SIGN, MENTONE

1	Nylex Sign 25-29 Nepean Hwy Mentone	219
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**City of Kingston Heritage Study
Place Identification Form (2001)**

Bryce Raworth Pty Ltd
19 Victoria Street, St Kilda 3182, Australia

Address/Location of Place 25-29 Nepean Highway, Mentone.	Type of Place Industrial Park.
Name of Place Nylex Factory.	Alternate Name(s) of Place None.

Listings and Controls

Victorian Heritage Register

Yes ☐ No ☒

Register of the National Estate

Yes ☐ No ☒

Register of the National Trust (Victoria)

Yes ☐ No ☒

Construction Date

From 1944

Source

Refer History


History and Description

After the WWII the demographics of the manufacturing industry throughout Melbourne began to change. Prior to WWII most of Melbourne's industry was located within three miles of Melbourne's General Post Office. However, in the years following the war, large haul trucks began to liberate industry from the railhead enabling it to take up areas of open land large enough to accommodate its growing scale. Melbourne became the manufacturing capital of Australia, with over a third of the nation's factories constructed in the State in the decades after 1945 on green field sites throughout the City of Kingston.

Among the first manufacturing operations to take advantage of the opportunities available in outer suburban Melbourne was Moulded Products (later Nylex) which established its headquarters on the Nepean Highway at Mentone.

The Moulded Products plant occupied a tract of land, which had formerly been associated with the Brigidene Convent. The Brigidene Sisters had acquired the site on the east side of Point Nepean Road in 1906. The parcel comprised a little over 35 acres and was used primarily for farming, providing the Convent with fresh produce. Two farmers, Edward Naughton and Festus Coyne worked the land for the sisters. On 26 July 1944, the sisters transferred about half of the land to Moulded Products Australia Ltd. The remainder, a triangular portion at the north of the block and a strip at the south was sold in 1952. Despite the sale, Naughton and Coyne remained in residence on the site until their deaths in the early 1960s.¹

The Mordialloc News of 5 July 1945² noted that Moulded Products was to open a factory in Mentone. The site was developed quickly, with the factory commencing production in the following year. Development on the site proceeded rapidly from this time.

An aerial photograph dating from 1963³ shows a large number of structures present on the site. The laboratory complex, gatehouse and a number of sawtooth roofed factory buildings line the Nepean Highway frontage while more sawtooth roofed production spaces are visible towards the rear of the site. The present administration building at the front of the site is not evident in the photograph nor is the illuminated clock, which has, in the ensuing decades, become a landmark structure on the highway. Both of these structures are believed to date from c.1970.

History and Description (continued)

Since that time, further production spaces have been added to the plant and a new administration building has been constructed along the Warrigal Road frontage.

- 1 Kilbreda College Archives.
- 2 Mordialloc News, 5 July 1945.
- 3 Aerial photograph, Melbourne 1963 Project, Run 24, 24/12/1963, Original held at Land Titles Office.

Integrity

Substantially Intact ☐ Altered Sympathetically ☒ Altered Unsympathetically ☐ Damaged/Disturbed ☐

Comparable examples within the City of Kingston

The Nylex factory was among the first of many constructed in City of Kingston in the years following WWII. It is of note for its role in the development of local industry and as a large local employer. There are few comparable examples of a site of this size or early construction date within the Municipality. The site compares more favourably with factory developments such as the AGM Factory at Spotswood or The Nestle factory at Mulgrave. It is of note that more significant industrial sites such as the ETA Factory in Sunshine the CSR Factory in Bacchus Marsh have been identified as being of state significance and are now listed on the Victorian Heritage Register.

Little early signage remain within the City of Kingston. A number of early signs of considerably greater significance remain throughout the broader metropolitan area such as the Pelaco sign in Richmond (c.1939) or the Capitol sign in Swanston Street (c.1932).

Statement of Significance

Constructed from 1944 and constantly extended and upgraded since that time, the Nylex factory is of social and some architectural significance at a local level. It is socially significant as an expression of the post-war industrial boom within the City. The physical fabric of the buildings on the site largely comprises generic production and administration spaces of minimal architectural or technological significance, with the exception of the neon sign at the entry, which has become a local architectural landmark and a symbol of social and technological progress within the area.

Recommendations

A heritage overlay is recommended for the illuminated sign at the entry to the site only. It is understood that the sign is to be relocated to a new position a little to the south of its present position in the near future. Provided the sign retains its associations with the Nylex plant and is re-erected on an equally prominent site on the highway, this action is seen as having minimal impact on the cultural heritage significance of the structure. No heritage overlay is recommended for the broader site.

City of Kingston Planning Scheme

The following recommendations apply to the illuminated clock only.

Recommended for inclusion in a heritage overlay to the Planning Scheme	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Should external paint controls apply?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Should internal alteration controls apply?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Should tree controls apply?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

Other Listings and Controls

Recommended for inclusion on the Victorian Heritage Register?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Recommended for inclusion on the Register of the National Estate?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Recommended for inclusion on the National Trust (Victoria) Register?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

9. Community Sustainability Reports

22 February 2021

Agenda Item No: 9.1

KINGSTON WOMAN OF THE YEAR AWARD 2021 NOMINATIONS

Contact Officer: Nishtha Goel, Community Projects Officer

Purpose of Report

The purpose of this report is to provide Council with the details of eligible nominations received for Kingston Woman of the Year Award 2021 to enable Council to select the award winner.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That Council:

1. Select the Kingston Woman of the Year 2021, Honourable Mentions, and the Lifetime Award winner as per confidential Appendix 2.
2. Determine, pursuant to Section 125 of the Local Government Act 2020, that the identities of the Winner, Honourable Mentions and the recipient of the Lifetime Award winner remain confidential until 5 March 2021 except for the notification of the award winners by the Mayor prior to 5 March 2021.

1. Executive Summary

The Kingston Woman of the Year Award celebrates and promotes the outstanding contributions of women to our community and whose achievements positively influence the changing social, environmental or business landscape and make them leaders (or emerging leaders) in their field.

A public call for nominations was made from 1 October to 30 November 2020. There was a strong response from the community with a total of 29 nominations received for 24 eligible nominees.

Appendix 1 provides a summary of the Woman of the Year Award 2021 nominations. Council is required to consider all nominations in accordance with the selection criteria and select the Award where it deems the nomination worthy.

Councillors may also provide a second preference of their selection of the Kingston Woman of the Year Award winner, Honourable Mentions, and other award winner.

The nominees selected as Woman of the Year, Honourable Mentions, and other award winner, may be required to undertake a police check and Working with Children check where the nature of work with Council requires checks.

2. Background

International Women's Day is celebrated annually on 8 March in recognition of women's rights, achievements and advancement in political, economic and social spheres. Celebrating women's contributions in varied domains provides a positive way to challenge gender stereotypes, promote women's leadership and independence, and advocate for gender equality. At the Ordinary Council Meeting on 25 June 2018, Council endorsed implementation of the Kingston Woman of the Year Award scheme.

The inaugural Kingston Woman of the Year Award was presented at International Women's Day (IWD) on 8 March 2019. Due to the calibre of nominations, Council chose to select the Kingston Woman of the Year Award winner and five Honourable Mentions reflecting each of the nomination categories (Champion of Change, Excelling in Arts and Sport, Inspiring Innovation, Success in STEM, Humanitarian).

Community consultation and internal review indicated strong support for the implementation of this Award scheme as an effective way to celebrate and recognise the outstanding contributions of women in our community.

At the Ordinary Council meeting on 23 September 2019, Council endorsed:

1. Continued implementation of the Kingston Woman of the Year Award scheme as proposed with presentation at the annual International Women's Day civic event.
2. The allocation of resources to implement the revised Award Scheme consistent with option 1a as detailed in the report.

The second Kingston Woman of the Year Award was presented on 6th March 2020 with strong community participation and positive feedback. Council did not select Honourable Mentions in this year.

3. Discussion

3.1 Council Plan Alignment

Goal 3 - Our connected, inclusive, healthy and learning community

Direction 3.1 - Respond to our community's social needs

Direction 3.4 - Promote an active, healthy and involved community life

Celebrating women's outstanding contribution in diverse fields promotes gender equality, recognises women in positions of leadership, supports inclusion, health, cohesion and connectedness amongst the community.

3.2 Publicity and Communications

Kingston Woman of the Year Award was widely promoted from 1 October to 30 November 2020 through a range of channels including schools, community groups, sporting clubs, the My Community Life database, Council advisory committees and networks.

A comprehensive communications and social media campaign was conducted including a media release, promotion on Council's website, Facebook, Instagram, Kingston Your City, Your Voice, email database and through internal and external channels.

Articles promoting Kingston Woman of the Year Award were reported in various local newspapers including Chelsea Mordialloc News, Mirage News, National Tribune and Frankston Times.

Local organisations also shared 'Nominations Open for Kingston Woman of the Year Award 2021' articles in their newsletters including Municipal Association of Victoria Prevention of Violence Against Women (MAV PVAW) newsletter and Southern Melbourne Primary Care Partnership (SMPCP) e-Bulletin.

Channel 31 also interviewed Kingston Woman of the Year 2020-June Rea and CEO Julie Reid. This interview was broadcast three times and promoted June Rea and Kingston Woman of the Year Award.

3.3 2021 Nominations

Nominated individuals are women or individuals who identify as female, aged 16 years and above who live, work or study within the City of Kingston. Women were nominated based on their outstanding contribution to our community and whose achievements positively influence the changing social, environmental or business landscape and make them leaders (or emerging leaders) in their field.

The following four categories were used to encourage diversity of nominations:

- ***Courageous Commitment*** – For women who are dedicated to making a difference to the health, wellbeing, safety and/or sustainability of our community through advocacy, campaigning, fundraising, community work and/or thought-leadership.
- ***Excelling in Arts and Sport*** – For women using their sporting and/or creative talents to represent, motivate and inspire our community.
- ***Inspiring Innovation*** – For women who are leaders in business, economics, politics and/or an entrepreneur.
- ***Success in STEM*** – For women who are excelling in science, technology, engineering and mathematics.

There was a strong response from the community with a total of 29 nominations received for 24 nominees. Out of 24 eligible nominees, three were nominated twice and one was nominated three times. 19 out of 24 nominees are new nominations this year and 5 were nominated in previous Kingston Woman of the Year Awards.

Please see Appendix 1 for a summary of the Woman of the Year 2021 Nominations.

3.4 Selection Criteria

In choosing the recipient of the Kingston Woman of the Year Award, nominees are to be assessed against the following selection criteria:

- Significant impact of contributions made;
- Demonstrated level of commitment to the betterment of the Kingston Community;
- Degree of difficulty in achievement and sacrifices made;
- Nature or length of activity or service;
- Future goals and likely impact on the Kingston Community;
- Previous awards and recognitions received;
- Demonstrated excellence in their field;

- Personal attributes of the nominees such as being an inspirational/positive role model for their peers, demonstrating vision, leadership, innovation and creativity;
- Personal, academic and professional achievements; and
- Individuals must demonstrate that whether her contributions were in the course of employment, voluntary or both; and
- *Independent Referee Check

***Independent Referee Check**

All nominations were required to be supported by one independent referee.

Referee Eligibility:

- Independent of the nominee and nominator
- Someone who has had close involvement with the nominee during their service or is able to comment directly on the nature and impact of their achievements

Council's Community Projects Officer contacted the Referees to seek a Letter of Support.

All 24 nominees nominated for Kingston Woman of the Year Award 2021 received a positive Letter of Support from their Referees.

Relevant information from Letters of Support have also been included in the nominations summary document (Appendix 1)

Post Selection Process:

The nominees selected as Woman of the Year, Honourable Mentions, and recipient of other award may be required to undertake a police check and Working with Children check where the nature of work with Council requires checks.

4. Conclusion

This report and Appendix 1 outlines the 24 nominees for Kingston Woman of the Year Award 2021. Council is required to consider all nominations in accordance with the selection criteria and select the Award where it deems the nomination worthy.

4.4 Environmental Implications

None arising directly from this report.

4.5 Social Implications

The Woman of the Year Award recognises the outstanding contributions that women make to the community, industry and society. It provides a platform to celebrate and support the work that these women do and inspire and motivate other members of the community.

By encouraging diversity of nominations with women who are leaders in industry, STEM, arts, sport and community realms allows gender stereotypes and norms are challenged.

This gender equitable action of challenging of gender roles is part of the deliberate efforts being made to work towards gender equality and, in turn, help prevent family violence.

4.6 Resource Implications

None arising directly from this report.

4.7 Legal / Risk Implications

NA

Appendices

Appendix 1 - Kingston Woman of the Year Award 2021-Nomination Summary (Ref 20/242102) - Confidential

Appendix 2 - Woman of the Year Award Winner and Honourable Mentions 2021 (Ref 21/19598) - Confidential

Author/s: Nishtha Goel, Community Projects Officer
Reviewed and Approved By: Dominic McCann, Coordinator Community Wellbeing
Jihan Wassef, Team Leader Community Engagement
Jane Grace, Manager Libraries & Social Development
Mauro Bolin, General Manager Community Sustainability

22 February 2021

Agenda Item No: 9.2

LE PAGE SPORTS PAVILION FEMALE FRIENDLY AMENITIES UPGRADE - AWARD OF CONTRACT CON-20/114

Contact Officer: Leigh Stewart, Principal Maintenance Planning Officer
Juli Stickler, Acting Senior Facilities Development and Planning Coordinator

Purpose of Report

The purpose of this report is to advise Council of the outcome of the tender process and seeks approval to award contract CON-20/114 - Le Page Sports Pavilion Female Friendly Amenities Upgrade, to the recommended tenderer from the tender submissions received.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That Council:

1. Receive the information and note the outcome of the tender assessment process for Contract CON-20/114 - Le Page Sports Pavilion Female Friendly Amenities Upgrade, as set out in the confidential Appendix 1 as attached to this report
2. Delegate authority to the CEO to award Contract 20/114 – Le Page Sports Pavilion Female Friendly Amenities Upgrade for the fixed lump sum price of \$624,905.73 (exclusive of GST) to Kingdom Constructions Group Pty. Ltd.
3. Approve the allocation of a separate contingency allocation, as set out in the attached confidential Appendix 2 and delegate authority to the CEO, or their nominee, to expend this allowance to ensure the successful completion of the project.

1. Executive Summary

In 2019 Council was successful in obtaining a State Government Grant of \$125,000 towards the provision of female-friendly changing facilities in the existing Le Page Sports Pavilion and additional funding was allocated within the Council's current Capital Programme.

This report provides Council with officers' recommendations based on the outcome of the evaluation of these tender submissions. Officers are recommending that Council authorise the award of contract CON 20/114 – Le Page Sports Pavilion Female Friendly Amenities Upgrade for the fixed lump sum price of \$624,905.73 (exclusive of GST) to Kingdom Constructions Group Pty. Ltd., taking the opportunity to promote an inclusive environment where the refurbishment encourages increased gender diversity in membership, supporting accessible social and recreational activity for the youth of Cheltenham (and surrounds).

2. Background

Le Page Park Pavilion has been identified as one of the sporting facilities to be prioritised for an upgrade to actively support gender equitable access to sport and recreation. The new facilities will endeavour to encourage greater numbers of girls to participate in the range of sporting codes offered at Le Page Park. In addition the proposed improvements include accessibility upgrades, to ensure that all members of our community, including those with a disability, are supported to participate, spectate and socialise at this popular community sporting venue.

Officers from Community Buildings have worked with an appointed architectural team and other sub-consultants to develop a scope of works to implement the amenities upgrade.

Broadly, the approved scope of work includes:-

- Renewing the existing change amenities to provide accessible access and increased capacity (resulting in more than twice the existing number of toilets)
- Dedicated, external-facing amenities for umpires/officials
- Provision of an external access ramp
- General refurbishment to the change rooms, kitchen, social area, to modernise the look and feel of the interior of the facility
- Addition of an external storage shed

Accordingly, tenders were sought for contract Con 20/114 – Le Page Sports Pavilion Female Friendly Amenities Upgrade via open tender procedure.

3. Discussion

3.1 Council Plan Alignment

Goal 1 - Our well-planned, liveable city supported by infrastructure to meet future needs
Direction 1.3 - Infrastructure and property investment for a functional city now and into the future

Investment in an amenities upgrade of the Le Page Sports Pavilion acknowledges the importance of accessibility and inclusion for a diverse range of participants and their supporters. The refurbishment endeavours to attract and retain diversity of membership, supporting accessible social and recreational activity for the youth of Cheltenham (and surrounds).

3.2 Consultation/Internal Review

Community consultation was undertaken via the *Your Kingston, Your Say* webpage, with strong levels of support for the proposed works.

Kingston Active, as the User Coordinator and Parks and Open Space have been notified of the proposed refurbishment

3.3 Operational and Strategic Issues

3.3.1 Tender Evaluation

Tenders closed at 2.00pm on 28th January 2021 and five (5) tender submissions were received as follows:

<i>Tenders received by close of Tender Period (in alphabetical order)</i>
--

Ausbuild Constructions Pty Ltd

Kingdom Constructions Group Pty Ltd
More Building Group Pty Ltd
Stosius & Staff Constructions Pty Ltd
The Trustee for Harris HMC Interiors

***Tender Amount submitted at close of Tender Period (excl. GST)
(in lowest to highest order)***

\$624,905.73
\$766,795.00
\$778,437.00
\$804,940.00
\$815,100.00

The Tender Evaluation Panel (TEP) comprised the following Officers:

- Anthony Ziem – Team Leader Facilities Maintenance
- Deb Murray – Sport and Recreation Response Officer
- Leigh Stewart – Principal Maintenance Planning Officer
- Jake Maynard – Reactive Maintenance Administration Officer

3.3.2 Contract evaluation

Based on the tender documentation, the criteria used to evaluate tenders under Con 20/114 were as follows (listed in order of importance):

(i) PASS/FAIL Criteria

- Compliance with OHS, Environmental and Insurance requirements
- Financial Capacity

(ii) Weighted Scored Criteria

- Price / Financial Benefit to Council
- Methodology
- Capacity
- Experience
- Corporate Social Responsibility

Following assessment of all initial tender submissions, and in accordance with the project's Tender Evaluation Plan, the TEP undertook interviews with four (4) short listed tenderers.

At the tender interviews, tenderers were requested to either confirm their submitted tender pricing, to declare any errors or omissions that may have occurred during the preparation and submission of their tenders, to provide details of their proposed work programme, project methodology and any potential cost savings/product alternatives. Relevant reference and financial capacity checks were undertaken.

During the tenderer interviews one of the short-listed tenderers identified an error within their initial submission, with a subsequent written correction received and the necessary adjustment made to pricing within the evaluation matrix. This corrected amount is reflected in the below table:

<i>Tender Amount submitted at completion of interviews (excl. GST) (lowest to highest)</i>	
	\$624,905.73
	\$766,795.00
	\$778,437.00
	\$815,100.00
	\$889,820.00

3.3.3 Determination of the Recommended Contractor

In accordance with procurement policy and industry best practice, determination of the recommended contractor occurs following comprehensive evaluation against the weighted assessment criteria as listed in 3.3.1. Application of the criteria is considered due process, with any deviation from this process in breach of procurement protocol.

The tender evaluation panel are required to appraise the merits and risks evident within each submission. Consideration of the practical implementation of proposed project methodology, along with prior contractor experience, capacity and social responsibility are critical elements of project delivery. Each of these elements carries a range of risks in the event the project is not executed to the necessary standard, including significant financial, safety, environmental and reputational risks.

Following the application of the predetermined criteria, it is therefore the recommendation to Council to authorise the award of the contract (CON 20/114) Le Page Sports Pavilion Female Friendly Amenities Upgrade, for the fixed lump sum price of \$624,905.73 (exclusive of GST) to Kingdom Constructions Group Pty. Ltd.

The outcome of the tender evaluation is attached as a confidential appendix to this report (Appendix 1).

In addition, Council is also asked to approve the allocation of a separate contingency allocation within the Approved Available Budget Allocation (4.3), and to delegate authority to the CEO, or their nominee, to expend this allowance to ensure the successful completion of the project (Appendix 2).

3.3.4 Programme of Works

Subject to Council approval, the project implementation programme assumes a commencement of works during March 2021 and a completion of works during mid-2021.

4. Conclusion

4.1 Environmental Implications

The design of the proposed building refurbishments has been developed in accordance with Council's Environmental Sustainable Design Policy.

4.2 Social Implications

The Sport and Recreation Strategy (2018-21) identifies the requirement for future increased female participation and the need for adequate sporting facilities. The proposed female friendly upgrade directly supports this strategy. In addition, the proposed refurbishment works act to address a number of accessibility issues identified during a 2019 DDA Building Audit.

4.3 Resource Implications

The project is able to be delivered within the available budget, as set out within the attached confidential Appendix 2.

Subject to approval, the proposed works at the Le Page Sports Pavilion Female Friendly can be met from within the allocated budget, noting the State of Victoria co-contribution of \$125,000.

4.4 Legal / Risk Implications

In the event that the existing gender inequity and accessibility issues are not addressed, there may be a perceived (or actual) status of discrimination. This may have the potential for negative public relations and/or associated legal implications.

Appendices

Appendix 1 - CON-20/114 - Post interview evaluation matrix - Le Page Pavilion Female Friendly Upgrade (Ref 21/25144) - Confidential

Appendix 2 - CON-20/114 - Project budget - Le Page Pavilion Female Friendly Upgrade (Ref 21/25143) - Confidential

Author/s: Leigh Stewart, Principal Maintenance Planning Officer
Juli Stickler, Acting Senior Facilities Development and Planning Coordinator

Reviewed and Approved By: Steve Lewis, Manager Community Buildings
Mauro Bolin, General Manager Community Sustainability

22 February 2021

Agenda Item No: 9.3

5TH MORDIALLOC SEA SCOUTS REFURBISHMENT - AWARD OF CONTRACT CON 20/035

Contact Officer: Leigh Stewart, Principal Maintenance Planning Officer
Juli Stickler, Acting Senior Facilities Development and
Planning Coordinator

Purpose of Report

The purpose of this report is to advise Council of the outcome of the tender process for CON 20/035 5th Mordialloc Sea Scouts Refurbishment in accordance with the resolution of Ordinary Council on 25 May 2020.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That Council:

1. Receive the information and note the outcome of the tender assessment process for Contract 20/035 – 5th Mordialloc Sea Scouts Refurbishment, as set out in the confidential Appendix 1 attached to this report.
2. Delegate authority to the CEO to award Contract 20/035 – 5th Mordialloc Sea Scouts Refurbishment for the fixed lump sum price of \$765,000.00 (exclusive of GST) to Insight Construction Group Pty Ltd.
3. Approve the allocation of a separate contingency allocation, as set out in the attached confidential Appendix 2 and delegate authority to the CEO, or their nominee, to expend this allowance to ensure the successful completion of the project.

1. Executive Summary

At the Ordinary Council Meeting of 25 May 2020 Council authorised officers to proceed with an agreed scope of works for the refurbishment to address the existing DDA non-compliance issues, while providing a more contemporary aesthetic and improved facility functionality. In addition, Council authorised officers to seek tenders for these works and to report back to Council on the outcome of the tender process, with a view to implementing the works during 2020/21 financial year continuing into 2021/22 financial year.

In accordance with the above resolution, tenders have been sought for contract Con 20/035 – 5th Mordialloc Sea Scouts Refurbishment and this report provides Council with officers' recommendations based on the outcome of the evaluation of these tender submissions. Officers are recommending that Council authorise the award of contract Con 20/035 – 5th Mordialloc Sea Scouts Refurbishment to Insight Construction Group Pty Ltd for the adjusted lump sum price of \$765,000.00 (excl. GST), taking the opportunity to future-proofing the asset,

the refurbishment encouraging increased membership, supporting accessible social and recreational activity for the youth of Mordialloc (and surrounds).

2. Background

In 2019 the 4th Mordialloc Sea Scouts (4th MSS) were relocated from their Lambert Island, Mordialloc facility, to the 5th Mordialloc Sea Scouts Hall (5th MSS), 24 Park Street, Mordialloc (George Woods Reserve). Relocation occurred with the endorsement of Scouts Victoria, in acknowledgement that the building accommodating the 4th MSS had reached the end of its lifecycle and was scheduled for demolition.

Additionally, Kingston's Urban Cooling Strategy committed Council to a Goal of increasing vegetation cover across Kingston as part of an integrated approach to cooling the municipality – this includes green walls, facades and roofs. One immediate action was for Council to trial green infrastructure on at least one Council building. At the Feb 2020 Councillor workshop, Councillors noted an action to receive updates on options for Green Wall infrastructure. Community Buildings, working with Parks and Open Space and Environmental Planning are progressing the trial of a green façade on the redevelopment of the Mordialloc Sea Scouts Building in Park Street Mordialloc

The refurbishment to the existing 5th Mordialloc Sea Scouts Hall will act to revitalise and future proof this building, supporting ongoing Scouting activity in the Mordialloc area, with a particular connection to the Creek and boating heritage of the Mordialloc community.

Officers from Community Buildings have worked with an appointed architectural team and other sub-consultants to develop a scope of works approved by Council on 25 May 2020 and officers were authorised to seek tenders for this and to report back to Council on the outcome of the tender process.

Accordingly, tenders were sought for contract Con 20/035 – 5th Mordialloc Sea Scouts Refurbishment via open tender procedure.

3. Discussion

3.1 Council Plan Alignment

Goal 1 - Our well-planned, liveable city supported by infrastructure to meet future needs
Direction 1.3 - Infrastructure and property investment for a functional city now and into the future

Investment in an upgrade of the 5th Mordialloc Scout Hall acts to address the existing DDA non-compliance issues, while providing a more contemporary aesthetic and improved facility functionality. In addition to future-proofing the asset, the refurbishment is likely to attract and retain membership, supporting accessible social and recreational activity for the youth of Mordialloc (and surrounds).

3.2 Consultation/Internal Review

Community consultation was undertaken via the *Your Kingston, Your Say* webpage and *Facebook*. The majority of participant feedback supported the concept, with particular interest in the green facade and modernisation of the building.

Ongoing consultation has occurred with Scouts Victoria, acting in the interest of tenanted Scout groups within this property.

There were a range of further design suggestions received from the user group and community, which resulted in minor enhancements to the original concept design.

The Department of Environment, Land, Water and Planning are aware of the proposed works at this site, which is designated Crown land, with appropriate consent having been issued.

City of Kingston Property Services are aware of the proposed refurbishment, noting that Lease Agreements for all properties currently tenanted by Scouts Victoria are currently being executed. Upon completion of the refurbishment a revised lease may be issued to reflect the updated site plan and conditions.

3.3 Operation and Strategic Issues

3.3.1 Tender Evaluation

Tenders closed at 2.00pm on 3rd December 2020 and six (6) tender submissions were received as follows:-

<i>Tenders received by close of Tender Period (in alphabetical order)</i>
ADMA Group Pty Ltd
C.A. Property Group Pty Ltd
Insight Construction Group Pty Ltd
Lorden Vella Pty Ltd
More Building Group Pty Ltd
Total Construction Maintenance Solutions

<i>Tender Amount submitted at close of Tender Period (excl. GST) (in lowest to highest order)</i>
\$635,469.45
\$699,600.00
\$765,000.00
\$810,991.00
\$825,211.85
\$830,060.00

The Tender Evaluation Panel (TEP) comprised the following Officers:

- Anthony Ziem – Team Leader, Facilities Maintenance
- Juli Stickler – Acting Senior Facilities Development & Planning Coordinator
- Deb Murray – Sport and Recreation Response Officer
- Leigh Stewart – Principal Maintenance Planning Officer

3.3.2 Contract evaluation

Based on the tender documentation, the criteria used to evaluate tenders under Con 20/035 was as follows (listed in order of importance):

(i) PASS/FAIL Criteria

- Compliance with OHS, Environmental and Insurance requirements
- Financial Capacity

(ii) Weighted Scored Criteria

- Price / Financial Benefit to Council
- Methodology
- Capacity
- Experience
- Corporate Social Responsibility

Following close of tenders, based on assessment against the listed criteria and in accordance with the project's Tender Evaluation Plan, the TEP undertook interviews with the five short-listed tenderers to identify any errors and/or omissions that may have been made within their initial tender submission and to clarify any outstanding matters. Short-listed tenderers were subject to relevant referee checks and assessment of financial capacity.

3.3.3 Determination of the Recommended Contractor

The submitted tender amounts have a \$194,590 range, which in a project of this scope is a notable difference. However, due to the weighted nature of assessment criteria, the lowest submitted project price may not assure award of the contract and may not necessarily present 'best overall value' to Council.

In accordance with procurement policy and industry best practice, evaluation of the recommended contractor occurs following comprehensive assessment against the predetermined and weighted criteria as listed in 3.3.1. Application of the criteria is considered due process, with any deviation from this process in breach of procurement protocol.

The tender evaluation panel are required to appraise the merits and risks evident within each submission. Consideration of the practical implementation of proposed project methodology, along with prior contractor experience, capacity and social responsibility are critical elements of project delivery. Each of these elements carries a range of risks in the event the project is not executed to the necessary standard, including significant financial, safety, environmental and reputational risks.

Following the application of the predetermined criteria, it is therefore the recommendation to Council to authorise the award of the contract (CON 20/035) 5th Mordialloc Sea Scouts Refurbishment for the fixed lump sum price of \$765,000.00 (exclusive of GST) to Insight Construction Group Pty Ltd, on the basis that their tender submission is considered to offer Council best overall value. This is set out within the attached confidential appendix to this report (Appendix A).

In addition, Council is also asked to approve the allocation of a separate contingency allocation, as set out in the attached confidential appendix, to delegate authority to the CEO, or their nominee, to expend this allowance to ensure the successful completion of the project.

3.3.4 Programme of Works

Subject to approval, the project implementation programme assumes a commencement of works during March 2021 and a completion of works during mid-2021.

4. Conclusion

4.1 Environmental Implications

Relevant due diligence / site investigations, including soil assessment and Cultural Heritage assessments, have been undertaken. The design of the proposed building has been developed in accordance with the Environmental Sustainable Design (ESD) policy.

A green façade at this location will trial different plant species and construction techniques suitable for a near-coastal location – building the capacity of staff to implement and manage these initiatives effectively. As they grow over the wall, the plants will help reduce the heat radiating from the existing brick wall, as well as decrease graffiti. It will be a recognisable feature for those cycling or walking along the Mordialloc Creek path and utilising the playground – providing an accessible education opportunity.

Landowner consent for completion of the proposed works on Crown land has been granted by DELWP.

Once appointed, the recommended tenderer will prepare a site specific Construction Management Plan, which will detail site management arrangements to prevent pollution of the nearby Mordialloc Creek and associated waterways.

4.2 Social Implications

Council's Disability Action Plan) identifies the requirement to improve the accessibility of Council Buildings, with the goal of having all buildings compliant by 2035 (Goal 1.5). The proposed refurbishment works act to address a number of accessibility issues identified during the 2019 DDA Building Audit.

4.3 Resource Implications

The project is able to be delivered within approved resources.

Scouts Victoria have agreed to contribute \$117,500 to support the refurbishment and extension works at the 5th MSSH.

4.4 Heritage

The proposed area of construction has been independently assessed as having no cultural heritage constraints on development and has confirmed that a Cultural Heritage Management Plan is not required for these works.

4.5 Legal / Risk Implications

In the event that the existing accessibility issues are not addressed, there may be a perceived (or actual) status of inaccessibility, which would contradict Council responsibilities under the Disability Discrimination Act. This may have the potential for negative public relations and/or associated legal implications.

Appendices

Appendix 1 - CON 20-035 Post Tender Evaluation Matrix 5th Mordialloc Sea Scouts
Refurbishment (Ref 21/25136) - Confidential

Appendix 2 - CON 20-035 Project Budget - 5th Mordialloc Sea Scouts Refurbishment
(Ref 21/25141) - Confidential

Author/s: Leigh Stewart, Principal Maintenance Planning Officer
Juli Stickler, Acting Senior Facilities Development and Planning
Coordinator

Reviewed and Approved By: Steve Lewis, Manager Community Buildings
Mauro Bolin, General Manager Community Sustainability

10. City Assets and Environment Reports

22 February 2021

Agenda Item No: 10.1

RE-SUBMITTED APPLICATION TO THE STATE GOVERNMENT'S COMMUNITY SPORTS INFRASTRUCTURE STIMULUS PROGRAM - CHELSEA NETBALL COURT DEVELOPMENT

Contact Officer: Kim Forbes, Acting Team Leader, Sport & Recreation Major Projects
Debbie Murray, Recreation, Planning & Projects Co-ordinator

Purpose of Report

To inform Council of the proposed re-submission of the application for the Chelsea Netball Court Development project to the State Government's Community Sports Infrastructure Stimulus Program, as administered by Sport and Recreation Victoria (SRV).

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That Council:

1. Endorse the resubmission of the \$3.4million (excl GST) Chelsea Netball Court's redevelopment application to the State Government's Community Sports Infrastructure Stimulus Program;
2. Commit to the commencement of works within a six-month period following the execution of the funding agreement;
3. Commit to providing funding in the 2021/22 Council Capital Works Budget and Long-Term Financial Plan to meet the required financial contribution by Council for the project;
4. Authorise the Chief Executive Officer to negotiate with Sport and Recreation Victoria to secure funding through the execution of a funding agreement for the project; and
5. Write to local Members of Parliament seeking support for the project and the proposed funding allocations.

1. Executive Summary

This report details the proposed resubmission of the Chelsea Netball Court redevelopment project to the State Government's Community Sports Infrastructure Stimulus Program (the Program).

This funding program seeks to invest in needed and shovel-ready community sporting projects that will provide economic and sporting outcomes for local communities, and boost Victoria's recovery from the COVID-19 pandemic. Following overwhelming demand for Round 1

applications to the Program, an additional \$110 million has been provided by the State Government for Round 2 applications by invitation.

As one of the original submissions to Round 1 of the program, Council has been invited by SRV to resubmit the \$3.4 million Chelsea Netball Court redevelopment as part of the Round 2 application process, and this report seeks Council's endorsement to resubmit this project to the Program.

In making this application, Council is required to commit to funding 10% of the total funds towards the project, noting that the maximum funding by the State Government is 90%, however the funding offer could be less. Council is also required to commence works within six months following the announcement of funding from the State, and to complete the project within two years. SRV has advised the announcement of successful projects is expected in May 2021.

2. Background

The Victorian Government is investing an additional \$110 million to build and upgrade community sports facilities across the state. Not only will the investment support local sporting clubs, it will create jobs and boost Victoria's economic recovery from the coronavirus COVID-19 pandemic.

The Community Sports Infrastructure Stimulus Program will support Victoria's economy by working with Local Government Authorities, Alpine Resort Boards and sporting clubs and organisations to fast track shovel-ready community sports infrastructure projects across Victoria.

When Round 1 of the Program was released in mid-2020, each local council or Alpine Resort Board was able to submit up to three (3) applications requesting up to \$10 million for each application. Applications had to be worth a minimum of \$1 million in requested funding, with a 10 percent minimum local financial contribution of the funding amount sought required to be committed and confirmed by LGAs or Alpine Resort Boards. For example, a grant request of \$1 million should be matched with a contribution of at least \$100,000 from the applicant. The required funding contribution may be more than 10%, depending on the outcome of the assessments of all applications.

The Program's assessment criteria are listed below:

- The project provides suitable local economic stimulus benefits.
- The application demonstrates strong sport and active recreation participation outcomes.
- The application demonstrates strong sport and active recreation participation outcomes for disadvantaged and under-represented communities and cohorts.
- The project scope is clear and is well designed and informed by Universal Design principles and Environmentally Sustainable Design considerations.
- The application demonstrates the project is ready to commence construction within six (6) months and can be completed within two years following the execution of a funding agreement.
- The project is supported by local stakeholders and key organisations that will benefit from the project.

As part of the Round 1 application process, Council endorsed the submission of the following three applications to the Program, at the 17 June 2020 Council Meeting, being:

- Sports Lighting Upgrades across 10 reserves within Kingston
- Chadwick Reserve Pavilion Development; and
- Chelsea Netball Court redevelopment.

Following negotiations with SRV through the assessment process, Council was successful in receiving funding towards the Sports Lighting project of approximately 55%, with the balance of

the funding committed via Council's existing and long-term capital program. The Chadwick Reserve Pavilion and Chelsea Netball Court projects were both unsuccessful in Round 1.

In December 2020, following an extension to the funding available within the Program, SRV formally invited Council to resubmit the Chelsea Netball Court redevelopment project for consideration as part of Round 2 applications (refer appendix 1). The Chadwick Reserve Pavilion project was not invited for resubmission.

3. Discussion

3.1 Council Plan Alignment

Goal 2 - Our sustainable green environment with accessible open spaces
Outcome 2.5 - Provide for a variety of sport and recreation opportunities across Kingston through the Sport and Leisure Strategy

If successful, the project will assist in providing for additional sport and recreation opportunities and assist in the promotion of healthy active lifestyles for the community.

3.2 Consultation/Internal Review

As part of the initial application, Council liaised with the Chelsea and District Netball Association and Netball Victoria and will continue to work with stakeholders through the design development and construction phases for the projects.

Council officers have met with representatives from Sport and Recreation Victoria to discuss the proposed project, and based on the invitation to resubmit, this project is viewed as strongly aligned to the Program's sport and recreation outcomes.

3.3 Operation and Strategic Issues

3.3.1 Application

Upgrade of the outdoor netball facilities, and associated infrastructure such as shelters and sports lights, at the Chelsea Sports Women's Centre, including car parking improvements to accommodate additional usage at the facility.

The existing condition of the netball courts continue to deteriorate, with cracked uneven surfaces restricting growth of the tenant netball association and posing safety risks to the players and community users, should the issues not be addressed.

The proposed redevelopment will allow for greater participation rates for schools and netball associations and allow for evening programming with the installation of sports lighting.

Estimated project cost of \$3.4million, with a proposed Council contribution of \$340,000 minimum (10% of total project costs) should SRV offer the full 90% funding.

4. Conclusion

With the deteriorating condition of the Chelsea Netball Courts, it is proposed that a re-submission of this application to the State Government's Community Sports Infrastructure Stimulus Program, provides Council the opportunity to seek funding towards the improvement of this valuable asset.

4.1 Environmental Implications

An environmental management plan will be completed as part of the project prior to commencement of works onsite.

4.2 Social Implications

Applying for this funding highlights Council's continued support for local community sport and recreation, as the project will have a direct positive impact on health and wellbeing for our community.

4.3 Resource Implications

The project is not currently included in Council's 2021/22 budget and Long-Term Financial Plan.

The Program requires Council to match funding ratios up to \$9(State):\$1(Council/Club) basis. Based on this ratio, Council would be required to commit to providing funding of \$340,000 (ex GST) in the 2021/22 Council Budget and Long-Term Financial Plan.


However, the State Government reserves the right to negotiate a lower than requested funding amount for submitted applications, as was the case with the recent Sports Lighting program funding awarded to Kingston.

The Program allows for applications to include project management costs to ensure Councils are resourced to deliver upon their commitments. Project management costs have been included as part of the total estimated project cost.

4.4 Legal / Risk Implications

Improving community sports infrastructure improves the safety of participants at this facility and reduces Council's overall risk.

Appendices

Appendix 1 - 2020-21 CSISP Stimulus (Round 2) - Invitation Letter - Kingston City Council - Chelsea Netball Courts (Ref 21/19647) 

Author/s:	Kim Forbes, Acting Team Leader, Sport & Recreation Major Projects
	Debbie Murray, Recreation, Planning & Projects Co-ordinator
Reviewed and Approved By:	Bridget Draper, Manager Active Kingston
	Samantha Krull, General Manager City Assets & Environment

10.1

RE-SUBMITTED APPLICATION TO THE STATE GOVERNMENT'S COMMUNITY SPORTS INFRASTRUCTURE STIMULUS PROGRAM - CHELSEA NETBALL COURT DEVELOPMENT

1	2020-21 CSISP Stimulus (Round 2) - Invitation Letter - Kingston City Council - Chelsea Netball Courts.....	249
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Department of Jobs, Precincts and Regions

GPO Box 4509
Melbourne,
Victoria 3001 Australia
Telephone: +61 3 9651 9999
DX 210074

Ms Julie Reid
Chief Executive Officer
Kingston City Council
info@kingston.vic.gov.au

Dear Ms Reid

I am pleased to inform you that \$110 million was committed in the 2020-21 State Budget to support a second funding round of the *Community Sports Infrastructure Stimulus Program*.

Applications to Round 2 of the Program are being sought via an invited resubmission process of applications submitted to Round 1 that were unsuccessful. These resubmissions will be considered through a competitive assessment process.

The following application from Round 1 of the *Community Sports Infrastructure Stimulus Program* submitted by Kingston City Council is invited for resubmission:

Project Name	Amount
Chelsea Bicentennial Park Netball Court Upgrade	\$3,363,988

In order for your organisation to resubmit its application, staff need to use the following link:
<https://businessvic.secure.force.com/PublicForm?id=CSI2020R2#no-back-button>.

Unless otherwise advised by Sport and Recreation Victoria, resubmissions to Round 2 must be for the same scope as the original application, and the requested amount must not exceed the original request amount.

I draw your attention to several changes to the Program Guidelines for Round 2, including but not limited to:

- Changes to the priority considerations for funding
- New assessment criteria weightings and wording related to community consultation requirements
- Additional mandatory supporting documents, including the need for a Council resolution to accompany the resubmission
- Participation Plans supporting under-represented groups being a requirement for all successful projects (not required with the resubmission).

The updated guidelines, application requirements and additional resources can be found online via www.sport.vic.gov.au.





Department of Jobs, Precincts and Regions

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For further information on your application, the resubmission process and feedback on your application from Round 1 please contact your Sport and Recreation Victoria representative: Mr Kane Roach, Manager, Metropolitan Southern, 0418 281 204.

Yours sincerely

A handwritten signature in black ink, appearing to read 'P. Saikaly'.

Philip Saikaly
Director
Community Infrastructure and Place
Sport and Recreation Victoria

18/12/2020

22 February 2021

Agenda Item No: 10.2

LANDFILL SERVICES - OUTCOME OF COLLECTIVE TENDER PROCESS AND CONSIDERATION OF CONTRACT

Contact Officer: Tim Scott, Team Leader Maintenance Contracts and Waste

Purpose of Report

This report is intended to:

- Detail the tender process conducted by the Metropolitan Waste and Resource Recovery Group (MWRRG) for a collective procurement for the Provision of Landfill Services on behalf of Council and 29 other metropolitan Councils;
- Provide a summary of tender bids received and future implications to Council; and
- Recommend that Council enters into guaranteed contract arrangements with Cleanaway Pty Ltd and Suez Recycling and Recovery Pty Ltd using a common gate fee to be administered by MWRRG.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That Council delegate the Chief Executive Officer the authority to execute Agreements with Metropolitan Waste and Resource Recovery Group, Cleanaway Pty Ltd and Suez Recycling and Recovery Pty Ltd for the provision of Landfill Services under a common gate fee arrangement on a 4-year guaranteed basis for a 4-year term commencing on 1 April 2021 at an estimated cost of \$3.45M in 2021/22.

1. Executive Summary

This report provides information on the collaborative procurement of Landfill Services undertaken by the MWRRG on behalf of 30 metropolitan Councils to replace the existing Landfill Services contract that expires on 31 March 2021. The procurement includes options for tenderers to submit pricing for landfill disposal and waste transfer over a range of timeframes with a contract term of 4 years. The report includes recommendations that allow Council to dispose of the municipal garbage generated by kerbside collections.

2. Background

In 2010 MWRRG conducted a collective procurement process for landfill services and contracts were awarded to each of the major putrescible landfill sites across Melbourne:

- City of Wyndham – Werribee
- Melbourne Regional Landfill (Cleanaway formerly Boral) – Ravenhall
- Hanson – Wollert
- Suez – Hallam
- Suez – Lyndhurst (Contingency site); and

- Cleanaway- Clayton (Now closed)

These sites were used by Councils participating in the MWRRG contract for the disposal of municipal garbage.

At the Council Meeting on 24 August 2015, Council agreed to participate in the MWRRG Landfill Services Contract 2010/1 for the disposal of all kerbside collected municipal garbage. Council subsequently signed CON 15/81 with MWRRG and entered a Direct Deed with SUEZ at Hallam for an initial term of 4 years with a 2-year extension option.

All available contract extensions have now been exercised and the final contract extension expires on 31 March 2021. 26 of the 31 metropolitan Melbourne Councils are currently party to one or more of the MWRRG contracts delivering approximately 865,000 tonnes of waste to the landfill operators per year.

In the 2019/20 Financial Year, Kingston produced 29,087 tonnes of kerbside municipal garbage at a cost of \$3.7M (including \$1.9M of Landfill Levy). The tonnage has reduced with the introduction of the Food Waste Recycling service and is anticipated to be 27,000 tonnes in the 2020/21 Financial Year.

Kingston will require a Landfill Services contract for the next 4 years due to the volume of material produced and a lack of any alternative disposal method for non-recyclable material. Council continues to participate in the MWRRG Advanced Waste Processing (Waste to Energy) project, however this is at least 4 years from being operational and is still developing solution specifications.

The release of the *Recycling Victoria: A New Economy* policy in February 2020 involved the proposed establishment of a new Waste Act and Waste Authority in 2021. The subsequent options paper includes the provision of waste services to be a legislative requirement of Local Government.

3. Discussion

3.1 Council Plan Alignment

Goal 1 - Our well-planned, liveable city supported by infrastructure to meet future needs
Direction 1.1 - Intergenerational land use planning for a sustainable community

The provision of a waste disposal system for residents is a fundamental Council service with municipal garbage collection being a critical component of Council's current three bin system. The Landfill Services contract provides long term security for Council to dispose of any kerbside collected municipal garbage that cannot be recycled or reprocessed further.

3.2 Consultation/Internal Review

There has been extensive consultation with the MWRRG and nearby Councils over the requirements and timing of a landfill services contract. This included projected tonnages, current and future service provisions by all Councils and the way an equitable system can be delivered.

The *Recycling Victoria: A New Economy* released in February 2020 includes an 80% target for the diversion of waste materials from landfill by 2030. The Landfill Services contract is a critical component of disposing of any materials that cannot be recycled or reprocessed further.

3.3 Operation and Strategic Issues

3.3.1 Landfill Services Procurement

3.3.1.1 Procurement Objective

The overall objective of this procurement is to enable metropolitan councils to access services for the disposal and transfer of waste that cannot be recovered or reused through other means.

In order to achieve this objective, the collective procurement has been structured to:

- Provide a bridging period for the disposal of waste until an Alternative Waste Processing (AWP) contract is available;
- Enable the appointment of more than one provider;
- Ensure consistency across the metropolitan area;
- Integrate with other household waste services; and
- Achieve a robust contract model that is based on:
 - Best Value;
 - Pricing transparency;
 - Appropriate risk allocation;
 - Flexible contract terms;
 - Reduced tender costs; and
 - Ensure workable contingency arrangements.

3.3.1.2 Contract Framework

Prior to the commencement of this procurement, all metropolitan Councils were invited to participate in the procurement process. Thirty councils, including the City of Kingston, executed Memorandum of Understandings (MOU) recognising that MWRRG and Council would benefit in MWRRG:

- working with clusters of Councils that have common needs to be met;
- seeking the provision of Landfill Services for the benefit of Council clusters; and
- partially administering and facilitating, on behalf of Council, the contractual arrangements in relation to the provision of these Landfill Services.

Attachments to the MOU included the following documents that will need to be executed at the conclusion of the tender process:

- A Participation Agreement between MWRRG and Council;
- A Landfill Services Deed for the provision of Landfill Services to be executed by successful tenderers and the MWRRG; and
- A Direct Deed to be executed by successful tenderers and councils.

MWRRG will administer the contracts on behalf of councils in line with Participation Agreements, Direct Deeds and Landfill Services Deeds.

3.3.1.3 Tender Process

The Environment Protection Act 1970, formalises MWRRG's role in collective procurement to:

- facilitate waste and resource recovery infrastructure and services by councils;
- facilitate the development of joint procurement contracts for waste and resource recovery facilities and services;
- manage contracts in the performance of these objectives and functions;

- Ensure consistency across the metropolitan area;
- Integrate with other household waste services; and
- Ensure workable contingency arrangements.

This tender process has been resourced by MWRRG on behalf of councils using the support of municipalities and external legal, probity, negotiation and financial advisors.

This collaborative procurement is consistent with the requirements of Section 186 of the Local Government Act 1989 and with the future requirements of Sections 108 and 109 of the Local Government Act 2020.

The contract documents allow Council to enter into contracts with providers on either a 4-year guaranteed basis or a 12-month guaranteed basis and/or one or more contractors on a non-guaranteed basis. Penalties will apply for the early termination of a guaranteed agreement.

This report recommends that Council execute agreements with more than one provider to ensure that contingency arrangements are in place if a landfill site is not available during the contract term.

(i) Transfer Options

Council has previously advised MWRRG that it wished to seek prices for waste transfer as part of the landfill services contract as a potential alternative to direct hauling to a disposal facility.

(ii) Contract Term

Council will continue to rely on some form of landfilling in the future, however should Council transition to alternative waste technology for the treatment of residual waste, the volume of material sent to landfill may reduce significantly.

The initial contract term is for a four-year period commencing on 1 April 2021. There is an option to extend the contract for two further terms of 2 years. Any extension will need to be agreed by Council and the service provider.

Contractors will be invited to resubmit pricing in 2023, for the 1 April 2025 extension, to enable Council to determine if it wishes to exercise an extension option or commence a new procurement. A similar process will be conducted in 2025.

(iii) Evaluation Criteria

A Tender Evaluation Panel comprising two Council representatives and an MWRRG Procurement Team member has assessed tender responses, the panel was supported by:

Probity Advisor – is responsible for ensuring that the evaluation process is conducted in accordance with probity principles and adherence to the approved evaluation plan.

MWRRG Subject Matter Experts and Project Managers – responsible for providing expert advice as required to confirm tenderer's submissions compliance to the specification and compliance with procurement policies.

Legal Advice - provide legal advice and support throughout the tender process on an 'as needs' basis.

Confidential Attachments detail the findings of the Evaluation Panel against the following evaluation key criteria. Responses which did not comply with the 5 Mandatory Criteria were not considered.

1. *Professional Competence*

Professional capability, capacity to process waste and scope of services was based on evidence supplied in the tender documents.

The technical capability of the tenderer is critical to the final value for money score provided by the Tender Evaluation Team. Technical capability was assessed through consideration of the solution proposed, combined with verifiable evidence of current/past performance in providing services of a similar nature.

2. *Quality Systems for Deliverables*

The Quality Systems for Deliverables assessment was based on the level of best practice accreditations Invitees hold or able to demonstrate progress towards achieving certifications in OHS, QMS and Risk Management and any Strategic Innovations that could add value or continuous improvement strategy.

3. *Commercial*

The commercial assessment focused on each Invitee's risk, degree of compliance with the proposed contract, demonstrated financial viability, levels of insurance cover offered, and a comparison of the prices offered.

4. *Social Procurement Framework (SPF)*

The Social Procurement Framework is a 'whole of government' procurement policy that embodies the Victorian Government's commitment to social procurement. Social and sustainable procurement are defined as a key value-for-money component. Tenderers were required to demonstrate how they can make a difference to our communities.

5. *Local Jobs First Policy Scoring*

Under the Local Jobs First Act 2003 the Minister for Industry and Employment is responsible for setting local content requirements for government procurements. This criterion assessed the level of local job content proposed for each proposal.

3.3.2 **Tender Results**

The tender was released on 16 March 2020 with the tender closing on 4 June 2020. Tender results were released to cluster Councils in December 2020 following MWRRG Board Approval and subsequent Ministerial approval.

A total of 8 responses were received to MWRRG's Invitation to Supply:

(i) Landfill

Cleanaway Pty Ltd - a national company, owns and operates the Melbourne Regional Landfill (MRL) at Ravenhall. Cleanaway takes waste from 9 metropolitan councils under the current MWRRG Landfill Services contract.

Suez Recycling and Recovery Pty Ltd - a multi-national company, owns and operates a landfill in Hampton Park that currently provides services for 9 metropolitan councils under a MWRRG contract.

Hanson Landfill Services Limited - has been providing landfilling services to councils at their Wollert Landfill for two decades. Hanson's Wollert landfill currently provides services to 5 metropolitan Councils under a MWRRG contract.

SBI Landfill Pty Ltd - The offer is for a solid inert landfill in Botanic Ridge, the site is unable accept residual municipal waste.

(ii) Transfer

Cleanaway Pty Ltd- a national company, operates a network of transfer stations that provides councils with potential collection efficiencies and transport cost savings. Cleanaway has provided pricing for three sites; the South East Melbourne Transfer Station (SEMTS) and Lysterfield Transfer Stations are established facilities. Cleanaway has indicated that the Northern Transfer Station in Coolaroo will be available at the commencement of the contract.

KTS Recycling - has managed and operated waste transfer stations since 2007. KTS proposes two sites:

Coldstream - for putrescible waste transfer.

Knox - limited to the transfer of inert waste.

Citywide Service Solutions - has 25 years' experience in providing transfer services from its Dynon Road facility in West Melbourne.

(iii) Alternative Offers

Wyndham City Council – submitted an offer based on; receiving waste in an enclosed facility, mechanical separation to recover metals, baling of waste and anaerobic digestion of recovered organics.

Recovered Energy Australia (REA) and Solo Resource Recovery (Solo) - propose to jointly provide a service based on the high temperature destruction of waste to generate energy (gasification) at a facility to be constructed at Laverton North.

3.3.3 **Kingston specific results**

The MWRRG tender submissions cover all 30 of the metropolitan Councils and includes tender submissions that are relevant for the cluster of Councils in the East and South East suburbs. These Councils are Cardinia, Casey, Frankston, Glen Eira, Greater Dandenong, Kingston, Knox, Manningham, Whitehorse, Yarra Ranges and potentially Mornington Peninsula in 2023. The two tender submissions relevant to Kingston are:

1. **Cleanaway**

This proposal involves Councils tipping their material at the SEMTS transfer station in Dandenong South or the Lysterfield transfer station in Lysterfield dependent on proximity. The transfer stations include a price per tonne to receive and transfer this material to the Melbourne Regional Landfill in Ravenhall where a separate gate fee will apply dependent on the aggregate tonnes per month delivered.

Refer to Confidential Attachment *Appendix 1: Cleanaway Summary*

2. SUEZ

Proposes the use of the Hampton Park landfill for direct landfilling at variable gate fees dependent on the aggregate tonnes per month delivered.

Refer to Confidential Attachment *Appendix 2: SUEZ Summary*

For comparative tender pricing, refer *Appendix 3: Confidential Attachment for Landfill Services tender 2020*. This indicates that for Council's in the South East of Melbourne, the Cleanaway Transfer Stations in Dandenong South (SEMTS) and Lysterfield are the most cost effective solutions followed by the SUEZ Landfill in Hampton Park.

3.3.4 Capacity Limits

There are two options for Councils in the South East of Melbourne for the disposal of municipal waste. The lack of landfill capacity in the South East of Melbourne has created a situation where SUEZ Hampton Park is the only landfill available to accept putrescible material and is likely to be filled within 5 years. The Cleanaway SEMTS facility was strategically positioned to operate as a transfer station to provide an alternate site to SUEZ.

Councils in Melbourne's south east are currently generating in excess of 330,000 tonnes of municipal waste per annum (tpa). It is expected that during the first four-year term of this contract the annual tonnage will grow to in excess of 380,000tpa. The capacity of the Cleanaway SEMTS transfer station for municipal waste is 250,000tpa and Lysterfield 50,000tpa, a total of 300,000tpa available to utilised by Councils.

Whilst the Cleanaway gate fees to receive, transfer and dispose of waste via SEMTS and Lysterfield, are substantially lower than the gate fees at Suez, it is not possible for all Councils in the South East to direct all of their waste to Cleanaway sites.

This situation creates the risk that Councils are forced to compete for access to this preferred facility due to the lower cost. As the total volume of waste generated from the cluster Councils will exceed the combined capacity of the two transfer stations, some waste will need to be disposed at the Suez landfill site in Hampton Park.

The amount of municipal waste directed to Suez will increase over the four-year contract term with predicted population growth and the potential of Mornington Peninsula Shire joining the MWRRG Landfill Services contract in 2022 when their Rye landfill is full.

The reliance for all Councils in the South East on a single landfill operator can create significant risk in the event of a facility closure resulting from high wind event, fire, police searches, EPA requirements or traffic issues. All of these have occurred in recent years and required Councils to find alternative disposal solutions at short notice.

3.3.5 Financial Implications

The tender pricing for the MWRRG Landfill Services submissions are included in the confidential attachment *Appendix 1 – Landfill Services Financial information*.

The tender pricing has been assessed for landfill sites accepting municipal waste and excludes the Hanson Landfill in Wollert (near Craigieburn) due to the costs and time incurred in travelling 150km return per vehicle.

The State Government Landfill Levy is not included in any of the costing submissions and is an additional charge applied to all material disposed to landfills. The Landfill Levy will increase over the next three years as part of the sector reforms announced in early 2020. The planned 2020/21 cost increase was delayed due to the impact of COVID-19 on Victorian Councils; however the increases will still proceed on 1 July 2021. The Landfill Levy is collected by landfill operators on behalf of the State Government (*Refer table 1. Landfill Costs*).

Financial Year	2020/21	2021/22	2022/23
Landfill Levy (per tonne)	\$65.90	\$105.90	\$125.90
Estimated Landfill Levy payments (based on 27,000t)	\$1.78M	\$2.86M	\$3.40M
Disposal Cost	\$1.67M	\$1.70M	\$1.73M
Total Cost to Council	\$3.45M	\$4.56M	\$5.13M

Table 1. Landfill Costs

3.3.6 **Environmental Outcomes**

The use of the Cleanaway SEMTS facility in Dandenong South is financially attractive for Councils in the local cluster, however the site is a transfer station only, with all material aggregated and bulk-hauled 66km to Ravenhall in the Western suburbs of Melbourne. This creates additional greenhouse gas emissions in the transportation process when compared to the additional 10km required to direct haul to SUEZ Hampton Park landfill.

3.3.7 **Community and Amenity**

The Cleanaway SEMTS facility is located in an industrial area of Dandenong South and is part of a larger waste precinct. The site is an all-weather indoor transfer station that can contain all disposed materials.

The Cleanaway Melbourne Regional Landfill at Ravenhall is a very large capacity site on the urban fringe of the western suburbs. The nearest residential area is Derrimut located approximately 2km to the East.

The bulk hauling of Kingston municipal waste to the Western suburbs could be perceived negatively by the Western suburbs community as 'distant Councils tipping their waste at another Councils amenity expense'. This issue has historically occurred in Kingston at the now closed Regional Landfill in Clayton South.

The SUEZ Hampton Park site is an older open landfill that is located on Hallam Rd and is largely bounded by residential subdivisions within several hundred

metres. The landfill is known to cause community concern on hot or windy days due to odour and windblown material.

3.4 Options

3.4.1 Option 1 : Common Gate Fee

This option involves Council entering into an arrangement with MWRRG to administer a Common Gate Fee (CGF) for the South East Council cluster. Under this scenario individual councils will enter into an agreement with MWRRG to administer the allocation of waste across the two preferred sites in accordance with a proportion agreed between participating councils.

Councils would generally be directed to utilise the most convenient site but would pay a gate fee rate that is the average cost per tonne that all councils incurred for waste delivered to Cleanaway and Suez for the billing period.

The process would involve:

- Participating Councils would deliver to Suez or a Cleanaway site;
- Suez and Cleanaway would invoice MWRRG for waste delivered;
- MWRRG would determine a CGF and invoice each of the participating Councils; and
- MWRRG would receive payments from Councils and then pay Suez and Cleanaway.

The contract model would be similar to the South East Organics Processing contract that Kingston participates in. MWRRG would recover the costs involved in administering this arrangement by charging a small administration fee on a per tonne basis, currently less than \$1,500 per Council per month.

The objective of a Common Gate Fee is to minimise and equitably share the gate fee for participating Councils and where possible ensure that waste is transported to the most convenient location for individual Councils. The allocation of waste would be determined by the South East Councils User Group. There is a potential for minor savings on the garbage kerbside collection costs if the SEMTS facility in Dandenong South is used instead of the SUEZ landfill in Hampton Park. The Kingston kerbside collection contractor would save on average 20 minutes per round trip per vehicle for each load when using SEMTS.

Under the terms of the contract Councils are required to nominate a volume of waste to a provider to access the four-year guaranteed rate. It is proposed that South East councils guarantee a minimum of 90,000 tonnes per annum to Suez and a minimum of 180,000 tonne per annum to Cleanaway. This arrangement would ensure all Councils have access to both sites and the minimum guaranteed tonnage is below the current 330,000tpa level.

Appendix 3 : Landfill Services Financial Information contains the cost implications of a common gate fee.

This is the officer's recommendation

3.4.2 Option 2 : Individual Agreements

Under this scenario individual Councils will enter independent contractual arrangements with both Cleanaway and Suez while ensuring that the combined overall volume of waste delivered to the Cleanaway sites does not exceed

capacity. Any waste over the capacity of the Cleanaway transfer stations would be directed to SUEZ.

All councils would potentially need to allocate approximately 30% of their garbage to Suez in Hampton Park, requiring the collections contractor to change disposal locations for different days of the week in coordination with other Councils. This would involve an additional 20min per return trip compared to SEMTS.

This option creates logistical challenges as each Council will be required to enter two separate contracts and maintain awareness on the impact of other Council tonnages as they affect overall facility capacity requirements.

The main issue with this option is that cluster Councils could be forced to compete with each other for access to the lowest cost facility of Cleanaway. In the event that Councils could not decide onsite allocations, MWRRG would be forced to make that decision.

Appendix 3: Landfill Services Financial Information contains the cost implications of maintaining individual contracts.

This is not the officer's recommendation

4. Conclusion

4.1 Environmental Implications

The use of landfills for the disposal of municipal garbage has negative environmental impacts of odour, amenity and traffic issues for nearby residents during the active operation of landfilling. The long-term effects of landfilling involve ongoing greenhouse gas production, contamination of soils and potentially local groundwater.

The bulk hauling of waste from SEMTS in Dandenong South to the Melbourne Regional Landfill in Ravenhall also creates greenhouse gases through the use of heavy vehicles to move the material across Melbourne. This environmental impact needs to be recognized in any decision to use the SEMTS facility.

Ultimately landfilling at current volumes is required for at least the next 4 years or until the Advanced Waste Processing contract is operational. Disposal of waste material is the least preferred solution to managing any resource, however this currently remains the only method to deal with waste volumes produced at a municipal scale in metropolitan Melbourne.

The proposed landfill services contract periods of 4 years with a single 2-year extension have been established by MWRRG as an interim solution until the Advanced Waste Processing contract is operational.

4.2 Social Implications

The amenity concerns arising from the use of landfills are well understood for Kingston residents with a number of closed landfills creating historical community concerns for Council. The use of Cleanaway or SUEZ sites creates the same range of amenity concerns for nearby communities regardless of which site is preferred. The SUEZ site is located closer to residential properties while the Cleanaway landfill is located in the Western suburbs of Melbourne.

4.3 Resource Implications

The Landfill Services contract involves a significant annual expense for Council and will also see increases in the State Government Landfill Levy over the next three financial years. Council will need to budget additional funds for landfill disposal with increases of up to \$1.6M per annum by 2022/23 regardless of landfill gate fees. This will require that Council maintain a cost-effective landfill disposal solution to assist in lowering the overall impact of waste services on Council's finances.

4.4 Legal / Risk Implications

The landfill services contract provides a disposal mechanism for the 27,000 tonnes of municipal garbage that is collected from more than 63,000 Kingston properties. This requires that a long-term contract is secured to avoid the potential of not having any disposal mechanism. A contract will allow residents to maintain confidence in the kerbside garbage service.

There is risk to Council in awarding a contract to only one landfill provider when the opportunity exists to participate in a collaborative contract with multiple providers. The contracting of a single provider can create a reliance on the company involved and does not provide a contingency if the services cannot be performed for any reason.

Appendices

Appendix 1 - Appendix 1 : Cleanaway summary (Ref 21/9406) - Confidential

Appendix 2 - Appendix 2: Suez Summary (Ref 21/9410) - Confidential

Appendix 3 - Appendix 3 : Landfill Services Financial Information (Ref 21/9269) - Confidential

Author/s:	Tim Scott, Team Leader Maintenance Contracts and Waste
Reviewed and Approved By:	Charles Turner, Manager, Infrastructure Samantha Krull, General Manager City Assets & Environment

22 February 2021

Agenda Item No: 10.3

AGED CARE LEASES

Contact Officer: Julian Harvey, Manager Property and Arts

Purpose of Report

This report provides an update to Council on the status of the 4 Leases of Council's aged care properties to Mercy Health and recommends that a report be presented to Council recommending a 2-year extension of one of those Leases (Corben House) to accommodate the construction of the proposed new facility in Collins Street.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That Council:

1. Give notice in accordance with Section 190 of the Local Government Act 1989 of its intention to vary the existing lease over Corben House, to have an expiry date of 17 October 2023;
2. Appoint a Section 223 Committee to convene on 5 April 2021 at 5pm comprising Cr Staikos, Cr Saab, Cr Hill, General Manager City Assets and Environment, and Manager Property and Arts to hear any submissions received and report back to Council on those submissions; and
3. Authorise the CEO or their delegate to execute the proposed varied lease in the event that there are no submissions.

1. Executive Summary

Mercy Health is pursuing a redevelopment of the Collins Street property to complete their obligations to Council to consolidate the Residential Aged care operations formerly operated by Council. Delays in the construction of the Collins Street site has led to a request to Council to agree that Mordialloc Nursing Home residents be relocated to appropriate accommodation and the Lease for Corben House be extended to cover the projected construction period.

This report proposes that Council agrees to the cessation of operations at Mordialloc Nursing Home and varies the existing lease at Corben House to provide for the required construction phase at Collins Street. The variation of the Lease requires public notification under Section 190 of the Act.

2. Background

In 2015 Council undertook an extensive Request for Proposal (RFP) process for the sale of its Aged Care operations. In 2016 Southern Cross Aged Care was selected as the successful

provider to purchase Council's aged care operations and a parcel of Council owned land at Collins Street Mentone – on which a new modern facility was to be built and the residents of the 4 existing facilities relocated to.

Southern Cross Aged Care merged with Merch Health and have assumed all of the operations and ongoing responsibilities under the arrangements with Council.

The arrangements with Mercy Health include 4 Leases of Council owned aged care homes, the sale of bed licences and the sale of the Collins Street land.

Leases of Council Owned facilities.

Property	Current rent	Terms	Lease Expiry
Corben House 9-15 Brindisi St Mentone	\$304,163.23	3+1+1	17 April 2021
Mordialloc Nursing Home 1-10 Brindisi St Mentone	\$160,855.55	3+1+1	28 February 2021
Nixon Hostel- 27 Chute Street Mordialloc	\$216,423.83	5+1+1	3 April 2023
Northcliffe Lodge - 8-12 Northcliffe Rd Bonbeach	\$163,780.20	5+1+1	20 March 2023

Sale of Bed Licences

The sale of bed licences included a provision that provides for the ongoing operation of the beds within the City of Kingston and the option for the relocation of the residents in each of the 4 former Council operated facilities to the new purpose-built facility at Collins Street.

Sale and development of the Collins Street land

The entire transaction provided for the sale of the former Collins Street depot site to be developed into a modern facility capable of accommodating all of the bed licences sold. Various protections are included in the arrangements to ensure the establishment of residential aged care services from that site.

The construction of the Collins Street Facility has been delayed and is currently the subject of a VCAT hearing. VCAT have given the applicant the opportunity to undertake redesign of the proposal.

Operation of the existing facilities

Officers have been advised that trading conditions at Mordialloc Nursing Home have continued to deteriorate and that Mercy Health do not wish to continue to operate from the facility. The site is ward based with shared facilities that are now less than appealing to prospective residents and their families. In addition, the care that can be provided is less than that aspired to by Mercy Health from its operations.

The remaining three facilities are aging assets but are able to provide an acceptable level of accommodation and support and are viable in the short term whilst a new and modern purpose build facility is constructed.

3. Discussion

3.1 Council Plan Alignment

Goal 1 - Our well-planned, liveable city supported by infrastructure to meet future needs
Direction 1.1 - Intergenerational land use planning for a sustainable community

Council has secured a highly regarded aged care provider to purchase Councils operations and relocate the residents to a purpose-built facility that is fit for purpose and will continue to provide aged care beds in the municipality. The transition of the licences to Collins Street has taken longer as a result of land assembly and development approvals.

To continue to support the transition it is appropriate for Council to enable the ending of the lease for The Mordialloc Nursing Home and to extend the lease for Corben House. The proposed lease extension will enable Mercy Health to construct the new facility at Collins Street and provide for an orderly transition of those residents to new facility.

3.2 Consultation/Internal Review

Officers have sought the advice of Russell Kennedy Solicitors who assisted in the original transaction. Their advice is to vary the existing lease for Corben House rather than opening up a re-negotiation of the complex suite of interrelated contracts.

3.3 Operation and Strategic Issues

3.3.1 Closure of Mordialloc Nursing Home

Mercy Health has advised that the ongoing operation of the Mordialloc Nursing Home is no longer viable, and the facility is not able to provide the level of accommodation befitting of a Mercy Health operation. It is proposed that the remaining residents be offered relocation to other nearby facilities operated by Mercy Health. Of the remaining residents at Mordialloc Nursing Home, 3 were residents at the time of Council competing the transfer to Mercy Health.

The assurances made to resident families by Mercy Health for their option to relocate to Collins Street upon completion of construction will need to be recognised and protected as part of the proposed end of the lease.

The lease is due to expire on 28 February 2021. Mercy Health have advised that they will require approximately 1 month after that date to affect an appropriate relocation of all residents.

3.3.2 Extension of Lease term – Corben House

The lease for Corben House is due to expire on 17 April 2021. The property has 66 residents. The ongoing operation of the facility by Mercy Health is required to provide accommodation and certainty to the residents of the facility whilst the proposed new facility is constructed at Collins Street.

It is anticipated that an additional 2.5 years is required to undertake the construction and commissioning of the Collins street property.

The variation of the existing lease to provide for the requested lease extension is subject to Section 190 of the Local Government Act 1989 as the annual rental is greater than \$50,000. Council must give notice of its intention to enter into the lease.

3.3.3 Construction of New Facility a Collins Street

Currently the planning permit for the development of the Collins Street site is before the Victorian Civil and Administrative Tribunal (VCAT). VCAT have provided Mercy Health with the opportunity to undertake redesign of the proposal for consideration by VCAT. If this is undertaken and is deemed satisfactory by VCAT a permit may be granted. Thereafter they will be in a position to tender the construction project. It is anticipated that construction will commence in April 2021 and have a 2-year construction period. Fit out and commissioning should be complete by August 2023 and the property ready for occupation.

3.4 Options

3.4.1 Option 1 – Vary the Lease over Corben House Recommended

This option involves the variation of one of the leases and the requisite statutory process to be undertaken and allows for the lease for Mordialloc Nursing Home to reach its end with an overholding until vacant possession is provided to Council. This approach is recommended by Council's solicitors and is acceptable to Mercy Health

3.4.2 Option 2 – Leave the lease for Corben House in overhold

This option can be seen as potentially subverting the intent of the Act given that Council is aware of the extended period required to construct the new facility. This is therefore not the recommended action.

3.4.3 Option 3 – Renegotiate the current suite of documents.

This option would involve a renegotiation of the terms of the RFP and would be expensive and possibly protracted and are unlikely to improve the current arrangements and is therefore not recommended.

4. Conclusion

4.1 Environmental Implications

The redevelopment of a purpose-built modern facility at Collins Street will enable the utilisation of modern building technologies to reduce energy consumption and environmental impacts.

4.2 Social Implications

Council has provided an undertaking that a smooth transition of its former Aged Care operations would occur – to date this has been satisfied. Mercy Health have proved themselves as a high quality and ethical provider of aged care. Finalising the transition to a new purpose-built facility at Collins Street will meet Council's commitment to the community.

4.3 Resource Implications

The extension of the Lease for Corben House will continue to oblige Council to address landlord obligations. The leases require Council to undertake repairs of a structural nature. Council has continued to monitor the buildings and attend to repairs that are

Council's responsibility, noting that the majority of repairs are the responsibility of the tenant under the leases.

The rental income from the facilities is substantial and produces a surplus. No significant structural maintenance items at the 3 remaining facilities has been identified.

The future use of the land occupied by Corben House has not been determined. This will be presented the subject of a further report to Council in 2021.

4.4 Legal / Risk Implications

Russell Kennedy Solicitors have been consulted to assist in structuring the arrangements between Mercy Health and Council. The interdependence of the Bed License Sale, Leases and contractual commitments under the Sale of the Land Agreements are complex. Given the circumstances, and clear intent of Mercy Health to construct the new facility at Collins Street, the advice is to proceed to vary the Corben House Lease thus protecting all other commitments in the relevant documents.

Author/s: Julian Harvey, Manager Property and Arts

Reviewed and Approved By: Samantha Krull, General Manager City Assets & Environment

22 February 2021

Agenda Item No: 10.4

FORMATION OF S223 COMMITTEE PROPOSED DISCONTINUANCE AND SALE OF ROAD REAR 607 NEPEAN HIGHWAY CARRUM

Contact Officer: Michelle Hawker, Senior Administration Officer

Purpose of Report

The purpose of this report is to establish a Committee pursuant to Section 223 of the Local Government Act 1989 to hear and consider 2 submissions received in relation to the proposed discontinuance and sale of a road at the rear of 607 Nepean Highway Carrum.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That:

1. Council appoint a Committee in accordance with Section 223 of the Local Government Act 1989 comprising of Mayor Cr. Steve Staikos; Deputy Mayor Cr. Hadi Saab; Cr. Cameron Howe; General Manager City Assets and Environment, and Manager Property and Arts; and
2. The Section 223 Committee convene at 5pm on 9 March 2021 to hear the submissions and subsequently report back to Council.

1. Executive Summary

Council received a request in June 2020 from the owner at 607 Nepean Highway Carrum requesting to purchase part of Right of Way see attached (Appendix 1). The affected land currently has a garage on part of the ROW and had been there for many years. This is the only vehicle access point to 607 Nepean Highway Carrum.

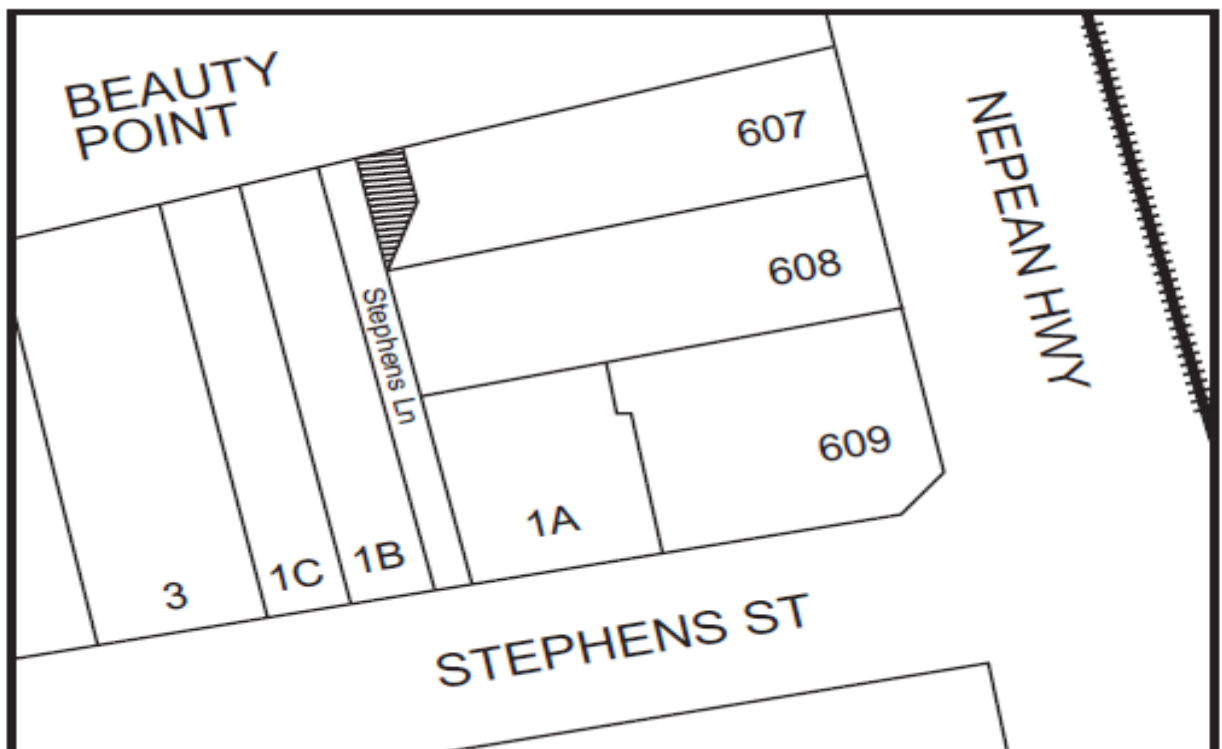
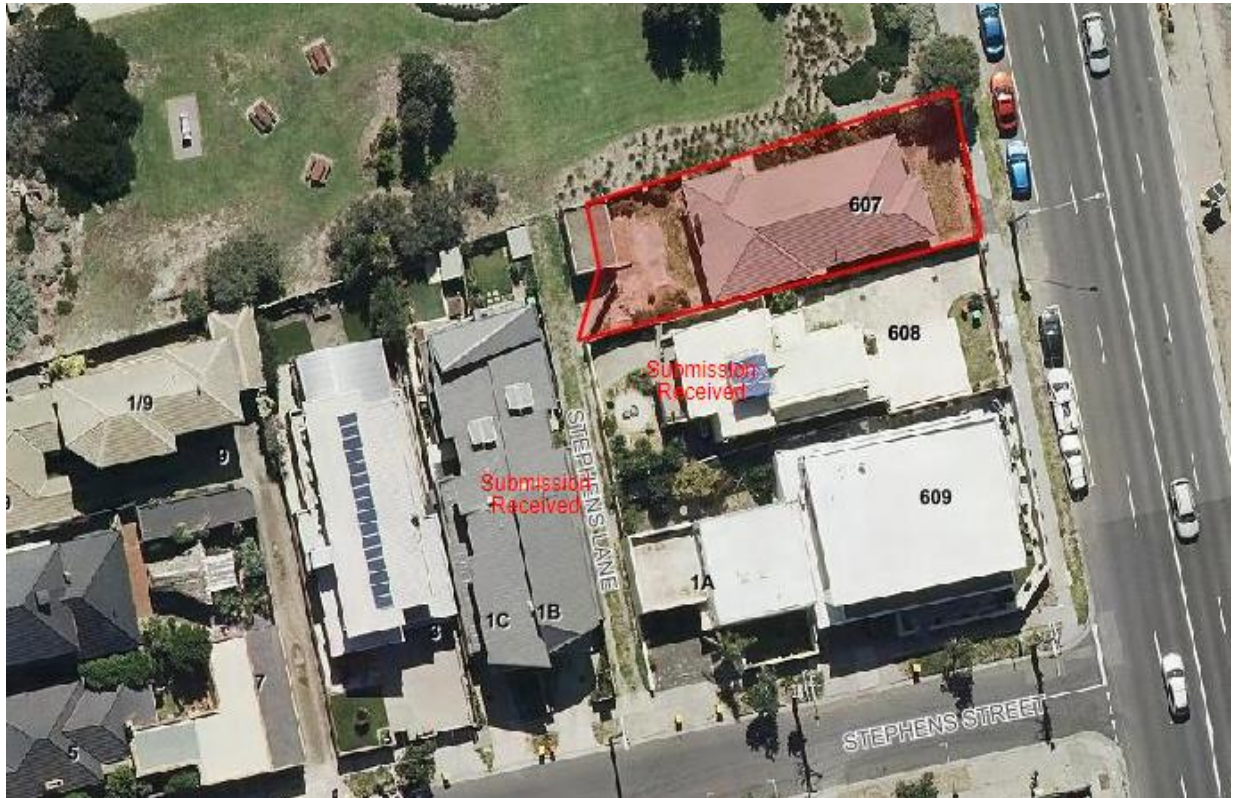
2. Background

In June 2020 Council received a request from the owners of 607 Nepean Highway Carrum with the proposal to discontinue part of the road occupied by a garage and to square off the section and purchase that parcel.

Council's policy provides that:

Land is to be offered as near as is practical, equally amongst abutting owners. Where a property owner is found to have been in clear occupation of the same area for at least the last five (5) years, that owner may be offered first opportunity to purchase the land. Council reserves its right to apportion the land at its sole discretion.

As shown on the aerial photograph below the garage sits on the road reserve and has done so for over 20 years.



A public notice regarding the proposal to discontinue and sell part of the right of way (ROW) rear of 607 Nepean Highway Carrum was published in the Herald Sun newspaper and on Council's website on 11 November 2020 as per the requirements of the Local Government Act 1989. Adjoining owners were also notified by mail (hand delivered) on 11 November 2020.

The statutory period for receipt of submissions closed on 11 December 2020 and two submissions were received in response to the public notice:

- Submission from property 608 Nepean Highway Carrum (Appendix 2)
- Submission from property 1B Stephens Road Carrum (Appendix 3)

3. Discussion

3.1 Council Plan Alignment

Goal 1 - Our well-planned, liveable city supported by infrastructure to meet future needs
Direction 1.1 - Intergenerational land use planning for a sustainable community

3.2 Consultation/Internal Review

Adjoining owners

All adjoining owners have been notified and 2 submissions were received refer (appendix 2 and 3).

Internal

Internal feedback has been sought and no objections to the proposed discontinuance and sale have been raised.

Service Providers

Service authorities have been notified of the proposal and no objections have been received.

3.3 Operation and Strategic Issues

3.3.1 Statutory Process

In accordance with Section 189 of the Local Government Act, Council is required to give public notice if its intention is to discontinue and to sell land. Any person may make a submission which must be considered under Section 223 of the Local Government Act 1989. If submissions are received then they will be considered by a Committee of Council comprising of Mayor, Deputy Mayor, Ward Councillor General Manager City Assets and Environment, and Manager Property and Arts.

3.4 Options

3.4.1 That Council Appoint a Section 223 Committee

It is recommended that Council appoints a Committee in accordance with Section 223 of the Local Government Act 1989 comprised of Mayor Cr. Staikos, Deputy Mayor Cr. Saab and Cr. Howe, the General Manager City Assets and Environment and the Manager Property and Arts. The Committee will report to back to Council following hearing the submissions. Council will then be in a position to make a decision if it wishes to continue with the proposed discontinuance and sale.

4. Conclusion

4.1 Environmental Implications

Nil

4.2 Social Implications

Nil

4.3 Resource Implications

The Land proposed for discontinuance and sale has been valued and discounted in accordance with Council's Policy.

4.4 Legal / Risk Implications

Pursuant to Sections 206(1) and clause 3 of Schedule 10 of the Act, Council has given public notice that may decide to discontinue and sell part of the land by Private treaty.

Appendices

Appendix 1 - RE_ 607 Nepean Highway Carrum proposed acquisition (Ref 20/297538)



Appendix 2 - Proposed Road Discontinuance - Submission from 608 Nepean Highway Carrum (Ref 20/289631)



Appendix 3 - Submission from 1b Stephens St Carrum - Scrutton (Ref 20/297557)



Author/s:	Michelle Hawker, Senior Administration Officer
Reviewed and Approved By:	Peter Gillieron, Team Leader Property Services
	Julian Harvey, Manager Property and Arts
	Samantha Krull, General Manager City Assets & Environment

10.4

FORMATION OF S223 COMMITTEE PROPOSED DISCONTINUANCE AND SALE OF ROAD REAR 607 NEPEAN HIGHWAY CARRUM

1	RE_ 607 Nepean Highway Carrum proposed acquisition	275
2	Proposed Road Discontinuance - Submission from 608 Nepean Highway Carrum	277
3	Submission from 1b Stephens St Carrum - Scrutton	281

From: [Vincent Juliano](#)
To: [Michelle Hawker](#)
Subject: RE: 607 Nepean Highway Carrum
Date: Tuesday, 16 June 2020 11:03:53 AM
Attachments: [image011.jpg](#)
[image013.jpg](#)
[image014.jpg](#)
[image015.jpg](#)
[image016.jpg](#)
[image001.jpg](#)
[image003.jpg](#)
[image004.jpg](#)

Dear Michelle,

I thank you for the supply of the "Roads Policy". I have read it and pursuant to it I advise:

My partner and I have acquired the property at 607 Nepean Highway by contract of sale which will settle in early September 2020. It became clear that at the back of the property the garage is not sitting on land comprised in the property which we bought, but it has been totally built on land which was part of the original subdivision. The land is still in the name of the Estate of William John Ryan and has remained so since 1929. I understand the Council of the City of Kingston has subsequently declared the laneway a road under the Road Management Act.

We are accordingly wishing to make an application to acquire the land which includes the garage and straighten the back property lane. This application is made for a number of reasons, chief among this is the fact: (a) We need the garage. (b) the back lane is used as a public latrine because it offers shelter from preying eyes and (c) it will make our eventual property more secure.

Would you kindly take such steps as are necessary in order to bring this matter to the desired end by gleaning Council's view with respect to our eventual acquisition of the subject land.

Regards,



JULIANO LAWYERS

VINCENT J. JULIANO LL.B.

Notary Public

LEVEL 1, 19-21 ARGYLE PLACE SOUTH, CARLTON, VIC. 3053.

POSTAL ADDRESS: PO Box 215 CARLTON SOUTH, VIC. 3053.

PHONE: 9348 0155 FAX: 9348 0166.



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From: Michelle Hawker <Michelle.Hawker@kingston.vic.gov.au>

Sent: Tuesday, 16 June 2020 10:29 AM

To: vJuliano@jlaw.com.au

Subject: 607 Nepean Highway Carrum

Good Morning Vincent

Further to our telephone conversation please see attached ROW Policy.

Regards

Michelle Hawker

SENIOR PROPERTY ADMIN OFFICER | PROPERTY SERVICES

kingston.vic.gov.au

d 9581 4389 **e** michelle.hawker@kingston.vic.gov.au



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0/289631

Hand Delivered
9/12/2020



RECEIVED
11 DEC 2020

Julian Harvey,
Manager, Property and Arts,
Kingston City Council

20/289631

Copy of Email
sent 9/12/2020
Sorry 2 Emails may
be received.

Attention: Julian Harvey
Manager Property and Arts,
Kingston City Council.

Re: Reference No. 146/302
Proposed Road Discontinuance - Stephen's Lane.

Dear Julian,

I am the owner of 608 Nepean Highway, Carrum. It distressed me in receiving a document notifying the private treaty sale of the public road rear of 607 Nepean Highway, Carrum, directly adjacent to my property.

At the time of purchasing my property, I contacted Kingston City Council and the Titles Office to confirm the land in question was public land and not attached to 607 Nepean Highway. This contributed to my decision in purchasing my property and the long term expectation of amenity and valuation.

The sale of this land, extending 607 Nepean Highway, if built upon, will directly affect sun and light access to the rear of my house and back yard. During the past months in lockdown, I realised the importance this sunlight and view, has in maintaining my mental health.

These concerns were prompted by the submission of a planning application to develop two double storey dwellings on 607 Nepean Highway:
Application KP-2020/433 for 'The development of two (2) double storey dwellings'. Lodged on 29/07/2020.

I enquired with Council to the details of the application with respect to size and location of proposed dwellings however, I was told the information was not available until it was advertised.

I have major concerns with the extension of the property title, leading to heavy development and subdivision of property at 607 Nepean Highway.

Additional to these concerns, the final paragraph of Proposed Road Discontinuance notification also states "Council may decide to discontinue all of the road or part of the road, and sell the land by private treaty". Stephen's Lane provides access to my garage at the rear of my property. This allows turning of car, caravan or boat to enter and exit the property. Accordingly, I would hold great concern and objection to the discontinuation of the established right of way.

Finally, I question why the land was not offered for public sale. The price agreed at \$9,900.00 (plus all associated costs) equates to roughly \$360 per square metre rather than Council ratings for adjacent properties at approximately \$2,262 per square metre. This would seem a ridiculous price for a prominent piece of land with high amenity impact to its neighbours.

In protecting the future amenity of my property and the neighbouring context, I would like to offer the Council \$50,000.00 to purchase the public land in question and be provided the opportunity to submit this formally.

20/289631

The Beaumaris bay view has become important to me, watching out over the water as well as Beauty Point Park. The northern sunlight allows me to continue my tapestry craftwork, and ensures light into my back yard.

I wish to attend and discuss this submission directly with your department.

I appreciate acknowledgement of this submission and I will await your instructions.

Yours sincerely,

Mrs. Dawn Trainor
608 Nepean Highway,
Carrum VIC 3197
Phone: 9772 0782

From: [Heather and Alan](#)
To: [Property Services](#)
Cc: [Michelle Hawker](#)
Subject: Reference No. 146/302
Date: Friday, 11 December 2020 8:41:38 AM

Attention: Julian Harvey

Proposed Road Discontinuance - Rear 607 Nepean Highway, Carrum.

We live at 1B Stephens Street Carrum. which runs the full length of Stephens Lane, and we are very concerned about

the proposal to join a small section of council land at the rear to the property, 607 Nepean Highway Carrum.

We are most concerned about the impact of heavy use of vehicles to Stephens Lane, (which is an unmade lane)

We have lived here for 28 years and, and we maintained the lane for many years ourselves, also, in that time have never

seen any cars use the garage at the rear of 607 Nepean Highway Carrum.

We would very much like to be kept in the loop concerning any proposals regarding Stephens Lane.

Thanking you in anticipation,

Kind Regards

Alan Scrutton and Heather Penson
1B Stephens Street,
CARRUM, 3197

22 February 2021

Agenda Item No: 10.5

CHELSEA LEVEL CROSSING REMOVAL - COMMUTER PARKING AGREEMENT

Contact Officer: Claire Audley, Major Transport Project Officer

Purpose of Report

This report seeks to update Council on information received from the Chelsea Level Crossing Removal Project (LXRP) regarding the reallocation of commuter carparks around Chelsea Station.

Following discussions with South Ward Councillors in September 2020, a request was made by officers to redistribute where some commuter carparks would be constructed in Chelsea. This has now resulted in an agreement being required between the Department of Transport (DoT) and Council.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That Council:

1. Note the following matters:
 - a. Current outstanding items for negotiation being clarity of general parking arrangements on Nepean Highway in Chelsea; clarity on the management of commuter parking signage on Station Street in Chelsea; and legal review of final agreement with Department of Transport.
 - b. If an agreement cannot be reached, the LXRP is likely to proceed with all the available carparking on the Nepean Highway side of the rail corridor being signposted for commuters; and
2. Authorise the CEO, or their delegate, to finalise negotiations and enter into an agreement with Department of Transport, generally in accordance with the proposed terms of this report and outcomes shown in Appendix 1.

1. Executive Summary

The LXRP works include the construction of a new bus interchange at the Chelsea Train Station. The existing Chelsea Station carpark will therefore be reduced in size from 200 spaces to approximately 130. This impacts the layout of commuter carparking and general retail parking within the Chelsea Activity Centre.

To ensure there is no net loss of carparking, the current design plans show that 70 commuter carparking spaces will be constructed along the Nepean Highway side of the rail corridor in the following locations:

- 25 carparks north of Thames Promenade
- 10 carparks south of Chelsea Station
- 35 carparks south of Argyle Avenue

The first two of these locations are in closer proximity to the shopping precinct core.

Following internal discussions and with the South Ward Councillors in September 2020, a request was made by Council officers to the LXRP to consider if 35 of the 70 commuter carparks can be constructed on the Station Street side of the rail corridor instead of being all located on the Nepean Highway. This would allow higher turnover, timed parking to be closer to the Chelsea Activity Centre and therefore a more balanced outcome for the community.

To accommodate the request, the LXRP advised (Appendix 1) that the existing gas main, situated within the Station Street road reserve, would need to be relocated. The utility provider advised that commuter carparks would impact its access to the gas asset. VicTrack also advised that Council would likely need to discontinue part of the road where the commuter parks would be located and transfer this part to this to VicTrack.

Alternatively, Department of Transport (DoT) indicated that the required part of Station Street could remain with Council, but only if Council enters into an agreement with the DoT, subject to the following conditions:

- The parking bays are owned, managed and maintained by Council, and sign posted as untimed commuter parking.
- A formal agreement is executed between Council and DoT, confirming Council will retain these car parks as untimed commuter parking.
- Council will be responsible for maintenance and any costs incurred in relation to maintenance.

The above conditions are discussed in more detail in Section 3.3 of this report. It is important to note that this is a situation unique to Station Street, Chelsea, due to the location of the existing gas main. This agreement should not set a precedence for maintenance of commuter carparking in other locations.

Council officers have reviewed the draft agreement and this report recommends that Council authorises the CEO, or their delegate, to negotiate the final terms of the agreement with the DoT. If there is no agreement, the LXRP is likely to proceed with its original design with all the available carparking (70 spaces) being on the Nepean Highway side of the rail corridor, being signposted for commuters.

2. Background

At the Council Meeting on 28 October 2019, Council adopted the Southern Corridor Level Crossing Removal – Priority Projects Outcomes Report (Projects Report). The Project Report outlines Council's desire to work with the LXRP to support the interests of the local community. A specific advocacy item within the Project Report is to:

- *Achieve a no net loss of carparking (for traders and commuters) in each centre and station location.*

At the Council Meeting on 21 September 2020, Council resolved to:

1. *Note the options provided by the Level Crossing Removal Project in relation to carparking and landscaping options in Chelsea (Appendices 3, 4, 5 and 6).*
2. *Write to the Level Crossing Removal Project and Southern Program Alliance to:*

- a. *Inform them of Council's support of the landscaping and carparking plan – Option 4 (Appendix 6) noting the extent to which it seeks to balance landscaping and carparking needs within the centre; and*
- b. *Reaffirm to the Level Crossing Removal Project, Council's expectations regarding their engagement and consultation with local traders and residents directly impacted by the project;*
3. *Note the Level Crossing Removal Project's position in relation to the existing Chelsea Station Building and the status of other heritage items within the precinct.*

The above resolution highlights Council's ongoing commitment to the implementation of the Priority Project Outcomes report. The carparking outcomes of this report does not impact Council's previous resolution in support of 'Option 4'. That option supported additional landscaping on the retail side of Nepean Highway within the Activity Centre. It also supported the objective of no net loss of carparking, which is still able to be achieved.

3. Discussion

3.1 Council Plan Alignment

The LXRPs works will improve accessible transport options within the Chelsea Activity Centre, through the upgrade of the Chelsea Train Station, new off-road shared user path and a new bus interchange. This report aims to improve the allocation of commuter and general retail parking to ensure a balanced outcome for the community. This outcome sought therefore reflects the following matters in the Council Plan:

Goal 4 - Our free-moving safe, prosperous and dynamic city
Direction 4.4 - Integrated accessible transport and free moving city

3.2 Consultation/Internal Review

Ongoing internal consultation has been undertaken to establish a whole of Council response to the carparking issues with the LXRPs. Input has been provided from the following Council teams and departments in relation to the specific items discussed in this report.

- City Strategy
- Traffic and Transport
- Infrastructure
- Property
- Compliance and Amenity
- Business Directions
- Legal

3.3 Operation and Strategic Issues

The LXRPs has consulted with the DoT regarding an agreement with Council to use Council's road reserve within Station Street for 35 commuter carparks across two locations as shown in Appendix 1 (25 spaces north of Thames Promenade and 10 spaces south of Chelsea Station). i.e. the same location as the current plan but on the Station Street side of the Rail Corridor.

The third location (35 south of Argyle Avenue on Nepean Highway) was deemed to remain as commuter parking, as it is not within the area where there is a high turnover of carparking for shops, and drivers are readily able to cross the rail corridor at Argyle Avenue and turn left to enter these commuter carparks on Nepean Highway.

DoT has advised that the change to allow the commuter parking in Station Street would be subject to the following terms, discussed below:

3.3.1 Commuter Parking Bays on Station Street owned, managed and maintained by Kingston City Council, signposted as untimed commuter parking bays.

Station Street is a municipal road, which is managed by Council under the Road Management Act 2004 (Vic). The DoT has provided Council officers with an example of the proposed signage for untimed commuter parking (Appendix 2). Further discussion will be required between DoT and Council regarding how this is managed, as Council may not be authorised to enforce that signage in so far as commuter use is concerned.

3.3.2 Formal Agreement is executed between Department of Transport and Kingston City Council

An internal legal review has been conducted and some minor amendments will be required to the current draft agreement. Further legal review is suggested prior to signing by Council following negotiations. LXP has indicated that it doesn't anticipate any additional documentation being required other than the agreement.

3.3.3 Kingston City Council will be responsible for maintenance and any costs incurred in relation to maintenance

Preliminary review of the plans available indicates that the 35 commuter carparks would be an additional 343m² of pavement and associated line marking to maintain. This represents a modest increase of 0.7% in the context of all other new hardscaping and carparking that Council will be maintaining along the Frankston line after the LXP works. All other commuter carparks in Chelsea on Nepean Highway (35) and within the Train Station Carpark (130) will be owned and maintained by Metro Trains Melbourne.

Other Items:

3.3.4 CCTV and Lighting Requirements

The LXP has advised that as the carparks will not be maintained by the Rail Operator, there is no requirement to install CCTV or extra lighting for commuter carparks on Station Street. Council officers have reviewed the on-street lighting plans available and confirmed that additional lighting is not required, as the lighting levels proposed meet Council's on-street lighting standards for roads and footpaths. Additional CCTV for on street carparks is not required as the Rail Operator has extensively covered the Chelsea Station Precinct and carpark.

3.3.5 General Parking on Nepean Highway

The arrangement of 35 carparks on Station Street being allocated to commuter parking will result in 35 general carparks now being available on Nepean Highway. These will be constructed by the LXP on Crown Land which is currently managed by VicTrack. Further confirmation is required from the DoT to ensure that Council will not incur any additional costs to signpost and enforce these general carparks as timed parking.

4. Conclusion

It is the recommendation of officers that Council authorises the CEO, or their delegate, to negotiate the final terms of the agreement with the DoT. This will result in 35 commuter carparks on the Station Street side of the rail corridor, as attached in (Appendix 1). If there is no agreement, the LXP is likely to proceed with all the available carparking on the Nepean Highway side of the rail corridor, being signposted for commuters.

Appendices

Appendix 1 - Letter from LXRP Adam Maguire - Chelsea Commuter parking distribution
(Ref 20/281642) - Confidential

Appendix 2 - Standard Metro Carpark Signage (Ref 21/10545)  [Download](#)


Author/s: Claire Audley, Major Transport Project Officer

Reviewed and Approved By: Samantha Krull, General Manager City Assets & Environment

10.5

CHELSEA LEVEL CROSSING REMOVAL - COMMUTER PARKING AGREEMENT

1	Standard Metro Carpark Signage.....	291
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	STRUCTURES AND FACILITIES CAR PARK STANDARD	
L1-CHE-STD-059	Version: 1	Effective from: 10 th May 2018

11. Appendix C – Gazetted Car Park Signs

Table 2: List of gazetted railway car park signs

SIGN	REFERENCE FIGURE	DESIGNATION	DIMENSION (MM)	STANDARD
PARKING AREA (ENTRY)	Figure 1	Custom	600 × 900	AS 1742.11
END PARKING AREA	Figure 2	R5-63A	600 × 600,	AS1742.11; AS1743
PARK IN BAYS ONLY	Figure 1	R5-65A	450 × 300	AS1742.11; AS1743
MINUTE PARKING	Figure 4	R5-14 (R) R5-14 (L)	225 × 450	AS1742.11; AS1743
INTERNAL REMINDER	Figure 3	R5-62A	450X800	AS1742.11
ACCESSIBLE PARKING	Figure 5 & Figure 6	R5-10 (R) R5-10 (L) R5-10 DO	225 × 450	AS1742.11; AS1743
PERMIT ZONE Sign to include text: RAIL STAFF	Figure 7	R5-22 (R) R5-22 (L)	225 × 450	AS1742.11
NO STOPPING	Figure 8	R5-35 (R) R5-35 (L) R5-35 (D)	225 × 450	AS1742.11; AS1743



Figure 1: PARKING AREA and PARK IN BAYS ONLY Signs

Approving Manager: Chief Engineer	Approval Date: 10/05/2018	Next Review Date: 10/05/2021
PRINTOUT MAY NOT BE UP-TO-DATE; REFER TO METRO INTRANET FOR THE LATEST VERSION		Page 21 of 26

11. Corporate Services Reports

22 February 2021

Agenda Item No: 11.1

AWARD OF CONTRACT CON-20/053 - PROVISION OF VEHICLE LEASING AND FLEET MANAGEMENT SERVICES

Contact Officer: Darryn Paspas, Manager Procurement and Contracts

Purpose of Report

This report seeks Council's approval to award Contract CON-20/053 Provision of Vehicle Leasing and Fleet Management Services for a period of three (3) years, with options to extend for two (2) further two (2) year periods.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That Council:

1. Award Contract CON-20/053 Provision of Vehicle Leasing and Fleet Management Services to LeasePlan Australia Limited for an initial contract period of three (3) years, with options to extend for two (2) further two (2) year periods, commencing 1 April 2021, for an estimated and indicative total lease cost for leases entered in the initial contract period of three (3) years of \$3,214,452.38 (inc GST), based on current fleet composition, anticipated vehicle replacement requirements and current vehicle pricing and availability; and
2. Authorise the Chief Executive Officer, or their delegate, to exercise the two (2) further two (2) year contract extension options, following a satisfactory review of contract performance.

1. Executive Summary

A public tender process was undertaken to identify a suitable provider of Vehicle Leasing & Fleet Management Services for Council. This report seeks Council's approval to award Contract CON-20/053 Provision of Vehicle Leasing & Fleet Management Services to LeasePlan Australia Limited for an initial contract period of three (3) years, with options to extend for two (2) further two-year periods, in accordance with their tender submission dated 20 August 2020. The estimated and indicative total lease cost for leases entered in the initial contract period of three (3) years is \$3,214,452.38 (inc GST), based on current fleet composition, anticipated vehicle replacement requirements and current vehicle pricing and availability, which may all be subject to change in future, dependent upon Council's ongoing operational requirements and changes and developments in the fast-moving vehicle industry.

2. Background

Council currently maintains a fleet of approximately 170 vehicles, comprising passenger cars, light commercial vehicles, trucks and buses. Within the fleet, 134 vehicles are currently under leasing arrangements with the incumbent provider, Toyota Fleet Management (TFM). The previous contract expired on 30 November 2020, with TFM continuing to provide services on an ad hoc basis, pending announcement of the outcome of this tender process.

Under the previous contract, TFM has provided vehicles on an Operating Lease arrangement, including the provision of fuel and repair authorisation cards, emergency breakdown assistance, accident management and vehicle reporting.

An ongoing requirement for this vehicle leasing and fleet management services remains and as such, public tenders were sought for the ongoing provision of Vehicle Leasing and Fleet Management Services.

3. Discussion

3.1 Council Plan Alignment

Goal 5 - Our well-governed and responsive organisation

Direction 5.4 - A responsive and well managed organisation

3.2 Tenders Received

The tender was advertised in 'The Age' newspaper and on the Tenderlink tendering portal on Saturday 25 July 2020 and closed at 2:00pm Thursday 20 August 2020. Ten (10) tenders were received, from the following companies (in alphabetical order):

- Alan Mance Motors (Par Leasing Pty Ltd)
- Custom Service Leasing Pty Ltd (trading as Custom Fleet)
- FleetCare Pty Ltd
- Interleasing (Australia) Limited / Maxxia Pty Ltd
- LeasePlan Australia Limited
- Orix Australia Corporation Limited
- SG Fleet Australia Pty Ltd
- Street Fleet Pty Ltd
- Summit Auto Lease Australia Pty Ltd (trading as Summit Fleet)
- Toyota Finance Australia Ltd (trading as Toyota Fleet Management)
-

3.3 Evaluation Panel

The Tender Evaluation Panel established to evaluate the tenders was comprised of the following officers:

- Darryn Paspas, Manager Procurement & Contracts
- Graham Millar, Procurement Coordinator
- Greg Bubner, Fleet Administrator
- Hayley Gniel, Team Leader Financial Accounting (subsequently withdrawn)
- Susannah Kenny, Principal Environment Officer (expert advice re environmental matters)

3.4 Evaluation Criteria

Each of the ten (10) submissions was assessed in accordance with the evaluation criteria set out in the Request for Tender (RFT) documents:

- **Weighted Criteria**

- 40% Price
- 15% Methodology and Service Delivery
- 10% Capacity and Sourcing
- 15% Experience
- 15% Reporting
- 5% Local Benefit and Environment

-

- **PASS or FAIL (Assessment of Preferred Tenderer/s)**

- Compliance with OHS, Environmental and Insurance requirements
- Financial capacity of organisation/business

-

3.5 Tender Evaluation

The evaluation of tenders was undertaken in accordance with the processes detailed in the tender documentation.

A detailed description of the tender evaluation process is included in the Tender Evaluation Report provided as a Confidential Attachment to this report.

The pricing for the purpose of tender comparison was determined on the basis of an expectation of like-for-like replacement of Council's current fleet composition over the initial three (3) year period of the contract, in accordance with the estimated replacement program provided in the tender documentation and the tendered pricing for each type of vehicle and the services included. It is recognised that actual pricing from year to year will be based on actual fleet composition, changing operational requirements, individual vehicle choices and the fast-changing and evolving vehicle market (makes, models, fuel types, availability, etc).

As a standard, Council's passenger vehicles are currently leased for five (5) years and light commercial vehicles for seven (7) years, with adjustments to lease terms made on the basis of operational utilisation and consideration of optimal financial outcomes. The estimated and indicative total lease cost for leases entered in the initial contract period takes into account the full five (5) and seven (7) year lease costs of vehicles anticipated to be required.

Following the first round of detailed tender evaluation (scoring included in the Confidential Attachment to this report), it was agreed by the Tender Evaluation Panel to shortlist the four highest scoring tenders (based on both qualitative and price considerations) for interview and further assessment by the panel.

The short-listed tenderers were:

- Custom Service Leasing Pty Ltd (trading as Custom Fleet)
- LeasePlan Australia Limited
- Orix Australia Corporation Limited
- Toyota Finance Australia Ltd (trading as Toyota Fleet Management)

All four short-listed tenderers were invited to attend individual meetings with the Tender Evaluation Panel at which time the submissions were discussed, and a consistent range of questions were asked of each. Specific clarifications were sought for the individual tenderers if required as well.

Upon completion of the interview process, scoring was reviewed, with some minor adjustments made and a preferred tenderer was identified. Reference checks were undertaken for the preferred tenderer, a detailed financial capacity assessment was obtained and reviewed and confirmation of compliance with OHS, Environmental and Insurance requirements was completed.

The final scoring and consideration that resulted in LeasePlan Australia Limited being identified as Council's preferred tenderer is detailed in the Confidential Attachment to this report.

3.6 Probity Audit

In accordance with the requirements of Council's Procurement Policy, an independent ongoing Probity Audit of this tender process has been undertaken by Pitcher Partners.

The Probity auditor's final report is provided as Appendix 2 to this report, with the final opinion being that although some minor improvement opportunities were identified, the process was, in all material respects, in accordance with documented procedures including Council's Procurement Policy and probity requirements.

4. Conclusion

4.1 Environmental Implications

LeasePlan Australia Limited have identified that they have shared views on Climate Change with Council and will support Council in our emission reduction targets through enhanced vehicle selection (including the continuation of the consideration and move to lower emission 4-cylinder, hybrid and electric vehicles as well as other emerging fuel efficient and low emission technologies), maximising vehicle utilisation and participating in emission offset programs where required.

LeasePlan Australia Limited is a founding member of EV100 (a global initiative bringing together forward-looking companies committed to accelerating the transition to electric vehicles) and is committed to the goal of achieving net zero emissions from the automotive sector by 2030.

As part of regular reporting to be provided by LeasePlan Australia Limited, Council will receive data and analysis that will identify the Carbon Dioxide Equivalent (CO₂e) emissions per individual vehicle/department/division/fleet. The data and graphs will assist Council to identify poor performing vehicles that may be heavily impacting the environment (relative to the rest of the fleet), in turn allowing Council to take responsible action to avoid vehicle CO₂e emissions wherever possible.

4.2 Social Implications

LeasePlan Australia Limited's Corporate Social Responsibility Policy provides guidance on their work practices including matters such as fair labour practices. The business is involved in a variety of community programs and is a member of Supply Nation (providing connection to Indigenous suppliers) which reinforces their commitment to diversity both within their workforce and their procurement processes. In addition, LeasePlan Australia Limited has a well-developed and extensive network of customers and suppliers within the Kingston Municipal District. LeasePlan Australia Limited already spends a significant sum on vehicle purchases and repairs and maintenance within Kingston. Council's contract will serve to further increase this expenditure by LeasePlan Australia Limited in the local area.

4.3 Resource Implications

Analysis will continue to be undertaken to ascertain the most appropriate, cost-effective and fuel-efficient vehicle options available for Council at the time of any new lease requirement being considered.

Based on all known financial factors, the tendered pricing and the transparency and certainty in pricing structure offered by LeasePlan Australia Limited, their offer is considered to represent the best value for money solution for Council's vehicle leasing and fleet management service requirements moving forward.

4.4 Legal / Risk Implications

A public tender process in accordance with the requirements of Section 186 of the Local Government Act Vic 1989 was undertaken to achieve this result.

The proposed contract documentation (Master Lease Agreement) from LeasePlan Australia Limited has been reviewed and is considered reasonable and acceptable for the purposes of this contract.

LeasePlan Australia Limited's offer will provide transparency and certainty in pricing structure for the duration of the contract.

No further legal or risk implications associated with this contract have been identified.

Appendices

Appendix 1 - Tender Evaluation Report CON-20/053 (including Attachments) (Ref 21/19890) - Confidential

Appendix 2 - Probity Auditor Report - Kingston City Council - Vehicle Leasing and Fleet Management Services (Ref 21/35343) - Confidential

Author/s: Darryn Paspas, Manager Procurement and Contracts
Reviewed and Approved By: Tony Ljaskevic, A/General Manager Corporate Services

22 February 2021

Agenda Item No: 11.2

KINGSTON PERFORMANCE REPORT, OCTOBER TO DECEMBER 2020

Contact Officer: Annette Forde, Senior Corporate Planning and Performance Officer

Purpose of Report

This report provides an update on the progress of the Council Plan 2017-2021 through Council's key actions and selected performance indicators to the end of December 2020.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That Council note:

1. The Kingston Performance Report, October to December 2020; and
2. The Statement of the CEO that a revised budget is not required at this point of time pursuant to S97(3) of the Local Government Act (2020).

1. Summary

Council achieved good performance results in the October to December quarter. Progress targets for most of the key actions and performance indicators were achieved. However, the COVID-19 pandemic and resulting restrictions continued to affect the performance of several actions and indicators.

2. Discussion

2.1 COVID-19 pandemic

- Kingston has continued to respond to the COVID-19 pandemic with a strong focus on keeping Kingston economically strong and providing support for the community and staff.
- Extra support continues to be offered to community members affected by COVID-19, including deferral of rates payments.

2.2 Achievements in quarter two

- The Mentone Station Gardens and expanded deck area were completed and are now open to the community.
- The foreshore reserve at Carrum was also completed and is now available for community use.
- The new mural within The Strand at Chelsea is now complete.

- Kingston began trialling a 4-month program, via VicSmart, for Dual Occupancy developments. If applications meet the strict criteria, they can be approved in 10 days.
- Several community sustainability workshops were held. These included: attracting birds to your yard, the ultimate wardrobe declutter, the art of second hand styling, your garden our future, and waste wise Christmas.

2.3 Action progress

At the end of quarter two, from a total of 119 key actions, six actions (5%) were complete, 94 key actions (81.6%) were on track, six actions (5%) were being monitored and 10 actions (8.4%) were off track.

Definition of action progress

	Status	Progress
• Complete	●	• 100% of the target for the year has been achieved.
• On track	●	• 80% -100% of the target for the quarter has been achieved. • Includes closed actions (closed actions have been merged with other actions, or the direction has changed).
• Monitor	●	70% - 79% of the target for the quarter has been achieved. Mostly on track but requires monitoring and improvements need to be made, as indicated in the action comments.
• Off track	●	Less than 70% of the target for the quarter has been achieved. Off track actions are either outside Council's control or require priority intervention, as indicated in the action comments.

Of the off-track actions, five are in Goal 1, one in Goal 2, one in Goal 3, and three in Goal 4 as shown below:

Off track Action	Goal	Comment
1.1.2.2 Capitalise on the opportunities for Kingston presented in the Monash National Employment and Innovation Cluster planning	1	<p>Council continues to work with the Victorian Planning Authority and landowner Goodman Group Australia on a proposed planning scheme amendment to rezone the Clayton Business Park site in the Monash National Employment and Innovation Cluster.</p> <p>The project has been delayed as a result of the Victorian Government's release of the Melbourne Industrial and Commercial Land Use Plan. Officers are awaiting further direction from the Department of Environment, Water, Land and Planning and the Victorian Planning Authority as to the implications of this work for the project.</p>




1.2.2.13 Prepare a Structure Plan for the Chelsea Activity Centre	1	<p>A draft Structure Plan has been prepared by consultants MSG. Significant initial consultation was undertaken with the community and key stakeholders to inform the draft Structure Plan, including the establishment of a Community Panel.</p> <p>The project has been delayed due to the level crossing removal works and the COVID-19 pandemic, with the draft Structure Plan now expected to be presented to Council in early 2021.</p> <p>The Council's decision to support assisting the Level Crossing Removal Project in delivering the Chelsea Bridge will act as an important catalyst in facilitating a key link through the Chelsea Activity Centre.</p> <p>Further engagement will occur with the newly elected Council on the draft Structure Planning work.</p>
1.3.1.10 Road Renewal - Resurfacing Program	1	<p>Approximately \$300k of the \$1.5M road resurfacing program has been completed.</p> <p>There have been some delays with contractor availability for repairs to kerb and channel. Further works are scheduled in February through to May.</p>
1.3.1.21 Develop a strategy to reduce pollutants in Mordialloc Creek that defines the roles and responsibilities of key stakeholder organisations and provides an opportunity for the community to report pollution	1	<p>Investigations to reduce pollution flowing into Mordialloc Creek will be further reviewed as part of the next version of Kingston's Integrated Water Cycle Strategy (IWCS). This review has not yet commenced as it is scheduled to be undertaken throughout the 2021 calendar year.</p> <p>In May 2020, a detailed audit was completed on the functionality of Kingston's 20 Gross Pollutant Traps. The learnings will feed into the IWCS to identify improvement actions, including the need to develop a prioritised plan to install additional infrastructure and modified maintenance practices.</p>
1.3.3.10 Acquire the land 2-8 Balcombe Rd Mentone from VicRoads to develop open space	1	<p>Council's solicitor was advised by the Victorian Government Solicitor's Office (VGSO) that a revised vendor's statement and contract from VicRoads would be provided. However, the revised vendor's statement was not received, and Council's solicitor is following up with the VGSO.</p>
2.5.3.5 Develop the Le Page Reserve Masterplan	2	<p>Consultation activities have been extended to enable further strategic discussions with the tennis and netball clubs to continue in early 2021.</p>
3.5.2.4 Consider the restoration of the Heritage Nylex Sign on the Nepean Highway	3	<p>Following meetings with senior Bunnings representatives, we received correspondence confirming that Bunnings is willing to work with Council and the community to facilitate the restoration of the Nylex sign.</p> <p>These conversations have not been further advanced during the COVID-19 period but are likely to recommence in early 2021.</p>
4.3.2.6 LF Payne Masterplan	4	<p>Architectural consultants have undertaken an assessment of opportunities and made preliminary recommendations on the scope of the project, which is largely related to the refurbishment of the LF Payne Hall.</p> <p>A progress report on the LF Payne Master Plan was submitted to Council in April 2020 proposing that the</p>

		<p>refurbishment of LF Payne Hall be incorporated into the Chelsea structural renewal plan.</p> <p>This proposal was not endorsed by Council, consequently, Kingston Arts will be progressing the development of a new master plan for the venue in conjunction with key stakeholders.</p>
4.4.5.9 Implement stage three of the Bay Trail - from Rennison St to Nepean Hwy	4	<p>Construction of Stage 3 of the Bay Trail has commenced. All vegetation required for removal under permit has been completed. Retaining walls and fencing works are under way between Rennison Street to Centre Way. Works are progressing to the amended schedule, to accommodate COVID-19 delays.</p> <p>Work is progressing in accordance with the construction program and scheduled to be completed by end January 2021.</p> <p>The public art work is programmed to be installed in late February 2021 with the official opening to follow shortly after, depending on COVID-19 restrictions.</p>
4.5.3.4 Build a Community Resilience education program (across Council and the community) to improve mitigation, response and recovery during and after an emergency situation	4	<p>Work on the education program has been postponed because of the COVID-19 pandemic. The live emergency exercise planned for 2020 did not occur, due to COVID-19 restrictions. It has been rescheduled to the second half of 2021.</p> <p>We began developing a system for emergency messages to be posted on Kingston's 'on hold' phone message and social media. This will be used to let the community know if there is an emergency that requires them to vacate their homes.</p>

2.4 Performance indicators progress

Of the 33 performance indicators in the report, 63.6% (21 indicators) are on track with a further three indicators being monitored (9.1%) and nine off track (27.3%).

Definition of performance indicator progress

Status	Progress
<ul style="list-style-type: none"> On track  Monit or  Off track  	<ul style="list-style-type: none"> The result is at, or better than, target for the period. The result is under target for the period but within the variance set for the indicator. The result is below both the target and variance for the period.

The off-track indicators are distributed amongst all Goals, and most have been significantly affected by the COVID-19 restrictions, as detailed below:

Off Track Indicator	Council Plan Goal	Comment
Number of planning decisions made	1	The number of planning application decisions has been affected by the COVID-19 pandemic and the downturn in the property market.

Off Track Indicator	Council Plan Goal	Comment
Capital Works budget spent compared to forecast (Quarterly)	1	End of quarter expenditure at \$23.25M is \$5.71M behind forecasting - equivalent to approximately four weeks program delivery. Contributing projects are largely made up of contractually committed works where year to date payments are less than cash flow predictions. These projects have been largely impacted by COVID-19 delays to construction activities limiting worker availability. All these projects, while delayed, will be completed in 2020/21.
Missed bins – domestic (garbage, recycling & green waste) YTD	2	The number of missed bins increased during the Christmas public holiday period as more residents forgot to present them. Missed bins are usually collected on the day of reporting.
Number of community transport passenger trips	3	Community transport has been impacted by the COVID-19 pandemic, as people are staying at home.
Attendance at Council-run festivals and civic events including citizenship	3	Due to COVID-19, Carols was cancelled in favour of smaller activations in our shopping strips. Tinsel Trail was estimated to have just under 2,000 people in attendance across the 10 centres.
Leisure Centre – General Attendances	3	Attendances are increasing as restrictions ease on facility use.
Heritage - Responses to historical enquiries	3	The result was affected by the COVID-19 restrictions. The City Historian continues to respond to historical enquiries from the public.
Health Services - Inspections of registered premises	4	There were 441 inspections of registered premises were conducted for the quarter. Inspections increased as businesses came out of COVID-19 stage 4 restrictions.
Customer Care telephone calls answered within 30 seconds (YTD)	5	Over the last three months Customer Care has been exceptionally busy, with 28,153 calls received. In 2020, call volumes were up 18% on the previous year. Combined with a 30% increase in digital volumes, the team has struggled to meet service level targets due to work load.

Quarterly Financial Statements

Council has a favourable year to date variance of \$5.5M from an Income Statement perspective, and Council's cash position remains strong. Results will continue to be monitored in the coming months for any COVID impact, as Council operations and services slowly return from lockdown. The Quarterly Financial Statements for October to December 2020 are attached.

Section 97(3) of the new Local Government Act 2020, now requires the second quarterly report of the year to include a statement by the CEO as to whether a revised budget is, or may be, required. It is the opinion of the CEO that a revised budget is not required at this point in time.

3. Conclusion

Council achieved good performance results in the October to December quarter. Progress targets for most of the key actions and performance indicators were achieved. However, the COVID-19 pandemic and resulting restrictions continued to affect the performance of several actions and indicators.

Appendices

Appendix 1 - Kingston Performance Report, October to December 2020 (Ref 21/14671)



Appendix 2 - Quarterly Financial Statements Report December 2020 (Ref 21/5076)



Author/s:	Annette Forde, Senior Corporate Planning and Performance Officer
Reviewed and Approved By:	Lauren Ross, Team Leader Corporate Performance Ange Marshall, Manager Finance and Corporate Performance Paul Franklin, General Manager Corporate Services

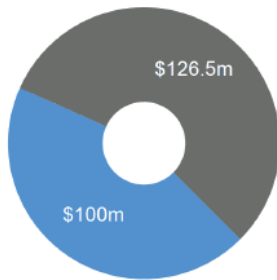
11.2

KINGSTON PERFORMANCE REPORT, OCTOBER TO DECEMBER 2020

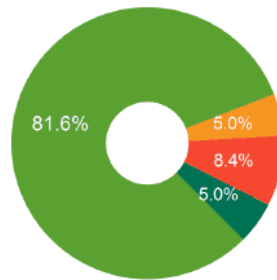
1	Kingston Performance Report, October to December 2020	309
2	Quarterly Financial Statements Report December 2020	355

Kingston Performance Report

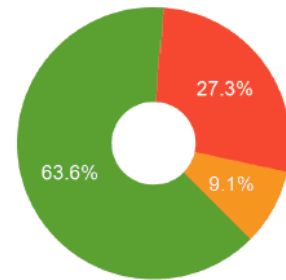
OCTOBER - DECEMBER 2020



Expenditure



Actions



Performance Indicators

● BUDGET SPENT
 ● BUDGET REMAINING
 ● COMPLETE
 ● ON TRACK
 ● MONITOR
 ● OFF TRACK

Annual Service Highlights *previous financial year*

13,745

Total volunteer hours

19,334

Questions answered by
Kingston's Chatbot

165,782

Municipal population

6,414,985

Bin lifts

1,847

Babies born in Kingston

\$207 million

Annual Council operating
expenditure 2019/20

Legend

Actions



100% of the target for the year has been achieved.



80% -100% of the target for the quarter has been achieved.

Includes closed actions.

Closed actions have been merged with other actions, or the direction has changed.



70% - 79% of the target for the quarter has been achieved.

Mostly on track but requires monitoring and improvements need to be made, as indicated in the action comments.



Less than 70% of the target for the quarter has been achieved.

Off-track actions are either outside Council's control or require priority intervention, as indicated in the action comments.

Indicators



The result is at, or better than, the target for the period.

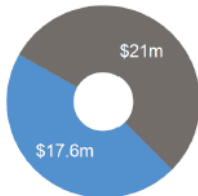


The result is under target for the period but within the variance set for the indicator.

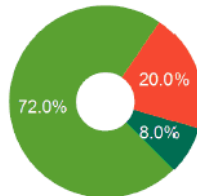


The result is below both the target and the variance for the period.

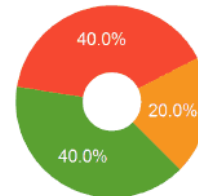
1 Our well-planned, liveable city supported by infrastructure to meet future needs



Expenditure



Actions



Performance Indicators



Annual Service Highlights *previous financial year*

836 km

Storm water drains maintained

950

New planning applications received

8 km

Kilometres of footpath renewed

254

Buildings and public toilets maintained daily

709

Asset protection permits issued

\$456 million

Approximate value of development

Our Services



HOME

- Building permits
- Planning permits
- Urban land use policy & planning



LIFESTYLE

- Maintenance & development of Council's buildings



ENVIRONMENT

- Drain maintenance
- Manage Council's property portfolio
- Planning & design for community assets






TRAVEL





- Footpaths, bicycle paths & road maintenance

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

1.1. Intergenerational land use planning for a sustainable community




INDICATOR	COMMENT	FULL YEAR TARGET	TARGET	RESULT	STATUS
Number of planning decisions made	The number of planning application decisions has been affected by the COVID-19 pandemic and the downturn in the property market.	1,104.00	552.00	469.00	 off track

ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
1.1.1.2 Develop the Kingston Housing and Neighbourhood Character strategy using innovative engagement methods	<p>There has been great community interest in the project to date with 1,603 submissions and 605 surveys received in mid-2019. A range of consultation methods have been utilised through the project including drop in sessions, a community panel, public meetings, surveys, mail outs and social media.</p> <p>A final version of the Housing Strategy and Neighbourhood Character Study was adopted by Council in August 2020. Officers are currently discussing the changes required with Ethos Urban and the Department of Environment, Land, Water and Planning. A further update in relation to implementation of the resolution will be provided to Council in early 2021.</p> <p>Further consultation will be undertaken as part of the formal exhibition of a Planning Scheme Amendment required to implement the work.</p>	50%	80%	 on track
1.1.1.5 Develop an Affordable Housing Implementation Plan to work with State Government, Housing Associations and developers to increase the availability of affordable housing	<p>This action was completed in July 2020.</p> <p>The Social and Affordable Housing Strategy was adopted by Council in July 2020.</p>	100%	100%	 complete
1.1.1.6 Review planning mechanisms and local planning policy and legislation to proactively contribute to increase the supply of social and affordable housing in Kingston	<p>The Social and Affordable Housing Strategy was adopted by Council in July 2020. This strategy outlines a range of planning policy and legislative interventions to aid in the delivery of Social and Affordable Housing.</p> <p>Officers are also participating in the South East Local Government Homelessness and Social Housing Working Group and Inter Council Affordable Housing Forum. The scope of this includes consideration of statutory improvements and advocacy to Government on the provision of inclusionary zoning.</p>	50%	85%	 on track
1.1.1.7 Prepare a draft Kingston Social and Affordable Housing Policy to sit alongside Council's Housing Strategy	<p>This action was completed in July 2020.</p> <p>The Social and Affordable Housing Strategy was adopted by Council in July 2020. This strategy outlines a range of planning policy and legislative interventions to aid in the delivery of Social and Affordable Housing.</p>	100%	100%	 complete



ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
1.1.1.10 Implement the new residential zones in accordance with the Practice Notes	<p>A final version of the Housing Strategy and Neighbourhood Character Study was adopted by Council in August 2020. Officers are currently discussing the changes required with Ethos Urban and the Department of Environment, Land, Water and Planning.</p> <p>A further update in relation to implementation of the resolution will be provided to Council in early 2021. This will include an update on the timing and content of the formal exhibition of a Planning Scheme Amendment required to implement the work.</p>	50%	80%	 on track
1.1.2.1 Participate in forums in the southern region to influence strategic planning for infrastructure, employment and housing investment	<p>The Victorian Government is developing a Southern Metropolitan Region Land Use Framework Plan to accord with an action of Plan Melbourne. Officers from the region have reinforced to the DELWP the importance of developing a process for engagement with the incoming Councils on the progress of this work prior to the formulation of a draft plan for broader engagement.</p> <p>Council also continues to participate in the Greater South East Melbourne Group which is developing a City Deal proposal for Commonwealth and State Government consideration.</p> <p>Officers are also actively engaged in the Southern Region Homelessness and Social Housing Charter Reference Group. This group provides a regional platform for advocacy and delivery of social and affordable housing.</p>	50%	50%	 on track
1.1.2.2 Capitalise on the opportunities for Kingston presented in the Monash National Employment and Innovation Cluster planning	<p>Council continues to work with the Victorian Planning Authority and landowner Goodman Group Australia on a proposed planning scheme amendment to rezone the Clayton Business Park site in the Monash National Employment and Innovation Cluster.</p> <p>The project has been delayed as a result of the Victorian Government's release of the Melbourne Industrial and Commercial Land Use Plan. Officers are awaiting further direction from the Department of Environment, Water, Land and Planning and the Victorian Planning Authority as to the implications of this work for the project.</p>	50%	25%	 off track
1.1.3.2 Develop strategies and undertake required Planning Scheme Amendments in areas including stormwater quality, public open space provision and potentially contaminated land	<p>Amendments in relation to public open space and stormwater quality were approved by the Minister for Planning and came into effect on 26 April 2018 and 31 May 2018 respectively.</p> <p>Following extensive research and background analysis, a list of potentially contaminated sites which would form a Stage 1 Planning Scheme Amendment has been prepared and is currently the subject of legal review.</p>	50%	50%	 on track





1.2. Effectively influence the urban and architectural design of the City







INDICATOR	COMMENT	FULL YEAR TARGET	TARGET	RESULT	STATUS
Time taken to decide planning applications (financial year to date)	We aim to keep the time taken under target for the remainder of the financial year.	85.00 Days	85.00 Days	83.00 Days	<div><div></div></div> on track
Planning applications decided within required timeframes	Compared to the previous period, there was a slight decrease due to the lingering effects of the Council elections caretaker period and the resulting hold on around 13 planning consultation meetings.	75.00%	75.00%	70.15%	<div><div></div></div> monitor
ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS	
1.2.1.2 Embrace the opportunities presented through 'City Shaping' infrastructure projects (e.g. Level Crossing Removal Work) to plan for innovative new community meeting spaces	<p>The Mentone Station Gardens and expanded deck area are now open to the public. Works are underway on the open space at 245-247 Charman Road as part of the Level Crossing Removal Project (LXRP).</p> <p>Officers are working with the LXRP on the detailed design plans for the Chelsea Pedestrian Bridge.</p> <p>Officers have attended a technical reference group pre-meeting and attended a workshop on urban design for the Suburban Rail Loop Project. A tender is currently out for consultant assistance for landscape, urban design, transport and open space.</p>	50%	75%	<div><div></div></div> on track	
1.2.1.3 Implement the updated Neighbourhood Character Guidelines following the completion of its Housing and Neighbourhood Character work	<p>A final version of the Housing Strategy and Neighbourhood Character Study was adopted by Council in August 2020. Officers are currently discussing the changes required by the resolution with Ethos Urban and the Department of Environment, Land, Water and Planning.</p> <p>A further update in relation to implementation of the resolution will be provided to Council in early 2021. This will include an update on the timing and content of the formal exhibition of a Planning Scheme Amendment required to implement the work.</p>	50%	80%	<div><div></div></div> on track	
1.2.2.1 Provide an integrated development approvals (planning and building applications) service to meet the needs of residents and businesses	<p>Kingston is currently trialling a 4-month program, via VicSmart, for Dual Occupancy developments. Strong criteria are set around the developments and, if applications meet the criteria, they can be approved in 10 days. Council's website has been updated with all the information the applicants require to lodge for this trial.</p> <p>There has been the development of a referral system for VicSmart applications that require a response within 5 working days of lodgment so the application can be processed and a decision made within 10 working days. Currently the vegetation department is trialling this development and it seems to be working well, with turnaround times improving.</p>	50%	80%	<div><div></div></div> on track	


ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
1.2.2.3 Continually review opportunities to enhance the ability of our customers to understand the planning process and access relevant information	<p>Through the COVID-19 Stage 4 lock down, Council continued to provide planning processes to the community and has experimented with online Planning Consultation Meetings (outside of the Caretaker Period).</p> <p>The Planning team have worked hard to sustain the planning service to applicants and objectors in a remote environment by providing access to information via email and, where required, hard copy information.</p> <p>The team has been developing and testing an online booking system for counter appointments with Planning Officers. This should be live in January 2021.</p>	50%	51%	 on track
1.2.2.4 Maintain a proactive relationship with representatives of the construction industry when undertaking works in the municipality	<p>This is an ongoing action and is managed by Council's Planning Compliance and Construction Liaison Officers. Construction Liaison Officers have continued to meet with builders to highlight the importance of compliance with Construction Management Plan requirements. These relationships are particularly important given the increased level of awareness and more people working from home during the COVID-19 pandemic.</p> <p>Where considered appropriate, Council has also considered extending construction hours in an effort to keep workers employed and provide for the progression of projects where reduced access to the workforce has been possible.</p>	50%	51%	 on track
1.2.2.13 Prepare a Structure Plan for the Chelsea Activity Centre	<p>A draft Structure Plan has been prepared by consultants MSG. Significant initial consultation was undertaken with the community and key stakeholders to inform the draft Structure Plan, including the establishment of a Community Panel.</p> <p>The project has been delayed due to the level crossing removal works and the COVID-19 pandemic, with the draft Structure Plan now expected to be presented to Council in early 2021.</p> <p>The Council's decision to support assisting the Level Crossing Removal Project in delivering the Chelsea Bridge will act as an important catalyst in facilitating a key link through the Chelsea Activity Centre.</p> <p>Further engagement will occur with the newly elected Council on the draft Structure Planning work.</p>	50%	25%	 off track

1.3. Infrastructure and property investment for a functional city now and into the future

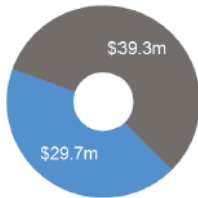
INDICATOR	COMMENT	FULL YEAR TARGET	TARGET	RESULT	STATUS
Sealed local roads maintained to condition standards	A full road condition survey is undertaken on a three-yearly cycle and will be consolidated early 2021. The annual asphalt resealing program commenced in November and will continue through to late autumn.	98.00%	98.00%	98.64%	 on track
Capital Works budget spent compared to forecast (Quarterly)	End of quarter expenditure at \$23.25M is \$5.71M behind forecasting - equivalent to approximately four weeks program delivery. Contributing projects are largely made up of contractually committed works where year to date payments are less than cash flow predictions. These projects have been largely impacted by COVID-19 delays to construction activities limiting worker availability. All these projects, while delayed, will be completed in 2020/21.	100.00%	43.90%	32.08%	 off track

ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
1.3.1.4 Plan and facilitate the mechanisms to secure the required infrastructure to support key, large scale development projects (Clayton Business Park, etc.)	Investigation to determine the infrastructure required for large-scale developments is continuing. This includes consideration of Section 173 Agreements and/or an Infrastructure Contributions Plan for the Clayton Business Park site. Officers have commenced engagement with Development Victoria on the future redevelopment of the Highbury Gasworks site. Early discussions have focused on the provision of appropriate community infrastructure and open space contributions.	50%	50%	 on track
1.3.1.7 Plan and build drainage upgrades to reduce local and major flooding	The 2020/21 capital works program includes the delivery of \$4.3 million for drainage improvements and this work is well on track. All of the larger drainage projects are either already constructed, including Biscop Road in Moorabbin (\$0.5M) and Ben Kavanagh Reserve in Mordialloc (\$0.3M), or have been tendered and are in progress, such as Wandoo Avenue in Clarinda (\$0.5M) and Peace Road in Clayton South (\$0.4M). Planning is underway for several significant projects that are scheduled to be delivered in future years, including major drainage improvements in the streets around the northern parts of Edithvale, around Embankment Grove in Chelsea and through the Bonbeach Sports Reserve.	50%	50%	 on track
1.3.1.9 Footpath renewal program	The annual footpath program has commenced for 2020/21. Projects completed to date include Nepean Highway, Moorabbin and the shared path in Old Dandenong Road, Heatherton.	30%	30%	 on track
1.3.1.10 Road Renewal - Resurfacing Program	Approximately \$300k of the \$1.5M road resurfacing program has been completed. There have been some delays with contractor availability for repairs to kerb and channel. Further works are scheduled in February through to May.	40%	21%	 off track

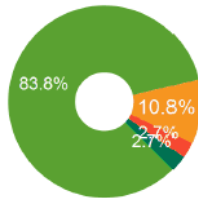
ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
1.3.1.11 Road - Reconstruction Program	The road reconstruction program is well advanced with \$3.79M expenditure of the \$5.58M allocation. Road reconstruction projects in Chelsea Road, Tarella Road and Kangaroo Road are complete.	40%	68%	 on track
1.3.1.12 Flood Mitigation Drainage Program	The flood mitigation program is in progress with \$1.52M expenditure of the \$3.5M allocation. Drainage works at Biscop Rd, Moorabbin, Ben Kavanagh Reserve and Tarella Road, Edithvale are complete. Projects are currently underway at Catherine Avenue, Chelsea; Peace Road, Clayton South and Wandoo/Melaleuca, Clarinda.	50%	43%	 on track
1.3.1.21 Develop a strategy to reduce pollutants in Mordialloc Creek that defines the roles and responsibilities of key stakeholder organisations and provides an opportunity for the community to report pollution	Investigations to reduce pollution flowing into Mordialloc Creek will be further reviewed as part of the next version of Kingston's Integrated Water Cycle Strategy (IWCS). This review has not yet commenced as it is scheduled to be undertaken throughout the 2021 calendar year. In May 2020, a detailed audit was completed on the functionality of Kingston's 20 Gross Pollutant Traps. The learnings will feed into the IWCS to identify improvement actions, including the need to develop a prioritised plan to install additional infrastructure and modified maintenance practices.	20%	8%	 off track
1.3.2.2 Work with VicRoads on key strategic road considerations including the Westall Bypass, Mordialloc Bypass and South Road Study	The Mordialloc Freeway is currently being constructed. There has been no major impact as the result of the work to the local residents. VicRoads has commenced scoping for the South Road study. The broad scope includes intersection improvements, clearways and rationalisation of movements within the Moorabbin Activity Centre. There has been little progress on the Westall Bypass, with no commitment from the Victorian Government yet, despite several other arterial road extensions and upgrades being announced elsewhere.	20%	50%	 on track
1.3.2.6 Engage with relevant state authorities and other councils with the concept development of a suburban rail loop	Council adopted the final Suburban Rail Loop Advocacy document on the 24 August, 2020. Advocacy work to state authorities is being undertaken.	50%	72%	 on track
1.3.3.9 Continue to work with the LXRA in creating land access, lease or maintenance agreements for assets on State Government land that Council will own and/or maintain	Ongoing discussions have been held with the Level Crossing Removal Authority (LXRA) as follows: 1. LXRA is proposing a multi-storey carpark at Cheltenham Rail station which will require a small section of Council's adjoining land. Discussions are on-going, with Council proposing a ground lease to LXRA. 2. Station St Aspendale to Carrum - Council is granting a lease to VicTrack for underground cabling supporting the rail corridor works. 3. Nepean Highway, Carrum - LXRA transferring land to Council to be used as public open space, complemented with a cafe.	50%	60%	 on track

ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
1.3.3.10 Acquire the land 2-8 Balcombe Rd Mentone from VicRoads to develop open space	<p>Council's solicitor was advised by the Victorian Government Solicitor's Office (VGSO) that a revised vendor's statement and contract from VicRoads would be provided.</p> <p>However, the revised vendor's statement was not received, and Council's solicitor is following up with the VGSO.</p>	100%	20%	 off track

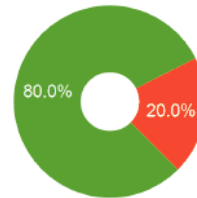
2 Our sustainable green environment with accessible open spaces



Expenditure



Actions



Performance Indicators

● BUDGET SPENT
 ● BUDGET REMAINING
 ● COMPLETE
 ● ON TRACK
 ● MONITOR
 ● OFF TRACK

Annual Service Highlights *previous financial year*

81,000

Street and park trees maintained by Kingston

21%

Percentage of recycled water used across all parks and reserves

367

Parks and reserves maintained

32,468 T

Kerbside collection waste diverted from landfill annually

13 km

Foreshore maintained

709 T

Beach litter collected

Our Services



HOME

- Waste collection



LIFESTYLE

- Sports & recreation






ENVIRONMENT


- Foreshore management & maintenance
- Maintaining parks, sports grounds & streetscapes
- Parks & sports ground master plan projects
- Stormwater management
- Sustainable environmental management

Our sustainable green environment with accessible open spaces

2.1. Environmental resilience and sustainability



INDICATOR	COMMENT	FULL YEAR TARGET	TARGET	RESULT	STATUS
Missed bins - domestic (garbage, recycling & green waste) YTD	The number of missed bins increased during the Christmas public holiday period as more residents forgot to present them. Missed bins are usually collected on the day of reporting.	4,200.00	2,100.00	3,414.00	<div><div></div></div> off track
Kerbside collection waste diverted from landfill	The diversion of waste from landfill has increased by 8% since the introduction of the food recycling service. This corresponds with an increase in the tonnage of green waste materials. Co-mingled recycling tonnages are consistent.	50.00%	50.00%	58.09%	<div><div></div></div> on track
ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS	
2.1.1.5 Promote education programs such as community sustainability workshops, schools' sustainability leadership program and Big Green School festivals	<p>Due to the COVID-19 pandemic, all community workshops and events have been transitioned to an on-line platform.</p> <p>Workshops held this quarter included: Attracting birds to your yard, The ultimate wardrobe declutter (Garage Sale Trail tutorial), The art of second hand styling (Garage Sale Trail tutorial), Your garden, our future, and Waste wise Christmas.</p> <p>School and Community eNewsletters continue to get good readership rates.</p>	50%	50%	<div><div></div></div> on track	
2.1.1.11 Work with partner councils, as per the Memorandum of Understanding, in delivery of the Elster Creek Catchment Flood Management plan 2019 - 2024	<p>Council endorsed the 2019 - 2024 Elster Creek Flood Management Plan on 26 August 2019 and the Memorandum of Understanding was signed by Kingston's CEO in early May 2020.</p> <p>Kingston has responsibility for one action which was delayed due to COVID-19, so is now approximately two months behind schedule.</p> <p>The Community Engagement aspect of the Plan has been delayed, with a close out meeting with the original Community Reference Group scheduled for end of February. The Terms of Reference for the replacement Community Advisory Panel was delayed, but has now been released.</p>	50%	37%	<div><div></div></div> monitor	

ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
2.1.2.1 Review Kingston's Integrated Water Cycle Strategy stormwater treatment and reuse targets and consider opportunities for Council and the community to use water in a smarter way	<p>The Department of Environment Land Water and Planning is leading the development of a Dandenong Catchment Integrated Water Management Plan which is likely to provide valuable data and information to inform Kingston's integrated water management planning.</p> <p>Consequently, Kingston is taking the timing of the Dandenong Catchment Plan development into account in the planning process for Kingston's Integrated Water Cycle Strategy review.</p> <p>Officers have undertaken several background reviews of existing infrastructure and processes to inform the review.</p> <p>A Council Officer is representing local government on the Assessing City-wide Alternative Water Network (ACAWN) opportunities for Greater Melbourne.</p> <p>A package of integrated water projects across the South East has been submitted to Infrastructure Australia for inclusion in their Priority Projects list. A number of projects which would support reliable and secure water supply for Kingston were included.</p>	50%	37%	 monitor
2.1.2.3 Plan and build Kingston's water quality and reuse master plan using developer contributions to harvest stormwater to irrigate sports fields	<p>Approximately \$1.3 million is available from the developer in-lieu contribution fund to implement Council's storm water treatment and reuse projects. The objective for this financial year is to undertake further investigation work to identify which reserves will be recommended to advance to the detailed design stage.</p> <p>The top seven locations have been ranked via a weighted criteria matrix. Confirmation of the top 3 proceeding to detailed design is dependent on:</p> <p>(i) Whether the Victorian Government proceeds with plans to construct an alternative recycled pipeline system from the Eastern Sewerage Treatment Plant. This will influence Chadwick Reserve and Bon Beach Sports Reserve.</p> <p>(ii) An application to Melbourne Water during February 2021 seeking funding to trial a new product at Keeley Park. This will influence the viability of the harvesting solution at Moorabbin reserve and Bricker Reserve.</p>	30%	23%	 monitor
2.1.3.1 Improve the economic recovery of waste and reduce reliance on landfill for waste generated by Council.	<p>Officers have been engaged in the provision of a new, collaborative landfill services contract with the Metropolitan Waste and Resource Recovery Group. This will be presented to Council at the February 2021 Council meeting. This new contract is designed to provide a cost effective waste disposal service until the Advanced Waste Processing contract is operational in 2025.</p>	50%	50%	 on track






ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
2.1.3.2 Develop strategies to ensure that Council's waste management practices are responsive to the changing ways in which people live and work within the municipality	<p>The public litter bin contractor has increased the collection frequencies of bins in larger parks and reserves throughout Kingston to ensure that amenity standards are maintained as residents remain closer to home during COVID-19 restrictions.</p> <p>The public litter bin contract has been prepared and will be advertised in early 2021. This new contract will place greater accountability on the contractor to provide real time evidence that bins have been serviced as per the nominated collection frequency.</p>	50%	50%	 on track

2.2. Greening Kingston and place making

INDICATOR	COMMENT	FULL YEAR TARGET	TARGET	RESULT	STATUS
Urban forest is safer because of programmed Tree Maintenance Services	The program to maintain Council's urban forest is back on track following significant work by the Parks Contract management officers and the contractor. The performance and timeliness of the tree maintenance will continue to be monitored.	90.00%	90.00%	91.27%	<div><div></div></div> on track
ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS	
2.2.1.1 Work with landowners in the Green Wedge to encourage alternate land use activities where uses are incompatible with the Green Wedge Plan	<p>Continued compliance auditing is being undertaken to provide up to date information on activities within the Green Wedge and respond where necessary.</p> <p>Because of Council's approach in proactively inspecting Green Wedge sites and initiating action where necessary, several instances of illegal use have been identified and addressed during the year - either by issuing an official warning notice or assisting to apply for a permit for an approved use.</p> <p>A report was presented to Council on 21 September 2020, outlining Council's recent work in exploring compliance issues in the Kingston Green Wedge.</p>	50%	51%	<div><div></div></div> on track	
2.2.1.2 Identify opportunities to expedite the Chain of Parks Project by delivering a range of passive and active recreational activities in the Green Wedge	<p>In 2019, the Victorian Government committed funding to the implementation of the Chain of Parks, with the Chain of Parks Trail plans adopted by Council in March 2020. Council continues advocating to the Victorian Government for the purchase of old landfill sites within the public acquisition overlay for the development of the Chain of Parks. Council has written to the Minister for the Environment to encourage the purchase of the Henry Street landfill site now that rehabilitation works have been completed.</p> <p>Work on Elder Street South Reserve is continuing. Grass germination has been slower than expected and wet weather has not allowed the Monterey Cypress Pines to be removed. We will need to monitor the site regarding a possible opening in March.</p>	50%	40%	<div><div></div></div> on track	
2.2.1.4 Complete the transition from landfill and work with land owners on future land uses in the Green Wedge	Council continues to work with land occupiers on the transition of landfill land to parkland (e.g. Victory Road landfill) and delivery of the Chain of Parks trail.	50%	50%	<div><div></div></div> on track	
2.2.1.7 Engage Planisphere to review the existing Green Wedge Plan in line with Ministerial Direction to review after five years, rename to Green Wedge Management Plan and undertake a community consultation process	A draft of the Green Wedge Management Plan Review prepared by Ethos Urban was presented to Councillors on 7 September 2020. In accordance with feedback received from Councillors during this briefing, a further update and final draft of the report will be provided to Council in early 2021.	50%	70%	<div><div></div></div> on track	


ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
2.2.1.12 Develop a Kingston Agricultural Study that protects a land owner's right to farm by managing the placement and compatibility of other green wedge uses	A draft of the Agricultural Strengthening and Preservation Strategy prepared by RMCG was presented to Councillors on 7 September 2020. In accordance with feedback received from Councillors during this briefing, a further update and final draft of the report will be provided to Council in early 2021, along with an updated draft of the Kingston Green Wedge Management Plan Review.	50%	70%	 on track
2.2.3.5 Complete the remediation of Heatherton Park	Environmental capping works are complete, with vegetation currently being established. Additional landscaping for stage one is complete with grass cover currently being established. Further site contouring has been approved in the southern area to improve the park and is now dependent on weather to proceed. Shaping works are recommencing (ground conditions permitting) to enable the remainder of the park to reopen.	50%	75%	 on track
2.2.4.2 Advocate for green rail and road corridors within Kingston	Council Officers have continued meeting with Level Crossing Removal Project (LXRP) to ensure consistency and compliance to agreed landscape standards along the Frankston line, with a focus on Carrum. Maintenance hand-over to Council has been delayed by LXRP while clarifying responsibilities. Work is still progressing on the Nepean Hwy Planting Plan and the maintenance of vegetation in the Wells Road corridor has been ongoing.	50%	40%	 on track
2.2.4.3 Increase the tree planting program across Kingston including street trees, trees in parks and reserves, and green corridors	Tree planting recommenced following three months delay as a result of the Stage 4 COVID-19 lockdown. The Parks team and the tree planting contractor have been actively planting in order to catch up on the backlog of planting requests. The wet weather over the last two months has helped tree planting activities and minimised the need for additional tree watering to assist in planting establishment. The Street Tree Planting Plan is now finalised. The key data will assist with planning for planting priority sites, from autumn onwards.	50%	50%	 on track
2.2.4.4 Advocate to Parks Victoria for Patterson River beautification works	This action was closed in October 2019. This is because negotiations to undertake beautification works along Patterson River will take place as part of a broader Living Links project.		closed	 on track
2.2.4.5 Prepare a draft plan for community consultation that is supported by Vic Roads and Vic Track that outlines maintaining and enhancing existing plantings along Nepean Hwy	A draft plan has been developed. It will be presented to Council for consideration, prior to release for community consultation.	75%	73%	 on track

2.3. Activating and protecting the foreshore through strategic partnerships

ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
2.3.1.1 Progressively implement the Coastal Management Plan 2014 to protect the foreshore and waters of Port Phillip Bay	<p>This action was completed in August 2020.</p> <p>The Coastal Management Plan 2014 has reached the end of its lifespan. Highlights of the plan included the completion of new boardwalks over several coastal drains, a year-round dog off-leash area at Mentone Beach foreshore, and improvements to several beach drains.</p> <p>A new 5-year Coastal and Marine Management Plan will be developed over the next 12-18 months.</p>	100%	100%	 complete
2.3.1.2 Commence the redevelopment of the Mentone Life Saving Club and Foreshore Precinct	<p>The project is on schedule, with Planning Permit application and Department of Environment, Land Water and Planning application submitted. We are aiming for April 2021 commencement on site.</p>	25%	25%	 on track
2.3.1.7 Redevelop the Parkdale Yacht Club	<p>Following agreement by Council to award a contract for the reconstruction of the Parkdale Yacht Club in early 2020, the principal contractor has commenced on site and demolished the former building.</p> <p>Construction work has continued during the COVID-19 restrictions, but the work program has been heavily impacted due to these restrictions. The facility was originally due to be completed in October 2020, but is now likely to be completed by March 2021.</p>	90%	75%	 on track
2.3.1.8 Commence refurbishment of the Chelsea Yacht Club	<p>Following Council endorsement of the works scope in late 2019/20, officers have worked closely with stakeholders to prepare and submit a Department of Environment, Land, Water and Planning Coastal Consent application and to prepare detailed design work.</p> <p>This has progressed on schedule and tenders were sought in December 2020, in order to enable a commencement on site in April 2021, as per the agreed program with stakeholders.</p>	20%	30%	 on track
2.3.2.1 Investigate and prioritise the removal of stormwater drains on the foreshore to be considered within the Coastal Management Plan list of actions	<p>The objective for this year will be to complete the feasibility assessment and prepare designs for the next highest priority locations to remove pipes along the foreshore, particularly south of Mordialloc Creek.</p> <p>Officers have established a Foreshore Committee, with community representatives, to gather feedback during 2021 on previous stormwater projects constructed along the foreshore. This will be used to inform actions for the next draft of the Coastal Management Plan.</p> <p>A concept plan has been prepared for installing a stormwater treatment swale opposite Wilson Avenue in Aspendale. Progress will depend on the feedback to be sought during February 2021 to confirm support for proceeding with construction at this location.</p>	30%	23%	 monitor


ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
2.3.2.5 Establish a social and cultural path on Beach Road, that recognises and celebrates local history, indigenous community, arts as well as social causes championed by Kingston and its community.	<p>The Bay Trail Public Art Project is currently on track with Council endorsing Deb McNaughton's 'Rainbow Sculpture' artwork concept at its September meeting.</p> <p>Council officers are now working with the artist to develop and deliver the artwork in line with the official Bay Trail launch in early 2021.</p>	50%	50%	 on track







2.4. Review and implement the Open Space Strategy to ensure high quality and increased capacity of the open space network






INDICATOR	COMMENT	FULL YEAR TARGET	TARGET	RESULT	STATUS
Standard of park presentation	The maintenance of the parks and open space areas is at an acceptable standard, however further improvement is required to address weed growth and the finish of some sites. The provision of a Working For Victoria team has assisted in presentation of parks and reserves.	90.00%	90.00%	93.04%	 on track




ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
2.4.2.5 Reduce the use of glyphosate as a weed killer in Kingston	<p>Council staff no longer use glyphosate. A social enterprise has been engaged to undertake hand weeding of playgrounds.</p> <p>Council's tree planting and traffic treatment and natural resource area contractors have replaced glyphosate and Melbourne Water is trialling the use of steam for weeding near waterways.</p> <p>The Open Space Mowing contract has been renewed with alternate weed management control measures included.</p> <p>Integrated weed management approaches are being explored by Kingston to determine the best methods to control weeds effectively, including a trial with Deakin University to gain expert advice.</p>	100%	99%	 on track

2.5. Provide for a variety of sport and recreation opportunities across Kingston through the Sport and Leisure Strategy

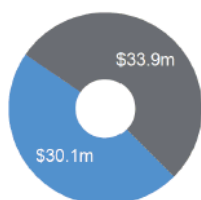
INDICATOR	COMMENT	FULL YEAR TARGET	TARGET	RESULT	STATUS
Number of times sports grounds are closed outside of scheduled maintenance	There were no occasions where sports grounds were forced to close.	8.00	4.00	0.00	 on track

ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
2.5.1.2 Continue to invest to increase the capacity of existing sports fields	<p>New sports fields, comprising two ovals (AFL/cricket) and four soccer pitches at the Aspendale Gardens Sports Ground and a new oval (AFL/cricket) at Chadwick Reserve, Dingley and Aspendale Sports Grounds have been delivered to local communities.</p> <p>Development of the Bonbeach Sport Reserve Master Plan has commenced, following the appointment of consultants. A key focus of this plan will be to improve the condition of Oval No. 5.</p>	50%	50%	 on track
2.5.1.5 Undertake a feasibility study and concepts for a high ball stadium development in Kingston and make provision for implementation in the long term financial plan	A site assessment was presented to Councillors in July 2020, considering both stadium (in the south) and aquatic facilities. Next steps with the planning for stadium facilities will be influenced by Council's planning for aquatic facilities, which is due for consideration in early 2021.	50%	50%	 on track
2.5.1.8 Undertake a review of all indoor sports court provision throughout Kingston to ensure they meet the current and future needs of residents	A site assessment was presented to Councillors in July 2020, considering both stadium (in the south) and aquatic facilities. Next steps with the planning for stadium facilities will be influenced by Council's planning for aquatic facilities, which is due for consideration in early 2021.	50%	50%	 on track
2.5.1.12 Redevelop Kerr Reserve Pavilion and sports field	<p>With the completion of the sports field, car park and landscaping works (Stage 1), Council will now focus efforts on the development of the new pavilion (Stage 2), with the tender approved for construction in the December 2020 Council meeting.</p> <p>As a modular construction methodology is recommended for the site, the pavilion will be constructed off site and transported and installed mid to late 2021.</p>	50%	50%	 on track
2.5.1.22 Renew Dolamore Athletic Track	Works for the renewal of the athletics track have been tendered and will be presented to Council in January 2021. Works are scheduled to commence in March through to November 2021 and Council continues to consult with the athletics clubs to support them through construction.	50%	50%	 on track
2.5.1.23 Redevelop the Chadwick Reserve – Dingley Sports Pavilion	Council's endorsed design concept has been tendered and is scheduled for presentation to Council in January 2021. Works are planned to commence in March 2021. Works will occur across 2020/21 and 2021/22.	50%	50%	 on track

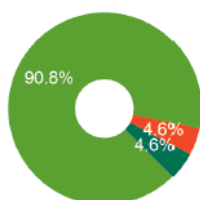
ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
2.5.2.3 Look for opportunities to increase passive recreation through all Master plans	<p>Works have commenced with the implementation of the Ben Kavanagh Master Plan, including the development of pathways, pentanque and fitness equipment, and are scheduled for completion in mid 2021.</p> <p>A new path network has been provided at Chadwick Reserve, Dingley. Renewal of pathways and a half-court basketball court have been completed as part of the Aspendale Gardens Sports Ground development.</p>	50%	50%	 on track
2.5.3.5 Develop the Le Page Reserve Masterplan	<p>Consultation activities have been extended to enable further strategic discussions with the tennis and netball clubs to continue in early 2021.</p>	50%	10%	 off track
2.5.3.6 Work with local sporting clubs and residents to plan and deliver facility improvements at Regents Park	<p>Playground works, memorial garden relocation, oval fencing and the new storage shed are all complete.</p> <p>Planning processes for the sports pavilion development and tennis court upgrade have commenced, including ongoing discussion with the User Reference Group.</p>	5%	25%	 on track
2.5.3.7 Continue to implement the Playground Strategy and ensure trees in playgrounds are considered for shade in all playground designs and master plans	<p>All four playgrounds to be constructed this financial year have been designed with trees for shade, in line with Council's Playground Strategy for neighbourhood-level playgrounds.</p> <p>Four playgrounds are in the procurement phase and will be constructed after the tenders are evaluated:</p> <ol style="list-style-type: none"> 1. Warraweena Road Reserve, Clayton South 2. Duggan Street Reserve, Mordialloc 3. Amaroo Drive Reserve, Chelsea Heights 4. Williams Close Reserve, Dingley Village <p>A further four playgrounds are being designed for construction next year and these will also have trees for shade. Concept designs for the four playgrounds below will be sent out for community consultation shortly:</p> <ol style="list-style-type: none"> 1. Carinya Ave Reserve, Aspendale 2. Mavis Hutter Reserve, Oakleigh South 3. The Heath Common, Heatherton 4. Kearney Drive Reserve, Aspendale Gardens 	50%	50%	 on track
2.5.3.12 Implement the Moorabbin Reserve master plan	<p>Completed works include: the bowling club car park, concrete path network with public lighting, basketball half court, shelter/BBQ area and ping pong table, installation of drinking fountains and gravel paths and a new exercise and community space.</p> <p>Following community consultation on the fence near Doonga Ave, Council approved a permanent timber post fence with black wire mesh inserts at the March 2020 Council meeting. The approved fence along Doonga Ave is completed.</p> <p>The remaining section (approximately 30 metres) that joins the St Kilda Football Club grandstand will be completed when the club is operational again after the COVID-19 pandemic.</p>	50%	90%	 on track

ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
2.5.3.22 Deliver the GR Bricker Reserve (West) Master Plan	<p>A Stakeholder User Group, to support the delivery of the GR Bricker Master Plan, has been established. The Group will provide input on the co-ordination of 2020/21 works, including storage shed, pavilion planning (concept), car park design and landscape improvements.</p> <p>A project vision and principles have been developed, with architects appointed to provide concept plans for the site in early 2021.</p>	50%	50%	 on track
2.5.3.23 Redevelop the Dales Park Pavilion	Despite some delays during construction, as a result of COVID-19 restrictions, the project remains on track for completion by the end of this financial year.	50%	60%	 on track
2.5.3.24 Redevelop the Roy Dore Reserve Pavilion	Despite some delays during construction, as a result of COVID-19 restrictions, the project remains on track for completion by April 2021.	75%	75%	 on track

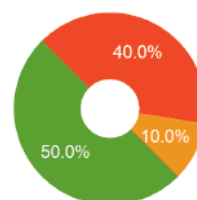
3 Our connected, inclusive, healthy and learning community



Expenditure



Actions



Performance Indicators

● BUDGET SPENT
 ● BUDGET REMAINING
 ● COMPLETE
 ● ON TRACK
 ● MONITOR
 ● OFF TRACK

Annual Service Highlights *previous financial year*

1,706

Yearly enrolments in Learn to Swim program

408

Number of community groups supported by Social Development team

710,586

Library loans

12,099

Immunisations administered

168,474

Community care hours delivered to people who are older and/or have a disability

700

Children attending family and children's centres each week on average

Our Services



HOME

- Home maintenance for the elderly & people with disabilities



LIFESTYLE

- Community centres
- Early years childcare & education
- Grants
- Libraries
- School aged childcare programs



HEALTH

- Community development & social planning
- Domestic, personal & respite care for the elderly & people with disabilities
- Maternal & child health & immunisation
- Leisure & aquatic centres
- Volunteering & delivered meals
- Youth services & family support

Our connected, inclusive, healthy and learning community




3.1. Respond to our community's social needs


INDICATOR	COMMENT	FULL YEAR TARGET	TARGET	RESULT	STATUS
Number of community transport passenger trips	Community transport has been impacted by the COVID-19 pandemic, as older people are staying at home.	24,000.00	12,000.00	3,560.00	<div><div></div></div> off track
People presenting, as new, to the Community Connection Program as homeless or at risk of homelessness	Fewer people presented to the program, as many homeless people are being put up in hotels due to the COVID-19 pandemic.	100.00	50.00	23.00	<div><div></div></div> on track
ACTION	PROGRESS		TARGET	PERCENT COMPLETE	STATUS
3.1.1.1 Implement the Municipal Public Health and Wellbeing Plan to provide strategic overview for the implementation action plans and strategies that contribute to making Kingston's population healthy and well	<p>Continued planning for the update of the Municipal Public Health and Wellbeing Plan and all Social Development team action plans.</p> <p>The Health and Wellbeing Survey was completed with 500 residents in November. Data analysis for the health profile and planning for participation in the deliberative engagement panel with the Council Plan are underway.</p> <p>We anticipate a draft Municipal Public Health and Wellbeing Plan will be presented to Council in September 2021.</p>		50%	50%	<div><div></div></div> on track
3.1.1.2 Update Council's social strategies when due for renewal	<p>This action was closed in July 2019.</p> <p>It is now incorporated in the action 'Implementation of the Council's Municipal Public Health and Wellbeing Plan to provide strategic overview for the implementation action plans and strategies that contribute to making Kingston's population healthy and well'.</p>			closed	<div><div></div></div> on track
3.1.2.2 Utilise opportunities to reduce the density of poker machines in the municipality	<p>This action was closed in July 2019.</p> <p>It is now incorporated under the Gambling Policy and Action Plan 2014-2019. Social impact assessments will be undertaken as required to assess gaming machine applications in future.</p>			closed	<div><div></div></div> on track
3.1.2.3 Support Council teams with the implementation of the Child Safe Standards and facilitate the 1-4-year-old reporting frameworks	<p>The recruitment for the new Child Safe Coordinator role has been completed and the staff member will commence on 4 January 2021.</p> <p>Undertaking the actions in the Audit Report will be a high priority for this role.</p>		50%	52%	<div><div></div></div> on track
3.1.2.8 Implement the Kingston Prevention of Family Violence Action Plan	<p>The Raise It! training program for staff has been completed. A staff Family Violence survey was conducted, results have been collated and a report has been prepared. The Family Violence working group had its final meeting for 2020 in November.</p>		50%	50%	<div><div></div></div> on track

3.2. Provide equitable access to services and facilities for all community members, irrespective of background and ability



INDICATOR	COMMENT	FULL YEAR TARGET	TARGET	RESULT	STATUS
Social Development - Officer hours of direct engagement with community groups	The hours reflect the work with the community to re-design programs for 2021 to accommodate remote contingencies, and the organising of individual Centenarian celebrations instead of a single luncheon.	2,500.00	1,252.00	1,588.00	<div><div></div></div> on track
ACTION	PROGRESS		TARGET	PERCENT COMPLETE	STATUS
3.2.2.6 Build public, accessible 'Changing Places' and toilets for people with disabilities at strategic locations and deliver upgrades to existing public toilets	A planning permit for the new Changing Places facility within the Peter Scullin Reserve was awarded in November 2020. Tender documents are now being prepared and it is hoped that the project will commence in April/May 2021.		20%	30%	<div><div></div></div> on track
3.2.2.8 Undertake priority works on access to buildings and bathrooms required at Scout and Guide Halls	<p>Currently there are 3 scopes of works being undertaken at facilities to achieve compliance with the Disability Discrimination Act (DDA) for access to buildings and bathrooms.</p> <p>Cheltenham North and Dingley scout halls - Tenders have been awarded and work commenced on site in quarter one but had to be delayed due to COVID-19 restrictions. Work has now recommenced from the end of November.</p> <p>Mentone and Aspendale scout halls - Contracts were awarded and work commenced on site in quarter two, once COVID-19 restrictions allowed.</p> <p>Aspendale scouts and scout facilities at Regents Park - Will be tendered in early quarter three, following stakeholder sign off in late 2020.</p>		40%	50%	<div><div></div></div> on track
3.2.3.3 Support vibrant, well utilised community centres in appropriate locations	<p>Due to COVID-19 the Kingston-managed community centres have been physically closed. Staff have kept in contact with individuals and groups by contacting them regularly via telephone, email or Zoom meetings, and offering information and support.</p> <p>Staff have also provided ongoing support and advocacy to managers and Boards of Council-funded community centres in response to the changing needs and issues during the COVID-19 restrictions.</p> <p>In September 2020, Council resolved that the Patterson Lakes Community Centre, previously externally managed, should be managed by Kingston. This will increase Council's presence and delivery of services in the south of Kingston.</p>		50%	50%	<div><div></div></div> on track
3.2.3.9 Transition Youth Services to the former Mordialloc Masonic Hall, with revised services aligned to venue opportunities	<p>This action was completed in September 2020.</p> <p>Following an extensive design and construction process over the past two years, construction of the new facility is completed with furniture and fittings installed.</p> <p>The Youth Services Team moved into the building in September 2020. Once COVID-19 restrictions are lifted and full services resume, young people will have access to an exciting, purpose-built space for support programs and services.</p>		100%	100%	<div><div></div></div> complete




3.3. Enhance the wellbeing and participation of families and children

INDICATOR	COMMENT	FULL YEAR TARGET	TARGET	RESULT	STATUS
Volunteer hours provided in community programs - Youth and Family Services	Two volunteer committees met briefly in December. All other committees had social events to celebrate the end of year in December but did not formally meet.	1,080.00	540.00	550.00	 on track
Participation in the MCH service	There has been staff leave that could not be replaced under COVID-19 restrictions. Casual staff were restricted from working across different LGAs.	82.00%	45.00%	41.92%	 monitor
Council's child care centres utilisation rate (excluding sessional kinder)	Actual attendances are now sitting at 95% for December. It is predicted that utilisation is likely to be impacted in January by the current COVID-19 tracing within Kingston and particularly around the Parkdale area. Multiple families have indicated that they will be postponing their children starting care until there is more stability within the community.	93.20%	93.20%	95.67%	 on track


ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
3.3.2.2 Provide an accessible immunisation service targeting children and families	<p>The immunisation team have worked diligently with our schools and have accomplished great results with most of the school program delivered on time under difficult COVID-19 conditions. The schools worked with us to access their students under the home schooling conditions of stage 4 and 3 lockdowns and kept everyone safe. Routine immunisation is an essential service under a pandemic.</p> <p>Our infant program also experienced increased numbers as local GP clinics turned their attention to the pandemic and telehealth.</p> <p>We have moved permanently to an appointment-only service to ensure ongoing safety of staff and clients.</p>	50%	50%	 on track


3.4. Promote an active, healthy and involved community life

INDICATOR	COMMENT	FULL YEAR TARGET	TARGET	RESULT	STATUS
Attendance at Council-run festivals and civic events including citizenship	Due to COVID-19, Carols was cancelled in favour of smaller activations in our shopping strips. Tinsel Trail was estimated to have just under 2,000 people in attendance across the 10 centres.	45,000.00	12,500.00	2,064.00	 off track
Leisure Centre - General Attendances	Attendances increasing as restrictions ease on facility use	37,256.00	45,929.00	32,101.00	 off track






ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
3.4.1.3 Implement Award Scheme revisions including the ongoing presentation of the Kingston Woman of the Year Award	Kingston received 24 nominations for the Kingston Woman of the Year Award. A report has been prepared for Council approval at the January Council meeting. The awards ceremony will be held in March.	50%	75%	 on track
3.4.2.7 Refurbish the Scout Hall for the 5th Mordialloc Sea Scouts	Detailed design was completed and tenders sought during quarter two. The tenders are currently being evaluated by officers. The project remains on schedule to commence in quarter four, 2020/21.	20%	40%	 on track
3.4.4.3 Develop a Reconciliation Action Plan	<p>A call for members for the Internal Reconciliation Action Plan (RAP) Working Group has been distributed to targeted roles within the organisation.</p> <p>The external RAP Advisory Group membership is being finalised in preparation for the community consultation planned for the first quarter of 2021.</p> <p>A working draft of the RAP has been completed.</p>	25%	30%	 on track


3.5. Support learning and development

INDICATOR	COMMENT	FULL YEAR TARGET	TARGET	RESULT	STATUS
Heritage - Responses to historical enquiries	The result was affected by the COVID-19 restrictions. The City Historian continues to respond to historical enquiries from the public.	540.00	270.00	186.00	 off track

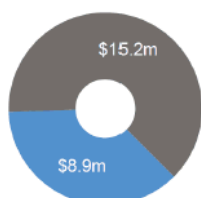
Parents and children attending story times	Virtual story times and live streaming of story times have been popular during the COVID-19 pandemic.	20,400.00	10,200.00	10,345.00	 on track
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ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
3.5.1.2 Implement a new library management system and library website to further enhance customer service	<p>The library management system upgrade is complete and regular updates occur with software upgrades.</p> <p>Development of the new website is in progress with skins designed and a launch date to the public has been extended to June/July 2021.</p> <p>The mobile app continues to be adopted by customers, providing another choice on how people can interact with Kingston's libraries and their resources.</p>	50%	99%	 on track
3.5.1.3 Support increased community literacy, including digital literacy	<p>The digital literacy for seniors and vulnerable members of the community project has been completed. Further funding is being sourced to continue the program in 2021.</p> <p>A review of core programs across Kingston Libraries' nine branches is continuing. Innovative and online programs have been implemented during the COVID-19 pandemic, including virtual book clubs, virtual film clubs and online school holiday programs.</p> <p>The internal staff structure is being reviewed, with recruitment and training for digital literacy skills to commence in 2020/21.</p> <p>The use of online services and collections has grown due to the COVID-19 pandemic and library closures over Oct-Dec 2020.</p>	50%	80%	 on track
3.5.1.4 Provide integrated library and community services for the new Westall Community Hub	<p>Many partnerships have been established with the Westall Community Centre tenants and the Library. These partnerships have provided the Westall community with access to services, connections and life-long learning.</p> <p>Before the COVID-19 pandemic, plans for further partnerships and opportunities were being explored through Westall Service Partners' meetings.</p>	50%	87%	 on track

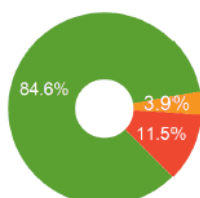
ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
3.5.1.5 Ensure further multi purposing of libraries and community centres as community learning spaces	<p>The new Library Strategy highlights the future vision for the multi-purposing of libraries and community centres to ensure that the Kingston community continues to benefit from the resulting connections, life-long learning and enjoyable spaces.</p> <p>A broad range of community programs continue to be delivered in Kingston's libraries and community centres. A review of the programs and community learning spaces is being undertaken but has been delayed by a staff vacancy and the COVID-19 pandemic.</p> <p>Building Hubs and Partnership opened the Patterson Lakes Community Centre to the public again in December 2020.</p>	50%	70%	 on track
3.5.1.10 Replace the Library website with enhanced functionality	The website design has been presented to the working group. Testing will occur in January 2021, with the launch in June/July 2021.	50%	94%	 on track
3.5.1.11 Engage with selected early childcare education and care providers within Kingston to provide support for an improved performance in the national quality assessments	A briefing document has been drafted to articulate the aims and objectives of the proposed 'Early and Middle Years Communities of Practice'. It is anticipated that the 'Early and Middle Years Communities of Practice' will commence in 2021 and will include two networking events and two professional development opportunities. Depending on COVID-19 restrictions, these events will be delivered online or face to face.	50%	50%	 on track
3.5.1.12 Enhance library resources and facilities (through Library Service Stock Purchasing and amenity improvements)	<p>Reviews were undertaken from July to September 2020 on the current buying profile of the collection. The new selection process focuses on purchasing a stronger browsing collection, with more high-demand titles.</p> <p>Regular reporting has been implemented on usage, reader requests and purchases of items. RFID and improved supplier relations have seen the collection growth matching customer needs in Kingston.</p> <p>Additional online resources have been purchased, above the planned annual buy, to meet the online demand occurring due to COVID-19 and community members accessing the collection online from home.</p>	50%	79%	 on track
3.5.2.4 Consider the restoration of the Heritage Nylex Sign on the Nepean Highway	Following meetings with senior Bunnings representatives, we received correspondence confirming that Bunnings is willing to work with Council and the community to facilitate the restoration of the Nylex sign. These conversations have not been further advanced during the COVID-19 period but are likely to recommence in early 2021.	50%	25%	 off track

ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
3.5.2.5 Develop a business case to advocate with State Government for the Cheltenham Court House to be used by Kingston Council for potential community uses	<p>Discussions have been undertaken with Cheltenham Police about how the facility is currently being used and potential community use investigated.</p> <p>Cheltenham Court House is currently being used by the Department of Justice and, if opportunities arise in the future, Council will advocate for its potential use by the community as a historical site.</p> <p>Currently on hold due to the COVID-19 lockdown.</p>	50%	40%	 on track

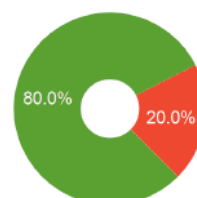
4 Our free-moving safe, prosperous and dynamic city



Expenditure



Actions



Performance Indicators

● BUDGET SPENT
 ● BUDGET REMAINING
 ● COMPLETE
 ● ON TRACK
 ● MONITOR
 ● OFF TRACK

Annual Service Highlights *previous financial year*

82

School crossings

21,907

Pets registered in Kingston

17,993

Parking infringements issued annually by parking services team

204

Food samples taken annually

17,005

Businesses in Kingston

16,319

Annual hours of use of City of Kingston arts and cultural venues

Our Services



HOME

- Community local law enforcement



LIFESTYLE

- Animal management
- Arts & cultural services
- Economic development & business support
- Festivals & events
- Urban activity centre development



HEALTH

- Food safety regulation & health monitoring services








TRAVEL




- Community transport for the elderly & people with disabilities
- Street lighting maintenance
- Parking enforcement & prosecutions
- Parking management
- Road safety
- Traffic engineering
- Transport planning

Our free-moving safe, prosperous and dynamic city

4.1. Vibrant shopping centres and employment precincts

INDICATOR	COMMENT	FULL YEAR TARGET	TARGET	RESULT	STATUS
Footpath Trading applications processed within 15 days	79 applications were received for the quarter, with 72 processed within 15 days.	90.00%	90.00%	91.00%	 on track



ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
4.1.1.4 Develop and implement a capital and renewal program to improve the amenity of activity/retail centres	<p>Officers have reviewed and provided feedback on the detailed design of the Chelsea Pedestrian Bridge.</p> <p>The expanded open space at the Mentone Station Gardens is now open to the public. Works are underway for the open space at 25-247 Charman Road, Cheltenham.</p> <p>The open space pocket park and connection at Horscroft Place is currently out for community consultation.</p>	50%	75%	 on track
4.1.2.3 Continue the implementation of the Moorabbin Junction Urban Renewal Strategy	<p>The Horscroft Place Pocket Park concept plan is currently out for community consultation.</p> <p>Works at private development sites at 414 South Road, 17 Taylor Street, Woolworths (renewal), and 1001 Nepean Highway are underway.</p> <p>An outdoor dining parklet is in operation at the front of 2 and 2A Station Street, Moorabbin.</p>	50%	75%	 on track
4.1.2.5 Work with the Level Crossing Removal Authority to ensure that the works in Bonbeach, Edithvale and Carrum provide opportunities to further enhance the existing retail centres	<p>Officers have provided feedback on design plans for the Level Crossing Removal Project (LXRP) works in these centres.</p> <p>LXRP and Southern Program Alliance have advised that works outside the rail corridor and pedestrian crossings are out of scope and will not be included in their works.</p>	50%	75%	 on track
4.1.2.9 Advocate to the State Government for the inclusion of the following projects as part of the Carrum Revitalisation project: additional storage facilities for Carrum Lifesaving Club (\$150,000); further contribution to Carrum Sailing and Motor Boat Club (\$350,000) to cover the shortfall in their upcoming facility redevelopment and project management costs; others as required	<p>To date, the Victorian Government has pledged \$1.5 million to expand the Carrum Lifesaving Club. Officers are working with the Lifesaving Club to finalise the design of the facility. No further commitments have been made.</p> <p>The foreshore reserve is now open to the public.</p>	100%	75%	 monitor

ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
4.1.2.10 Consider how to improve the viability and street scape of the shopping strips of Chelsea (Nepean Highway) and Edithvale (Nepean Highway)	<p>The mural within The Strand in Chelsea is now complete.</p> <p>Officers have provided feedback on Level Crossing Removal Project design plans for Edithvale, Chelsea and Bonbeach, and have advocated for public realm improvements including the Chelsea Pedestrian Bridge connection. Improvements will be largely confined to within the rail corridor.</p> <p>The draft Structure Plan will consider and address issues relating to streetscape design and functionality as well as opportunities to enhance the public realm.</p>	50%	75%	 on track
4.1.2.13 Enhance Parkdale local shopping centre	<p>Council was awarded a \$100,000 Department of Environment Land Water and Planning grant towards the enhancement of Parkdale local shopping centre.</p> <p>Designs are complete, with a tender for works to be advertised. Prior to award for construction, Council will consult on timing with traders to ensure works minimise trading impacts - particularly considering the recent impacts from COVID-19 restrictions.</p>	50%	49%	 on track
4.1.2.14 Create public open space above the new railway line at Mentone	<p>The open space above the railway line is now open to the public.</p> <p>Level Crossing Removal Project (LXRP) are yet to resolve the ownership and use of the two station buildings.</p>	75%	75%	 on track






4.2. Understand and support our thriving profitable local economy




INDICATOR	COMMENT	FULL YEAR TARGET	TARGET	RESULT	STATUS
Satisfaction with Better Approvals co-ordination service	Survey results confirmed a high level of satisfaction.	95.00%	95.00%	95.00%	<div><div></div></div> on track
Level of satisfaction of participants at business education initiatives	Attendees provided very good ratings.	93.75%	92.50%	95.00%	<div><div></div></div> on track
ACTION	PROGRESS		TARGET	PERCENT COMPLETE	STATUS
4.2.1.1 Analyse economic data on the regional economy and employment trends to inform decision making	Food and Health premises registration data is being used to help keep businesses informed of COVID-19 interventions and compliance requirements. Economic data sources are being collated to help inform the Economic Recovery Plan.		50%	50%	<div><div></div></div> on track
4.2.1.2 Work across the peak regional bodies to support economic investment in Kingston and in the broader South East Region	Council is represented on the Local Jobs Taskforce (Inner South Region) which has a focus on increasing local employment opportunities through collaboration with employment agencies, employers and government (state and local).		50%	50%	<div><div></div></div> on track
4.2.2.3 Facilitate business education and skills development	Five online workshops were held for businesses in this quarter. Scheduled workshops in November were cancelled due to lack of registrations.		50%	50%	<div><div></div></div> on track

4.3. Rich in arts, innovation and tourism



ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
4.3.2.2 Support arts and entertainment focused businesses and entrepreneurship in our urban centres	<p>Council's Business team keeps the Arts and Creative Industries informed of the support and financial assistance available for recovery from COVID-19 pandemic trading conditions.</p> <p>An 'Open for Business' directory has been added to the Kingston Business website to support the arts, entertainment, hospitality and entrepreneurs in our community.</p> <p>Our e-news is regularly updating start-ups and scale-up businesses on workshops and webinars to upskill and use digital technology to reach new markets.</p> <p>Social media campaigns are also promoting the creative industries and featuring individual businesses.</p>	50%	50%	 on track
4.3.2.6 LF Payne Masterplan	<p>Architectural consultants have undertaken an assessment of opportunities and made preliminary recommendations on the scope of the project, which is largely related to the refurbishment of the LF Payne Hall.</p> <p>A progress report on the LF Payne Master Plan was submitted to Council in April 2020 proposing that the refurbishment of LF Payne Hall be incorporated into the Chelsea structural renewal plan.</p> <p>This proposal was not endorsed by Council, consequently, Kingston Arts will be progressing the development of a new master plan for the venue in conjunction with key stakeholders.</p>	30%	10%	 off track






4.4. Integrated accessible transport and free moving city


ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
4.4.1.1 Develop and implement an Integrated Transport Strategy	<p>The Kingston Integrated Transport Strategy was adopted by Council in September 2020. Officers are working on a strategy to communicate the policy with the community.</p> <p>The action plan for the Kingston Integrated Transport Strategy will be developed as part of the subsidiary strategy development - including walking and cycling strategies, road safety strategies, and public transport strategies.</p>	90%	80%	 on track
4.4.1.4 Provide facilities for cyclists to support and encourage cycling, particularly at train stations	<p>Over the course of the year, Kingston has negotiated for additional end-of-trip facilities at the new rail stations constructed along the Frankston line, including secure bike cages and hoops.</p> <p>We have also secured a commitment for a shared user path along Station Street from Edithvale to Carrum and ultimately connecting to Frankston.</p> <p>Edithvale, Chelsea and Bonbeach will be the last few level crossing removal projects in Kingston for now. There may not be any opportunity to create more cycling facilities along the railway corridor in the short term.</p>	50%	80%	 on track
4.4.2.2 Develop and implement safe and effective local area traffic management solutions	<p>This is a core function and Local Area Traffic Management Projects will be carried out on a regular basis.</p> <p>The current projects are:</p> <ol style="list-style-type: none"> 1. Parkdale Local Traffic Area Management project for the west of Nepean Highway. 2. Parkdale Local Traffic Area Management project for the east of Nepean Highway. 3. Pedestrian safety improvement project at Karen Street and Matheison Street intersection, Cheltenham. 4. Speed limit reduction along Turner Road and Bernard Street. 5. Bicycle lane project on Old Dandenong Road. 6. Bicycle lane project on Bernard Street. 7. Walk to School Programs with various schools across Kingston. 	50%	52%	 on track
4.4.3.3 Consider the South East Regional Freight Strategy	<p>The Mordialloc Freeway was a key outcome of this strategy. The South East Regional Freight strategy has also been considered during the development of Kingston's Integrated Transport Strategy.</p> <p>Some of the other priorities for Kingston were upgrades on parallel routes that will be reviewed following completion of the Mordialloc Freeway.</p>	50%	53%	 on track
4.4.4.2 Appropriately manage and enforce Council's parking areas particularly around schools	<p>Parking officers, Local Law officers, and crossing supervisors are working collaboratively to patrol around schools, following the lifting of COVID-19 restrictions.</p>	50%	50%	 on track

ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
4.4.4.4 Investigate the need for ticketed parking for non-residents near the foreshore and shopping strips	<p>Ticketed parking was investigated as part of the Draft Chelsea Structure Plan development, with a report in 2019/20 recommending paid car parking be provided at 'premium' locations in Chelsea. Most off-street car parks in Chelsea experience high car parking demand throughout the year.</p> <p>The structure planning work identifies that most people who use the Chelsea activity centre are Kingston residents; therefore, the paid car parking would need to apply to all users (residents and non-residents) to be most effective.</p> <p>This concept is in the early stage of being explored with Mordialloc traders.</p>	50%	60%	 on track
4.4.5.4 Review, update and implement the Cycling Strategy	The development of the new Cycling Strategy has begun.	5%	22%	 on track
4.4.5.9 Implement stage three of the Bay Trail - from Rennison St to Nepean Hwy	<p>Construction of Stage 3 of the Bay Trail has commenced. All vegetation required for removal under permit has been completed. Retaining walls and fencing works are under way between Rennison Street to Centre Way. Works are progressing to the amended schedule, to accommodate COVID-19 delays.</p> <p>Work is progressing in accordance with the construction program and scheduled to be completed by end January 2021. The public art work is programmed to be installed in late February 2021 with the official opening to follow shortly after, depending on COVID-19 restrictions.</p>	100%	50%	 off track

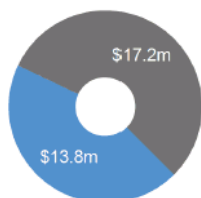
4.5. Keeping our community safe and protected

INDICATOR	COMMENT	FULL YEAR TARGET	TARGET	RESULT	STATUS
Health Services - Inspections of registered premises	There were 441 inspections of registered premises conducted for the quarter. Inspections increased as businesses came out of COVID-19 stage 4 restrictions.	1,795.00	895.00	660.00	 off track
Fines and official warnings issued for animal offences	We expect this figure to rise during January's hot weather and beach patrols.	1,200.00	600.00	511.00	 on track

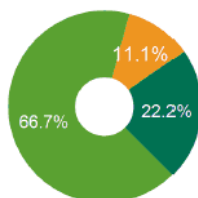
ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
4.5.1.4 Implement a Public Health Information Management solution	The Health Manager software solution went live in October 2020, with the mobile module implemented in December. However, the team is yet to be trained in its use which will occur in early 2021.	50%	90%	 on track
4.5.2.3 Review and consult the community for other opportunities for dog off leash areas given the changing nature of the housing stock within the City	The work is on track to be completed early in quarter 3.	50%	75%	 on track
4.5.3.2 Ensure Kingston is prepared for disaster through the implementation of strategic emergency management and disaster recovery plans	Kingston's Pandemic Plan and Business Continuity Plans were activated in March 2020 to guide Council's initial and ongoing response to the COVID-19 pandemic. Kingston has worked closely with the community through its internal Recovery Committee and various COVID-19 operations led by the Department of Health and Human Services. All actions required to respond to COVID-19 issues are currently taking place. The re-write of the Pandemic Plan will be done following the review of the Municipal Emergency Management Plan, which will be completed by June 2021.	50%	50%	 on track
4.5.3.4 Build a Community Resilience education program (across Council and the community) to improve mitigation, response and recovery during and after an emergency situation	Work on the education program has been postponed because of the COVID-19 pandemic. The live emergency exercise planned for 2020 did not occur, due to COVID-19 restrictions. It has been rescheduled to the second half of 2021. We began developing a system for emergency messages to be posted on Kingston's 'on hold' phone message and social media. This will be used to let the community know if there is an emergency that requires them to vacate their homes.	50%	20%	 off track
4.5.4.3 Implement Kingston's Road Safety Strategy	The Strategy has been largely drafted and the next step is to organise public consultation on the policy.	50%	50%	 on track

ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
4.5.4.4 Ensure Council's enforcement functions remain relevant to the key changes occurring in the City	Local laws and parking services are resuming their normal operation since COVID-19 restrictions were lifted.	50%	50%	 on track

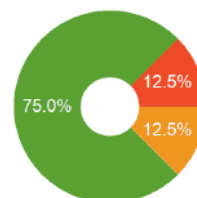
5 Our well-governed and responsive organisation



Expenditure



Actions



Performance Indicators

● BUDGET SPENT
 ● BUDGET REMAINING
 ● COMPLETE
 ● ON TRACK
 ● MONITOR
 ● OFF TRACK

Annual Service Highlights *previous financial year*

75,030 Property rates assessments	3,490 Live chat questions answered by staff	161,559 Incoming correspondence registered
4 Citizenship ceremonies held	123,145 Calls to Customer Care	4,390 Annual hits on Council Meeting web streaming

Our Services



HOME

- Customer service
- Property rating & collection services



LIFESTYLE

- Communications & community relations
- Lobbying on behalf of the community






HEALTH

- Emergency management coordination

Our well-governed and responsive organisation

5.1. Support decision making to provide an efficient and effective Council which embodies the principles of democracy


INDICATOR	COMMENT	FULL YEAR TARGET	TARGET	RESULT	STATUS
Kingston-wide requests actioned through the Customer Request Management System within service standards (YTD)	Of the 16,273 requests closed, 14,286 were closed on time. This result is slightly under the target, but has been consistently improving over the last six months.	90.00%	90.00%	87.79%	 monitor
Proportion of positive versus negative references about Council in the media	Of 50 mentions, 44 were positive (88%), 6 neutral (12%) and 0 negative.	75.00%	75.00%	90.00%	 on track
ACTION	PROGRESS		TARGET	PERCENT COMPLETE	STATUS
5.1.3.5 Facilitate the 2020 Local Government election process	This action was completed in November 2020. Council has completed its obligations in relation to the local government election process.		100%	100%	 complete

5.2. Responsible and sustainable financial management

INDICATOR	COMMENT	FULL YEAR TARGET	TARGET	RESULT	STATUS
Organisational labour costs, variance from budget	Salaries are \$39.4m and are \$2.3m favourable to budget for the year to date.	10.00%	10.00%	4.60%	<div><div></div></div> on track
Rates revenue received as a percentage of rates outstanding	Performance has been positive despite rates revenue being affected by rate deferrals, the economic impact of COVID-19, and lack of collection activities. Over 27k courtesy reminder notices were sent to those who are due to pay on the 15th of February.	96.00%	30.00%	37.91%	<div><div></div></div> on track
Supplementary property valuations completed	A high number of supplementary valuations were completed in quarter two, incorporating the assessments held over from quarter one due to COVID-19 restrictions.	3,000.00	1,500.00	1,743.00	<div><div></div></div> on track
ACTION	PROGRESS		TARGET	PERCENT COMPLETE	STATUS
5.2.2.1 Continue to encourage increased take-up of electronic rates notices	As of the end of December, 15,990 rate payers had registered for one of the electronic services offered for rates, taking the overall percentage of users to 20.71%.		50%	47%	<div><div></div></div> on track
5.2.2.3 Review potential alternative revenue generating opportunities across Kingston	The Finance department continues to provide support to all areas of Council where they identify alternative revenue-generating opportunities. This will be reviewed again as part of the development of the Long Term Financial Plan in 2021/22.		50%	50%	<div><div></div></div> on track


5.3. Foster staff health and wellbeing, promote our organisational values and encourage leadership and high productivity

INDICATOR	COMMENT	FULL YEAR TARGET	TARGET	RESULT	STATUS
Resignations and terminations compared to average staff	This indicator is on track.	10.00%	10.00%	4.09%	 on track

ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
5.3.1.8 Lead a cultural reform that embraces the benefits of offering flexibility to staff; employer of choice, staff engagement, outcome focused effort	<p>This action was completed in September 2020.</p> <p>Council is successfully managing the workplace restrictions stemming from the need for distancing from each other via the implementation of the working flexibly policy and procedures.</p> <p>A recent survey of over 300 employees showed 95% support for the ability of Council to pivot so rapidly to a productive and supportive environment where all staff are encouraged and supported to work flexibly.</p> <p>It is hoped that, in the post COVID-19 environment, many of the new ways of working can be incorporated into our 'new normal' manner of working described as "flexible by design managed by outcomes". We will continue to embed the cultural change and leadership development.</p>	100%	100%	 complete

5.4. A responsive and well-managed organisation

INDICATOR	COMMENT	FULL YEAR TARGET	TARGET	RESULT	STATUS
Customer Care telephone calls - First point of contact resolution (YTD)	Excellent results for the last quarter, the performance has been consistently good for some time in this area.	80.00%	80.00%	95.12%	<div><div></div></div> on track
Customer Care telephone calls answered within 30 seconds (YTD)	Over the last three months Customer Care has been really busy, with 28,153 calls received. In 2020, call volumes were up 18% on the previous year. Combined with a 30% increase in digital volumes, the team has struggled to meet service level targets due to work load.	80.00%	80.00%	67.55%	<div><div></div></div> off track
ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS	
5.4.2.2 Develop asset management plans for Council assets, including the establishing of acceptable levels of service in terms of quality, quantity, reliability, cost and responsiveness	<p>The Local Government Act 2020 requires a 10-year Corporate Asset Plan to be adopted by June 2022. We have prepared an asset plan development program to meet this timeframe.</p> <p>Draft plans, based on asset renewal, are to be updated by the end June 2021 with strategic objectives to be informed by the Council Plan and Community Vision and incorporated in Asset Plans.</p>	20%	15%	<div><div></div></div> monitor	
5.4.2.21 Develop a list of all new assets that will be constructed as part of the LXRA projects along the Frankston train line, with indicative future maintenance and replacement costs	<p>This action is ongoing for the life of the Level Crossing Project. Regular meetings occur with Level Crossing Removal Authority to clarify responsibilities and ownership of assets to be created during this project.</p> <p>A register of new assets to be handed over to the City of Kingston for future maintenance is in development and will be registered in Council's Asset Management System. As at the end of September, one asset has been formally handed over to Council - Patterson River Road Bridge.</p>	25%	25%	<div><div></div></div> on track	
5.4.3.18 Develop a strategic workforce plan	<p>The basis of the strategic workforce plan which outlines the skills and capabilities required now and into the future has been developed and endorsed. These are now being incorporated into development initiatives such as the training calendar and the My Kingston Achievement and Development program.</p> <p>The draft strategic workforce plan will be completed by February 2021 for review by the Corporate Leadership Group.</p>	50%	60%	<div><div></div></div> on track	
5.4.5.1 Manage the Governance Framework	<p>The Good Governance Framework was adopted by Council at its May 2020 meeting. An education plan is being developed to support the framework and work to monitor the actions has commenced. The compliance program is being set up on a software platform and will be soon completed.</p> <p>The 2019/20 organisational compliance attestation will be performed in the coming months using this software.</p>	50%	50%	<div><div></div></div> on track	

ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
5.4.5.2 Administer the new Local Government Act	Council has achieved the requirements of the Act to date, with a number of items adopted at its August 2020 Council meeting.	60%	75%	 on track

Kingston City Council
Quarterly Financial Statements
For the 6 Months ending 31st December 2020

Income Statement

	Actual YTD to December 20 \$'000	Revised Budget YTD to December 20 \$'000	Favourable/ (Unfavourable) \$'000	Favourable/ (Unfavourable) %	Ref
Revenue					
Rates and Charges	142,813	143,189	(376)	-0.3%	
Grants and Subsidies	20,091	17,640	2,451	13.9%	1
Grants - Capital	3,831	3,860	(29)	-0.8%	
Contributions	220	162	58	35.8%	2
Statutory fees and fines	2,933	3,438	(505)	-14.7%	3
User Fees	5,320	6,677	(1,357)	-20.3%	4
Interest Income	501	1,089	(588)	-54.0%	5
Other Income	347	393	(46)	-11.8%	6
Total Revenue	176,056	176,448	(392)	-0.2%	
Expenses					
Employee Benefits	42,457	44,506	2,049	4.6%	
Materials and Services	37,535	41,702	4,167	10.0%	
Bad and Doubtful Debts	0	0	(0)		
Depreciation & Amortisation	13,538	13,250	(288)	-2.2%	
Interest/Borrowing Costs	265	229	(36)	-15.5%	7
Total Expenses	93,795	99,687	5,892	5.9%	
Net Gain(Loss) on Disposal of Infrastructure, Property, Plant and Equipment	49		49		
Surplus	82,310	76,761	5,549	7.2%	

Variance Explanations (for material variances > 10%)

Ref	Item	Explanation
1	Grants and Subsidies	Grants and subsidies total revenue is \$20.1 million and is \$2.5 million favourable to budget. Grants includes an unbudgeted \$0.3 million received for the first Working 4 Victoria milestone payment from the State Government in response to the COVID19 pandemic. Family Day Care and Family and Children's Centre grants are \$0.4 and \$0.6 million favourable due to the federal government's interim funding provided in response to the COVID 19 Pandemic. Access Care funding is \$0.9 million favourable predominately for Packaged Care funding received in advance for services being delivered.
2	Contributions	Contributions total revenue is \$220k and is \$58k favourable to budget. The major payments received are \$122k from clubs contributing to capital projects, of which only \$28k was budgeted.
3	Statutory Fees & Fines	Statutory Fees and Fines total revenue is \$2.9 million and is \$0.5 million unfavourable to budget. Family Day Care is \$156k unfavourable and this is offset by their higher Grants and Subsidies. Health License income is \$0.5 million unfavourable due to the refund of Health and Food Registration Fees in 2020 as part of Council's community relief package in response to the COVID-19 pandemic.
4	User Fees	User Fees total revenue is \$5.3 million and is \$1.4 million unfavourable to budget. Long Day Care at Parkdale (\$0.3 million), Carrum (\$0.3 million) and Edithvale (\$0.3 million) are all unfavourable to budget as COVID19 impacts day care operations. The Before / After School Care and Holiday Program team is \$0.2 million unfavourable as COVID19 impacts operations. Memberships at Waves and Arts Centre income are both \$0.1 million unfavourable to budget also due to the impact of the COVID19 pandemic on operations.
5	Interest Income	Interest Income is \$0.5 million and is \$0.6 million unfavourable to budget. The average rate of return on our investments has been in decline for over two years. The average rate at December 2020 is 0.62% (vs 1.93% at the corresponding time last year and 2.64% the year before that).
6	Other Income	Other Income is \$0.3 million and is \$46k unfavourable to budget. Right of Way Income received is \$7k and is \$67k unfavourable to budget. This is offset by an unbudgeted \$21k received from the Australia Day Council.
7	Interest/Borrowing Costs	Interest / Borrowing Costs total expenditure is \$0.3 million and is \$36k unfavourable to budget.

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Cash Flow Statement

	Actual YTD to December 20 \$'000	Revised Budget YTD to December 20 \$'000	Favourable/ (Unfavourable) \$'000	Favourable/ (Unfavourable) %	Ref
Cash Flows from Operating Activities					
Rates	67,079	61,308	5,771	9.4%	
Grants - Operating	20,939	17,641	3,298	18.7%	1
Grants - Capital	3,831	3,935	(104)	-2.6%	
Contributions	4,591	161	4,430	2751.6%	2
Statutory fees and fines	2,933	3,986	(1,053)	-26.4%	3
User fees	6,963	8,565	(1,602)	-18.7%	4
Interest	501	1,000	(499)	-49.9%	5
Increase/(Repayment) of Trust Funds and Deposits	(340)	0	(340)	100.0%	6
Other Receipts	347	399	(52)	-14.0%	7
Payments to Employees	(42,174)	(45,509)	3,335	7.3%	
Payments to Suppliers	(44,755)	(44,501)	(254)	-3.3%	
Net Cash Provided by Operating Activities	19,915	6,985	12,930	185.1%	
Cash Flows from Investing Activities					
Payment for Infrastructure, Property, Plant & Equipment	(22,281)	(29,455)	7,174	24.4%	8
Proceeds from sale of Infrastructure, Property, Plant & Equipment	49	0	49		
Net Cash Provided by Investing Activities	(22,232)	(29,455)	7,223	24.5%	
Cash Flows from Financing Activities					
Borrowing Costs	(19)	(16)	(3)	-18.8%	
Increase/(Repayment) of interest bearing loans & borrowings	(509)	(632)	123	19.5%	9
Interest paid - lease liability	(246)	(218)	(28)	-12.8%	10
Repayment of lease liabilities	(683)	(393)	(290)	-73.8%	10
Net Cash (used in) Financing Activities	(1,457)	(1,259)	(198)	-15.7%	
Net Increase in Cash and Cash Equivalents	(3,774)	(23,729)	19,955	84.1%	
Cash and Cash Equivalents at the Beginning of the Financial Year	129,860	99,226	30,634	30.9%	
Cash and Cash Equivalents at the End of Period	126,086	75,497	50,589	67.0%	

Variance Explanations (for material variances > 10%)

Ref	Item	Explanation
1	Grants - Operating	Operating grants received are \$3.3 million favourable to budget. Grants includes an unbudgeted \$0.3 million received for the first Working 4 Victoria milestone payment from the State Government in response to the COVID19 pandemic. Family Day Care and Family and Children's Centre grants are \$0.4 and \$0.6 million favourable due to the federal government's interim funding provided in response to the COVID 19 Pandemic. Access Care funding is \$0.9 million favourable predominately for Packaged Care funding received in advance for services being delivered.
2	Contributions	Contributions received are \$4.4 million favourable to budget, predominately due to \$3.5 million received for cash developer contributions which aren't budgeted for. These contributions are transferred to a reserve for later use on open space and stormwater redevelopment. The remaining contributions are cash contributions from local clubs towards capital projects.
3	Statutory fees and fines	Cash received for statutory fees and fines are \$1.1 million unfavourable to budget due to less than budgeted receipts for family day care and health license income refunded due to the COVID19 pandemic
4	User Fees	Cash received for user fees are \$1.6 million unfavourable to budget. This is due to less than budgeted receipts for long day care, before & after school care and holiday programs which have all been impacted by the COVID19 pandemic. Income for Waves and the Arts Centre has also been impacted.
5	Interest	Interest received is \$0.5 million unfavourable to budget. The average rate of return on our investments has been in decline for over a year. The average rate at December 2020 is 0.62% (vs 1.93% at the corresponding time last year and 2.64% the year before that).
6	Trust funds and deposits	Trust funds and deposits have decreased by \$0.3 million. This is not budgeted for. Trust funds and deposits include retentions held for capital works in progress and refundable deposits, including asset protection deposits, which will be required to be returned on completion of works.
7	Other receipts	Other receipts are \$52k unfavourable to budget. Right of Way Income received is \$7k and is \$67k unfavourable to budget. This is offset by an unbudgeted \$21k received from the Australia Day Council.
8	Payments for Infrastructure, Property, Plant and Equipment	Payments for infrastructure, property, plant and equipment are favourable to budget by \$7.2 million. This variance is expected to match budgeted figures as the year progresses, capital works are complete and capitalisation of expenditure is reflected in the transactions.
9	Repayment of interest bearing loans & borrowings	Repayment of loans is \$72k favourable to budget. This is a budget phasing issue and Council's loans are expected to be fully repaid by June 2022.
10	Interest paid (lease liabilities) and repayment of lease liabilities	Repayment of lease liabilities and interest paid on lease liabilities are unfavourable to budget. These are cash flows recorded for the first time in Councils budget and represent conservative estimates.

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Kingston City Council
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Balance Sheet

	Actual as at December 20 \$'000	Annual Revised Budget \$'000	Favourable/ (Unfavourable) \$'000	Favourable/ (Unfavourable) %	Ref
Current Assets					
Cash and Cash Equivalents	126,086	103,258	22,828	22.1%	1
Trade and Other Receivables	100,520	21,455	79,065	368.5%	2
Non-current Assets classified as Held for Sale		0	0		
Other Assets	172	1,532	(1,360)	-88.8%	3
Total Current Assets	226,778	126,245	100,533	79.6%	
Non Current Assets					
Infrastructure, Property, Plant & Equipment	2,504,128	2,535,709	(31,581)	-1.2%	
Right of use assets	10,425	9,606	819	8.5%	
Investment Property	3,750	3,750	0	0.0%	
Intangible Assets	645	999	(354)	-35.4%	4
Total Non Current Assets	2,518,948	2,550,064	(31,116)	-1.2%	
Total Assets	2,745,726	2,676,309	69,417	2.6%	
Current Liabilities					
Trade and Other Payables	10,162	18,590	8,428	45.3%	5
Trust Funds and Deposits	4,432	4,772	340	7.1%	
Unearned income	11,917	8,442	(3,475)	-41.2%	6
Provisions	24,701	21,362	(3,339)	-15.6%	7
Interest Bearing Loans and Borrowings	876	0	(876)	100.0%	8
Lease Liabilities	1,135	1,186	51	4.3%	
Total Current Liabilities	53,223	54,352	1,129	2.1%	
Non Current Liabilities					
Provisions	1,707	1,707	0	0.0%	
Interest Bearing Loans and Borrowings	687	555	(132)	-23.8%	8
Lease Liabilities	9,562	8,785	(777)	-8.8%	
Total Non Current Liabilities	11,956	11,047	(909)	-8.2%	
Total Liabilities	65,179	65,399	220	0.3%	
Net Assets	2,680,547	2,610,910	69,637	2.7%	
Equity					
Accumulated Surplus	1,522,704	1,456,011	66,693	4.6%	
Asset Revaluation Reserve	1,121,316	1,121,316	0	0.0%	
Other Reserves	36,527	33,061	3,466	10.5%	
Total Equity	2,680,547	2,610,388	70,159	2.7%	

Variance Explanations (for material variances > 10%)

0

Ref	Item	Explanation
1	Cash & Cash Equivalents	Cash and cash equivalents are \$22.8 million favourable to budget. The budget is a year-end position and the cash position is expected to decrease as operational and capital expenditure is incurred during the year.
2	Trade & Other Receivables	Trade and other receivables are \$79.1 million higher than the year-end budgeted total of \$21.4 million. Of the total \$100.5 million trade and other receivables, \$93 million is related to rate debtors which are expected to decrease significantly during the year as rate instalments are paid.
3	Other Assets	Other assets of \$0.2 million are \$1.4 million unfavourable to budget. Actual other assets includes accrued interest income only. The total budget of \$1.5 million includes prepaid expenditure which is recorded at year end.
4	Intangible Assets	Intangible assets are \$0.4 million unfavourable to budget. The budget of \$1.0 million includes \$0.2 million as work in progress for the cloud transition which will be included in the total intangible assets by year end.
5	Trade & Other Payables	Trade and other payables are \$8.4 million favourable to budget. The budget is a year-end position and the level of creditors and accruals is dependent on the timing of invoices and expenditure receipted as at reporting date.
6	Unearned Income	Unearned income is \$3.5 million unfavourable to budget. The budget is a year-end position. Unearned income as at 31st December includes the receipt of HCP and HACC funding in advance which is due to be earned as income in the coming months.
7	Provisions	Provisions are \$3.3 million unfavourable to budget. The COVID19 Pandemic has resulted in less leave being taken by staff throughout the year. Provisions are expected to decline as leave is taken over the coming 6 months.
8	Interest Bearing Loans & Borrowings	Interest bearing loans and borrowings are \$1.0 million unfavourable to budget. The budget is a year-end position and actual loans will equal budget by 30 June 2021 as per loan repayment schedules.

TRIM 17/8174

Kingston City Council
Quarterly Financial Statements
For the 6 Months ending 31st December 2020

Capital Works

Asset	Actual YTD to December 20 \$'000	Annual Revised Budget \$'000	% Complete	Ref
Property				
Land	1,214	2,805	43%	
Buildings	8,279	19,447	43%	
Plant & Equipment				
Plant, machinery and equipment	64	370	17%	1
Fixtures, Fittings and Furniture	171	3,458	5%	2
Computers and telecommunications	520	1,181	44%	
Library Books	619	1,099	56%	
Infrastructure				
Roads	3,297	6,403	51%	
Footpaths & cycleways	1,365	3,478	39%	
Bridges	10	100	10%	3
Drainage	2,429	6,259	39%	
Recreational, leisure & community facilities	2,951	12,530	24%	4
Parks, open space and streetscapes	1,913	6,717	28%	5
Off street car parks	221	1,210	18%	6
Other infrastructure	194	323	60%	
Other Non-Asset Capital Budget				
Non Asset Capital Projects	0	0		
Total capital works expenditure	23,247	65,380	36%	
Projects Represented by:				
New asset expenditure	2,591	13,843	19%	
Asset expansion expenditure	1,718	2,947	58%	
Asset renewal expenditure	12,533	29,542	42%	
Asset upgrade expenditure	5,757	17,644	33%	
Non Asset	648	1,403	46%	
Total capital works expenditure	23,247	65,380	36%	

Variance Explanations

Ref	Item	Explanation
1	Plant, machinery and equipment	Capital expenditure on plant, machinery and equipment is 17% of the annual budget as at 31st December 2020. Operational vehicle purchasing budget has reduced from \$300k to \$100k as some replacements are now to be leased instead of purchased.
2	Fixtures, Fittings and Furniture	Capital expenditure on fixtures, fittings and furniture is 5% of the annual budget as at 31st December. COVID19 Stage 4 restrictions on construction activities has slowed progress, however 2020/21 projects are expected to achieve full delivery.
3	Bridges	Capital expenditure on bridges is currently 10% of budget as at 31st December. The main project for 2020/21 is the under bridge scour protection at Wells Road over Patterson River. Contract has been awarded however high water levels have delayed commencement.
4	Recreational, leisure & community facilities	Capital expenditure on recreational, leisure and community facilities is 24% of total budget. COVID19 Stage 4 limitations on construction activities delayed commencement of some works. Masterplan and Netball Courts for Ben Kavanagh Reserve are nearing completion. Sports lighting projects for Kingston Heath Hockey and Bonbeach Res have been awarded.
5	Parks, open space and streetscapes	Expenditure on parks, open space and streetscapes is 28% of the total budget as at 31st December. COVID19 Stage 4 limitations on construction activities along with wet weather have delayed commencement of some projects. The main delay has been with Elder Reserve park development being shut down for 6 months due to boggy ground conditions. There are presently over \$0.5M of committed works in progress.
6	Off Street car parks	Capital expenditure on off street car parks is 18% of the annual budget as at 31st December. COVID19 Stage 4 limitations on construction activities has delayed the commencement of some works. Parkdale Bowls Carpark is in progress, Bonbeach Reserve and Cheltenham Activity Centre carparks are to begin in the third quarter.

22 February 2021

Agenda Item No: 11.3

BI ANNUAL REPORT FROM THE CHAIR OF THE AUDIT AND RISK COMMITTEE

Contact Officer: Claire Filson, Chair, Audit and Risk Committee

Purpose of Report

As a part of Council's governance obligations to its community the Audit and Risk Committee (the Committee) was re-established under Section 53 of the Local Government Act 2020 as an independent Advisory Committee to Council in August 2020 and it has been my privilege to have been a part of the Committee since 2012 and Chair since earlier this year.

The primary objective of the Committee is to support the Council in discharging its oversight responsibilities related to:

- Enhancing the credibility and objectivity of financial, performance and management reporting;
- The effective management of Council's strategic risks, including Business Continuity and Recovery;
- The protection and control of Council assets;
- Monitoring and review of the standard of the internal control environment;
- The effectiveness of assurance activities including internal and external audit; and
- Council's governance practice, including compliance with its policies and legislative and regulatory requirements as well as the use of best practice guidelines.

The Committee acts in this capacity by monitoring, reviewing, endorsing and advising on the above matters. The appointment of independent members to the Committee enables the Committee to provide advice to the Council on matters related to its responsibilities based on different skills and experience than might otherwise be the case and in so doing bring additional benefits to the Council.

The Charter adopted by Council requires a bi-annual report from myself to be presented to the Council. This is the first such report.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That Council note the Annual Report of the Chair of the Audit and Risk Committee.

Membership

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

Name	Qualifications	Role	Period	Attendance
Ms Claire Filson	LLB; MBA, Grad. Dip. Applied Corporate Governance, FGIA, MAICD	Independent Member	July 2020-December 2020	3 of 3 meetings
Mr Bruce Potgieter	FCA - Australia ICA - South Africa	Independent Member	July 2020-December 2020	3 of 3 meetings
Mr Geoff Harry	B(Eco) FCA, FCPA, GAICD	Independent Member	August 2020-December 2020	3 of 3 meetings
Cr Georgina Oxley	Mayor / Councillor	Internal Member	July 2020-December 2020	2 of 3 meetings
Cr Steve Staikos	Mayor	Internal Member	November 2020 – December 2020	1 of 1 meeting
Cr Geoff Gledhill	Councillor	Internal Member	July 2020-October 2020	2 of 2 meetings

Meetings

The Committee considered agendas on 3 occasions thus far in 2020/21:-

- 9 September 2020
- 16 September 2020
- 16 December 2020

2020/21 Review

I am pleased to report that Kingston has in place a strong Audit and Risk Committee that has thus far in 2020/21 undertaken a thorough and comprehensive review of many of Council's higher risk profile systems and processes. It has also continued to oversee the activities of Council's contracted Internal Auditor and of the External Auditor who is appointed by the Victorian Auditor-General, as well as responded to ad hoc issues raised from time to time and provided advice to Management and the Council on those issues.

The Committee's activities have been guided by the Charter and Annual Workplan.

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

The Committee has also received detailed updates from the Manager Information Services and Strategy outlining Council's strategic approach to Information Technology with a strong focus on cyber security. This has included coverage of Kingston's systems and information architecture, and the Council's transition to Cloud based infrastructure which has greatly assisted the Committee's understanding of the IT environment. Briefings have also been received on relevant topics such as Kingston's response to the Coronavirus pandemic, the use of data analytics and artificial intelligence; business continuity planning; asset management practices; and relevant reports from the Victorian Auditor-General, the Ombudsman and other integrity agencies.

The Committee has already focussed on ensuring that its responsibilities under the Local Government Act (2020) and the newly adopted Charter are being monitored and reported to Council. A copy of the Committee's adopted Charter and annual workplan is attached to this report.

The high level responsibilities assigned to the Committee by Council are:

Financial and Performance Reporting

- At least annually review significant accounting and external reporting issues, including complex or unusual transactions, transactions and balances in areas where judgement is required, changes to accounting policies, recent accounting, professional and regulatory pronouncements and legislative changes, and understand their effect on the annual financial report and the external audit thereof;
- Review any changes to the Local Government Performance Reporting Framework and understand the impact of those changes on Council's performance indicators;
- Review the annual financial report and annual performance statement and consider whether they are complete, consistent with information known to Committee members, reflect appropriate accounting treatments and adequately disclose Council's financial performance and position;
- Review with management and the external auditors the results of the audit, including any difficulties encountered by the auditors and how they were resolved; and
- Recommend the adoption of the annual financial report and annual performance statement to the Council.

Risk Management

- Review annually the effectiveness of Council's risk management framework;
- Review Council's risk appetite statement and the degree of alignment with Council's risk profile;
- Review Council's risk profile;
- Review Council's treatment plans for strategic risks, including the timeliness of mitigating actions and progress against those plans; and
- Review the approach to business continuity planning arrangements, including whether business continuity and disaster recovery plans have been regularly updated and tested.

Fraud Prevention Systems and Controls

- Review Council's Fraud Prevention policies and controls, including the Fraud Control Plan and fraud awareness programmes;
- Receive reports from management about actual or suspected instances of fraud or corruption including analysis of the underlying control failures and action taken to address each event; and
- Review reports by management about the actions taken by Council to report such matters to the appropriate integrity bodies.

Internal Control Environment

Through the Strategic Audit Plan:

- Review the adequacy and effectiveness of key policies, systems and controls for providing a sound internal control environment;
- Determine whether systems and controls are reviewed regularly and updated where required;

- Monitor significant changes to systems and controls to assess whether those changes significantly impact Council's risk profile;
- Ensure that a programme is in place to test compliance with systems and controls;
- Assess whether the control environment is consistent with Council's overarching governance principles in accordance with section 9(2) of the Local Government Act 2020.

Assurance - Internal Audit

- Review and approve the Strategic Audit Plan, the annual internal audit plan and any significant changes to them;
- Review progress on delivery of annual internal audit plan;
- Review and approve proposed scopes for each review in the annual internal audit plan;
- Review reports on internal audit reviews, including recommendations for improvement arising from those reviews;
- Meet privately (without staff) with the contracted Internal Auditor each year;
- Monitor action by management in addressing internal audit recommendations in a timely manner;
- Review the effectiveness of the internal audit function and ensure that it has appropriate authority within Council and has no unjustified limitations on its work;
- Ensure that the Committee is aware of any proposed changes to the appointment of the internal audit service provider, including being appropriately briefed on the need for any proposed change;
- Have an independent member be part of the tender evaluation panel for the appointment of an Internal Audit Service provider;
- Recommend to Council, if necessary, the termination of the internal audit contractor.

Assurance - External Audit

- Annually review and approve the external audit scope and plan proposed by the external auditor;
- Discuss with the external auditor any audit issues encountered in the normal course of audit work, including any restriction on scope of work or access to information;
- Ensure that significant findings and recommendations made by the external auditor, and management's responses to them, are appropriate and are acted upon in a timely manner;
- Review the effectiveness of the external audit function and ensure that the Victorian Auditor General's Office (VAGO) is aware of the Committee's views; and
- Meet privately (without staff) with the contracted External Auditor each year;

Governance

- Applying a risk lens, monitor the compliance of Council policies and procedures with **the overarching governance principles** contained in the Local Government Act 2020; the Local Government Act 2020 and the regulations; and any Ministerial directions that may be issued.
- Obtain briefings on any significant governance or compliance matters and management's response to those matters;
- Develop and adopt an Annual Work program pursuant to S54(3) of the Act;
- Receive reports from management on the findings of relevant reports by regulatory or integrity agencies (whether related to the municipal sector or other public-sector agencies), such as VAGO, the Ombudsman, IBAC, Victoria Government Inspectorate, etc. and monitor Council's responses; and
- Receive a bi-annual report detailing all reimbursements of Councillor expenses pursuant to S40 of the Local Government Act 2020.

The Committee's adopted workplan will ensure that each of these responsibilities are discharged over a rolling period of time and a process to identify reports received against the Workplan and Overarching Governance Principles has been established and will develop over time.

To discharge these responsibilities the Committee will receive, consider and comment on reports presented by management, the internal and external auditor at each meeting.

Financial and Performance Reporting

To discharge this responsibility the Committee has received reports that relate to the core financial controls that are in place at Council. The Committee has met with the External Auditor to understand the year end audit plan and the emerging accounting issues that may have affected the accounts being prepared by management. We also met with the External Auditor, prior to recommending the accounts be adopted by Council, to understand any findings that had been identified during the Audit. The Committee is pleased that Management has responded positively to the minor items identified. The Committee is also very pleased to report that Council continues to utilise data analytical tools to analyse and track the accuracy of the financial databases and systems used by Kingston. This gives a greater degree of confidence that the financial reports are accurate and may be relied upon.

Risk Management

Council, being a diverse organisation, delivering around 100 individual services must have a robust risk management framework in place. The Committee continues to review and consider Council's approach to risk management through the provision of reports and presentations covering:

- Management of former tip sites;
- The adequacy of insurance coverage;
- Cyber security
- Management of strategic risks
- Occupational health and Safety management

The Committee also received reports on emerging sector-wide matters and is provided with Kingston management's comments on and response to these current issues. This provides further assurance to the Council that the themes identified by other Councils have been actively addressed and considered by Kingston.

Internal Control Environment

The Committee has in place a Strategic Internal Audit Plan which over a rolling three-year period continues to examine higher risk areas of Council's operations to give a level of assurance that Council's stewardship of the Kingston community's assets is maintained at the highest level. The current Strategic Audit Plan was adopted in 2018/19 to guide the cyclical review of the Internal Control Environment that is in place at Kingston for the 2019/20 year through to 2021/22. To take account of any emerging issues the Plan is subject to an annual review with Management and the Internal Auditor. The reports received from the Internal Auditor generally show that Kingston has a well-developed/mature internal control environment with improvement opportunities generally at the lower end of the risk scale.

Assurance - Internal Audit

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

In late 2018 Council conducted an open public tender process for Internal Audit Service provision and following evaluation by officers and the Audit Committee, Pitcher Partners were reappointed for a three-year term commencing in July 2019. Following reappointment, Pitcher Partners, in consultation with Senior Management at Council, conducted an organisational risk assessment. This, together with the City's Strategic Risk Register and an information architecture diagram, formed the basis of the 2019-2022 Internal Audit Strategic Plan. The Strategic Audit Plan is subject to annual review by Internal Audit and Management and then confirmed by the Audit and Risk Committee. The Internal Audit program that the Committee has overseen is in place to assist both Council and Management to achieve sound control over all Council activities. Internal Audit is not involved in the day to day internal transaction checking but provides an independent and objective assurance that the appropriate processes are in place. The Audit and Risk Committee also formally reviews the performance of the Internal Auditor each year.

The Audit and Risk Committee is particularly pleased to see Pitcher Partners identify the major reports used by Council management to regularly review Council activities. Effective use of these reports by management indicates the strong governance culture that exists within the Council.

Assurance - External Audit

Council's current External Auditor is the Victorian Auditor-General. The Auditor-General has elected to contract this activity for 2019/20 to Crowe. It is normal practice for the External Auditor to review the Internal Audit program to better understand the internal control framework that exists at Council. Crowe is responsible for providing a recommendation to the Auditor-General that the Annual Financial Statements of Council present fairly and in accordance with applicable Accounting Standards. Representatives of Crowe met with the Audit Committee during March 2020 to brief the Committee on how they would be conducting the annual audit and again in September to receive a report on the findings of the examination of Council's financial records.

Governance

To ensure the transparency of the Committee's deliberations, each meeting receives declarations of:

- Any interest or conflict of interest in items on the agenda;
- any breach of legislation/regulation that needs to be brought to the attention of the Audit and Risk Committee

These declarations are sought from the Chief Executive Officer together with advice on emerging sector and Council matters that need to be brought to the attention of the Audit and Risk Committee. To ensure the transparency of the work of the Internal Auditor, a declaration is provided any work undertaken at Council by Internal Auditors outside of the Internal Audit Plan.

In discharging this obligation set by Council in the Committee's Charter, the Committee is applying a risk lens to monitor the compliance of Council policies and procedures with the overarching governance principles contained in the Local Government Act 2020, the Local Government Regulations, and any Ministerial directions that may be issued. Our practice is emerging and has started with an identification in each agenda of the Overarching Governance Principle that fits best with relevant matters being considered by the Committee and it is expected that over time the Committee will have oversight of each of the overarching Governance principles.

Accountability

In addition to this bi-annual report, the Committee's minutes are provided to Council as part of the communication from the Committee to the Council. Whilst the Committee has two Councillors as members, I also welcome any opportunity for further interaction with the other elected representatives, several of whom have previously served on the Committee.

Status of Audit Recommendations

To enable the Committee to closely monitor the implementation of Management's agreed actions to address the recommendations contained in the Internal Auditor's reports, a progress report from Management is provided to each meeting. Whilst it is particularly pleasing that during the year a large number of actions, including some very long-standing ones of high or significant importance, have been completed by management. Some lower level recommendations remain outstanding. In summary:

- Recommendations open at 30 June 2020 31
- Recommendations added to December 2020 28
- Recommendations closed to December 2020 23
- Recommendations open at 30 June 2020 36
-
- Of the 36 recommendations which remain open at December 2020, it is noted that 4 Low recommendations (6 – July 2020), 28 Medium recommendations (21 July 2020), and 4 High recommendation (4 - July 2020), 15 (14 - July 2020) in total, are overdue for completion. While the Committee is appreciative of Management's focus on addressing the recommendations of the occasional lack of timely implementation of audit recommendations is drawn to Council's attention.
-

Acknowledgements

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

The Committee wishes to record its appreciation of the commitment and involvement of the Chief Executive Officer, Julie Reid, and the Chief Financial Officer, Paul Franklin, in supporting the work of the Committee. I also wish to acknowledge the support provided to the Committee of all Council officers who have attended the Committee.

Conclusion

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

Appendices

Appendix 1 - Audit and Risk Committee Charter (Ref 20/167525) 

Appendix 2 - Kingston Audit and Risk Committee Annual Work Plan (Ref 20/203044) 



Author/s:

Claire Filson, Chair, Audit and Risk Committee

**City of Kingston
Council Meeting**

Agenda

22 February 2021

Reviewed and Approved By: Claire Filson, Chair, Audit and Risk Committee

11.3

BI ANNUAL REPORT FROM THE CHAIR OF THE AUDIT AND RISK COMMITTEE

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Audit and Risk Committee Charter

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1 Document Information

The electronic version of this document is the controlled version. Printed copies are considered uncontrolled. Before using a printed copy, verify that it is the current version.

RESPONSIBLE GENERAL MANAGER	General Manager Corporate Services
RESPONSIBLE MANAGER (Policy Owner)	Manager Finance and Corporate Performance
ADOPTED BY	Council
APPROVAL DATE	24 August 2020
EFFECTIVE DATE (If different from approval date)	1 September 2020
REVIEW DATE	01/09/2022
CM REF AND VERSION	20/167525
VERSION HISTORY	This Policy Replaces 18/71421

2 Purpose

The Council has established an Audit & Risk Committee (the Committee) pursuant to Section 53 of the *Local Government Act 2020* (the Act) to support the Council in discharging its oversight responsibilities related to:

- Enhancing the credibility and objectivity of financial, performance and management reporting;
- The effective management of Council's strategic risks, including Business Continuity and Recovery;
- The protection and control of Council assets;
- Monitoring and review of the standard of the internal control environment;
- The effectiveness of assurance activities including internal and external audit; and
- Council's governance practice, including compliance with its policies and legislative and regulatory requirements as well as the use of best practice guidelines.

The Committee acts in this capacity by monitoring, reviewing, endorsing and advising on the above matters. This Charter has been developed in accordance with Section 54 of the Act.

The appointment of independent members to the Committee enables the Committee to provide advice to the Council on matters related to its responsibilities based on different skills and experience than might otherwise be the case and in so doing bring additional benefits to the Council.

The Committee has no executive authority and no delegated responsibilities and is therefore independent of management.

3 Authority

The Committee is directly responsible to the Council for discharging its responsibilities as set out in this Charter. The Committee has no delegated authority from Council unless specifically provided by the Council from time to time and any such authority shall be temporary and only relate to specific matters as resolved by the Council.

The Committee has the authority to:

- Endorse key documents and reports that must be approved by Council, including annual financial reports, annual performance statements, relevant new or revised policies or other documents that assist in maintaining a strong internal control environment;
- Develop and adopt an Annual Work Program;
- Approve internal and external audit scopes and plans, including the Strategic Audit Plan;
- Provide advice and make recommendations to Council on matters within its areas of responsibility;
- Seek any relevant information or support through the Chief Executive Officer where it considers that is necessary to meet its responsibilities under this Charter; and
- Meet with Council Officers, internal and external auditors and other parties as required to discharge its responsibilities.

The Committee will, through the Chief Executive Officer, have access to appropriate management support to enable it to discharge its responsibilities effectively.

If the Committee is considering a material increase in the size of the Annual or Strategic Audit Plan to enable it to discharge its responsibilities effectively, a report recommending additional budget will be presented to Council for consideration.

4 Membership and Tenure

The Committee will comprise five members:

- The Mayor;
- One other Councillor nominated annually by Council; and
- Three external independent members.

Council may nominate an alternate member to substitute for either of the two Councillors either on a meeting by meeting basis or for a longer period.

Council employees cannot be members of the Committee.

Independent Members:

- Will be appointed for three-year terms;
- May be reappointed subject to satisfactory performance, by the Council on the recommendation of the Chief Executive Officer;
- The selection criteria that candidates will be assessed against include:
 - Financial analytical / management skills
 - Knowledge of Audit, Risk and Governance Frameworks;
 - Experience in public sector management;
 - Demonstrated strategic skills including, but not limited to: financial acumen, information technology; governance standards and organisational risk management;
 - The terms of appointment should be; as far as practical, arranged to ensure the orderly rotation and continuity;
- When considering new members, the Committee will ensure that external independent members collectively possess appropriate experience and expertise in the above criteria.
- Remuneration by way of an annual fee determined by Council will be paid to independent members and indexed annual by the Melbourne All Groups CPI adjusted annually on 1 July.

Chairperson

- The Chairperson of the Committee must be an independent member;
- The Council will appoint the Chairperson on the recommendation of the Chief Executive Officer;
- If the Chairperson is unable to attend a meeting, the members in attendance at the meeting will appoint a Chairperson for that meeting from among the attending Independent members.

5 Meetings

The Committee will meet at least five times a year, with authority to convene additional meetings as circumstances require.

- A schedule of meetings will be developed annually and agreed by members;
- All Committee members are expected to attend each meeting in person or via a video conference where the member can as a minimum:
 - hear the proceedings; and
 - be heard (to speak).
- The Committee may invite the internal and external auditors and other staff including members of Council's management team, to attend meetings.
- The Chief Executive Officer and the General Manager, Corporate Services and Manager Finance and Corporate Performance (or equivalents) will attend all meetings, except where the Committee wishes to meet privately;
- The Council, Committee members, the internal or external auditors can request the Chairperson to convene additional meetings if they feel that is justified to address unexpected matters that may have arisen and cannot be held over to the next scheduled meeting;
- The Chief Executive Officer will ensure that Meeting agendas and appropriate briefing materials are provided to members at least five days prior to the meeting;
- Minutes will be prepared for all meetings; and
- A quorum shall comprise at least one Councillor member and two independent members.

6 Responsibilities

The Committee will carry out the following responsibilities.

Financial and Performance Reporting

- At least annually review significant accounting and external reporting issues, including complex or unusual transactions, transactions and balances in areas where judgement is required, changes to accounting policies, recent accounting, professional and regulatory pronouncements and legislative changes, and understand their effect on the annual financial report and the external audit thereof;
- Review any changes to the Local Government Performance Reporting Framework and understand the impact of those changes on Council's performance indicators;
- Review the annual financial report and annual performance statement and consider whether they are complete, consistent with information known to Committee members, reflect appropriate accounting treatments and adequately disclose Council's financial performance and position;
- Review with management and the external auditors the results of the audit, including any difficulties encountered by the auditors and how they were resolved; and
- Recommend the adoption of the annual financial report and annual performance statement to the Council.

Risk Management

- Review annually the effectiveness of Council's risk management framework;
- Review Council's risk appetite statement and the degree of alignment with Council's risk profile;
- Review Council's risk profile;
- Review Council's treatment plans for strategic risks, including the timeliness of mitigating actions and progress against those plans; and

- Review the approach to business continuity planning arrangements, including whether business continuity and disaster recovery plans have been regularly updated and tested.

Fraud Prevention Systems and Controls

- Review Council's Fraud Prevention policies and controls, including the Fraud Control Plan and fraud awareness programmes;
- Receive reports from management about actual or suspected instances of fraud or corruption including analysis of the underlying control failures and action taken to address each event; and
- Review reports by management about the actions taken by Council to report such matters to the appropriate integrity bodies.

Internal Control Environment

Through the Strategic Audit Plan:

- Review the adequacy and effectiveness of key policies, systems and controls for providing a sound internal control environment;
- Determine whether systems and controls are reviewed regularly and updated where required;
- Monitor significant changes to systems and controls to assess whether those changes significantly impact Council's risk profile;
- Ensure that a programme is in place to test compliance with systems and controls;
- Assess whether the control environment is consistent with Council's overarching governance principles in accordance with section 9(2) of the Local Government Act 2020.

Assurance - Internal Audit

- Review and approve the Strategic Audit Plan, the annual internal audit plan and any significant changes to them;
- Review progress on delivery of annual internal audit plan;
- Review and approve proposed scopes for each review in the annual internal audit plan;
- Review reports on internal audit reviews, including recommendations for improvement arising from those reviews;
- Meet privately (without staff) with the contracted Internal Auditor each year;
- Monitor action by management in addressing internal audit recommendations in a timely manner;
- Review the effectiveness of the internal audit function and ensure that it has appropriate authority within Council and has no unjustified limitations on its work;
- Ensure that the Committee is aware of any proposed changes to the appointment of the internal audit service provider, including being appropriately briefed on the need for any proposed change;
- Have an independent member be part of the tender evaluation panel for the appointment of an Internal Audit Service provider;
- Recommend to Council, if necessary, the termination of the internal audit contractor.

Assurance - External Audit

- Annually review and approve the external audit scope and plan proposed by the external auditor;

- Discuss with the external auditor any audit issues encountered in the normal course of audit work, including any restriction on scope of work or access to information;
- Ensure that significant findings and recommendations made by the external auditor, and management's responses to them, are appropriate and are acted upon in a timely manner;
- Review the effectiveness of the external audit function and ensure that the Victorian Auditor General's Office (VAGO) is aware of the Committee's views; and
- Meet privately (without staff) with the contracted External Auditor each year;

Governance

- Applying a risk lens, monitor the compliance of Council policies and procedures with the overarching governance principles contained in the Local Government Act 2020; the Local Government Act 2020 and the regulations; and any Ministerial directions that may be issued. (see Appendix A for the Overarching Governance Principles)
- Obtain briefings on any significant governance or compliance matters and management's response to those matters;
- Develop and adopt an Annual Work program pursuant to S54(3) of the Act;
- Receive reports from management on the findings of relevant reports by regulatory or integrity agencies (whether related to the municipal sector or other public-sector agencies), such as VAGO, the Ombudsman, IBAC, Victoria Government Inspectorate, etc. and monitor Council's responses; and
- Receive a bi-annual report detailing all reimbursements of Councillor expenses pursuant to S40 of the Local Government Act 2020.

7 Reporting to Council

- Minutes of Committee meetings will be provided to Council after clearance by the Committee Chairperson following each Committee meeting;
- The Chairperson will prepare an audit and risk report to Council through the Chief Executive Officer on the Committee's activities, findings and recommendations twice per annum. The reports will advise Council how the Committee has discharged its responsibilities as set out in this Charter for the previous year.
- The Committee will also report to the Council after the meeting at which the annual statements have been considered and recommended to Council for adoption.
- The Chairperson must request the Chief Executive Officer to list for the next Council meeting any report prepared by the Audit and Risk Committee.

8 Performance Evaluation

The Committee shall undertake a process to evaluate its performance against this Charter annually and report the outcomes of the evaluation process to Council through the Chief Executive Officer, including recommendations for any opportunities for improvement. The evaluation will include feedback from both Committee members and senior officers who have regular interactions with the Committee.

9 Member Regulatory Obligations

Committee members are expected to be aware of their obligations under Section 53 of the Act. These obligations relate to misuse of position as a member of the Committee

(Section 123), confidential information (Section 125) and conflicts of interest (Sections 126 to 131). Details about these obligations are included in Appendix B to this Charter

10 Review of Charter

The Committee shall review and assess the adequacy of the Charter every two years or earlier if necessary and submit requests to Council through the Chief Executive Officer for Council approval.

Appendix A**Overarching Governance Principles
S9 Local Government Act 2020**

- (1) A Council must in the performance of its role give effect to the overarching governance principles.
- (2) The following are the overarching governance principles—
 - (a) Council decisions are to be made and actions taken in accordance with the relevant law;
 - (b) priority is to be given to achieving the best outcomes for the municipal community, including future generations;
 - (c) the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
 - (d) the municipal community is to be engaged in strategic planning and strategic decision making;
 - (e) innovation and continuous improvement is to be pursued;
 - (f) collaboration with other Councils and Governments and statutory bodies is to be sought;
 - (g) the ongoing financial viability of the Council is to be ensured;
 - (h) regional, state and national plans and policies are to be taken into account in strategic planning and decision making;
 - (i) the transparency of Council decisions, actions and information is to be ensured.

Appendix B

Committee Member Regulatory Obligations

Guidance to Members

LGA Section	LGA Requirement
Misuse of Position	
123(1)	A Committee member must not intentionally misuse their position to: <ul style="list-style-type: none"> a) Gain or attempt to gain, directly or indirectly, an advantage for themselves or for any other person; or b) Cause, or attempt to cause, detriment to the Council or another person
123(3)	Circumstances involving misuse of a position by a member of the Committee include: <ul style="list-style-type: none"> a) Making improper use of information acquired as a result of being a member of the Committee; or b) Disclosing information that is confidential information; or c) Directing or improperly influencing, or seeking to direct or improperly influence, a member of Council staff; or d) Exercising or performing, or purporting to exercise or perform, a power, duty or function that the person is not authorised to exercise or perform; or e) Using public funds or resources in a manner that is improper or unauthorised; or f) Participating in a decision on a matter in which the member has a conflict of interest.
Confidential Information	
125	A member of the Committee must not intentionally or recklessly disclose information that the member knows, or should reasonably know, is confidential information. There are some exemptions to this requirement, the key one being that if the information disclosed by the member has been determined by Council to be publicly available.
Conflicts of Interest	
126	A member of the Committee has a conflict of interest if the member has: <ul style="list-style-type: none"> a) A general conflict of interest as described in Section 127; or b) A material conflict of interest as described in Section 128.
127	A member of the Committee has a general conflict of interest in a matter if an impartial, fair-minded person would consider that the members private interests could result in that member acting in a manner that is contrary to their public duty as a member of the Committee.
128	A member of the Committee has a material conflict of interest in a matter if an affected person would gain a benefit or suffer a loss depending on the outcome of the matter.
<p style="text-align: center;">Please Note</p> <p><i>The above guidance is not verbatim from the Act and does not include all details as explained in Sections 123, 125 & Part 6, Division 2 of the Act. For a full understanding of the requirements of the Act in relation to the matters summarised above, members are expected to make themselves fully aware of the requirements of the Act.</i></p>	

Kingston City Council Audit & Risk Committee Annual Work Plan - Year Ending 30 June 2021								
No	Charter Requirement	Charter Ref	Indicative Timing	Aug	Sept	Dec	Mar	June
Financial & Performance Reporting								
1	Review changes in significant accounting standards, policies and disclosures to understand their effect on the Annual Financial Statements	FPR 1	Annually				✓	
2	Review LGPRF changes for impact on Performance Indicators	FPR 2	Annually				✓	
3	Review Annual Statements with external Audit and Management	FPR 3	Annually	✓				
4	Review outcomes of the external audit with management and the External Auditors	FPR 4	Annually	✓				
5	Recommend adoption of annual financial report and performance report to Council	FPR 5	Annually	✓				
Risk Management								
6	Review effectiveness of Council's risk management framework	RM 1	Annually		✓			
7	Review Council's risk appetite statement	RM 2	Annually				✓	
8	Review Council's risk profile	RM 3	Quarterly	✓	✓	✓	✓	✓
9	Review Council's treatment plans for significant risks	RM 4	Annually		✓			
10	Review BCP framework and testing regime	RM5	Annually				✓	
Fraud Prevention Systems & Controls								
11	Review Council's fraud prevention policy and controls	FP1	Annually					✓
12	Receive reports on any instances of fraud, corruption or improper behaviour	FP2	As Required	✓	✓	✓	✓	✓
13	Review actions taken to report any incidents of fraudulent or corrupt behaviour	FP3	As Required	✓	✓	✓	✓	✓
Internal Control Environment - through the Strategic Audit Plan (copy attached):								
14	Review key policies, systems and controls adequacy and currency thereof	ICE1 & 2	Quarterly	✓	✓	✓	✓	✓
15	Monitor significant changes to systems and controls to consider impact of changes on Council's risk profile	ICE3	Quarterly	✓	✓	✓	✓	✓
16	Ensure a program is in place to test compliance with systems and controls	ICE4	Quarterly	✓	✓	✓	✓	✓
17	Assess whether the control environment is consistent with the overarching Governing Principles	ICE5	Quarterly		✓	✓	✓	✓
Assurance - Internal Audit								
18	Review and approve strategic & annual internal audit plans	AlA1	Annually				✓	✓
19	Review status of delivery of annual internal audit plan	AlA2	Quarterly		✓	✓	✓	✓
20	Review scopes of proposed internal audit reviews	AlA3	Quarterly		✓	✓	✓	✓
21	Review reports on internal audit reviews	AlA4	Quarterly		✓	✓	✓	✓
22	Meet privately with Internal Audit	AlA5	Annually				✓	
23	Review progress by management of addressing open audit recommendations	AlA6	Quarterly		✓	✓	✓	✓
24	Review effectiveness of the internal audit function	AlA7	Annually				✓	
25	Committee involvement in appointment and engagement of internal audit service provider	AlA8, 9 & 10	As Required					
Assurance - External Audit								
26	Review and approve external audit scope and plan	AE A1	Annually				✓	
27	Discuss any audit issues encountered during the course of the audit	AE A2	Annually	✓			✓	
28	Ensure that management responses to any audit findings are appropriate and timely	AE A3	Quarterly	✓	✓	✓	✓	✓
29	Review effectiveness of performance of external auditor in conjunction with management	AE A4	Annually	✓				
30	Meet privately with external auditor	AE A5	Annually	✓				
Governance								
31	Review systems and processes to monitor compliance with legislation and regulations and management follow up of instances of non compliance	G1	Annually			✓		
32	Obtain briefings on any significant compliance matters	G2	Quarterly	✓	✓	✓	✓	✓
33	Develop and Adopt Annual Audit and Risk Committee Workplan	G3	Annually					✓
34	Consider reports by regulatory and integrity agencies on investigations and relevance for Council	G4	Quarterly		✓	✓	✓	✓
35	Review Report on Reimbursement of Expense to Councillors	G5	Half Yearly			✓		✓
Reporting to Council								
36	Provide Minutes to Council	RTC1	Quarterly	✓	✓	✓	✓	✓
37	Report on activities to Council	RTC2, 3 & 4	Half Yearly			✓		✓
Performance Evaluation								
38	Assessment of Committee performance	PE1	Annually			✓		
Review of Charter								
39	Review of Committee Charter	RoC1	Annually				✓	
Other Matters								
40	Committee member induction		As Required					
41	Consider other matters referred by Council		As Required	✓	✓	✓	✓	✓
Meeting Schedule								
42	Set Committee meeting schedule		Annually			✓		

22 February 2021

Agenda Item No: 11.4

CEO AND GENERAL MANAGER EXPENSES

Contact Officer: Emily Scopel-Reed, Governance Officer

Purpose of Report

To present to Council the CEO and General Managers Expenses for noting.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That Council note the report.

1. Executive Summary

In accordance with Council's resolution at its meeting on 23 March 2020, expenses claimed by the CEO and General Managers for each quarter of the financial year are presented for Council to note. This report details the expenses for the July to September quarter of the 2020-2021 financial year.

2. Background

The following resolution was moved by Council on 23 March 2020 (refer to Item 12.2).

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.

Further that this occur subject to the compliance with the Privacy and Data Protection Act 2014 (VIC), and the Australian Privacy Principles.

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.

3. Discussion

3.1 Council Plan Alignment

Goal 5 - Our well-governed and responsive organisation

Direction 5.2 - Responsible and sustainable financial management

3.2 Consultation/Internal Review

Not applicable to this report.

3.3 Operation and Strategic Issues

Process

Council made the resolution for CEO and General Manager expenses to be consistent with the reporting of Councillor Expenses. The attached table presents the information in the same manner as the reporting of Councillor Expenses and will be made available via Council's website.

4. Conclusion

These reports will continue to be presented to Council every quarter.

4.1 Environmental Implications

Not applicable to this report.

4.2 Social Implications

Not applicable to this report.



4.3 Resource Implications

Not applicable to this report.

4.4 Legal / Risk Implications

Not applicable to this report.

Appendices

Appendix 1 - CEO and General Manager Expenses 1 October to 31 December 2020
(Ref 21/24143)  

Author/s:	Emily Scopel-Reed, Governance Officer
Reviewed and Approved By:	Phil DeLosa, Manager Governance
	Paul Franklin, General Manager Corporate Services

11.4

CEO AND GENERAL MANAGER EXPENSES

1	CEO and General Manager Expenses 1 October to 31 December 2020	385
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CEO and General Manager Expenses 1 October to 31 December 2020

	Communications expenses (mobile phones, tablets, and wireless data cards)	Travel intrastate	Travel interstate	Travel Overseas	Training, Conferences and Education	Other Expenditure
Chief Executive Officer – Julie Reid	\$390.00					
General Manager City Assets and Environment – Samantha Krull	\$75.00					
General Manager Community Sustainability – Mauro Bolin	\$120.00	\$96.00 *Fleet /Vehicle				
General Manager Corporate Performance – Paul Franklin	\$75.00					\$655.00 *CPA Membership Fees
General Manager Planning and Development – Jonathan Guttman	\$390.00					

22 February 2021

Agenda Item No: 11.5

RESPONSE TO NOTICE OF MOTION NO. 50/2020 - CHIEF EXECUTIVE OFFICER EXPENSES

Contact Officer: Paul Franklin, General Manager Corporate Services

Purpose of Report

The purpose of this report is to respond to the resolution passed at the Council Meeting on 14 December 2020 to receive a report to the February 2021 meeting that considers the following:

1. *Amending Item 8.5.2 of the Chief Executive Officer (CEO) contract (related to expense claims approval) that will provide for the provision for the Chief Executive Officer to spend up to \$500 on any individual matter related to professional associations, professional development, conferences and incidental expenses to allow for the CEO's day to day performance of the position as required under the employment conditions as listed in 8.5.1 of the contract, without having to gain prior approval from Council for that expenditure.*
2. *Claims for reimbursement to be made and dealt with by the General Manager Corporate Services in accordance with adopted and approved practices and procedures.*
3. *A limit of \$2500 in any quarter from 1 July would apply and a report would be submitted to Council at the end of each quarter.*
4. *Any amount exceeding \$2500 in a quarter would be subject to a Council resolution.*

Further that any changes to the Chief Executive Officer contract would need the consent and agreement of the Chief Executive officer.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That Council:

1. Consider this report and provide advice on the application of the Additional Expenses Clause in the CEO's Contract of Employment in relation to:
 - a. professional associations;
 - b. professional development; and
 - c. incidental expenses.
2. If changes are resolved by Council:
 - 2.1. That these be included in any new CEO Contract of Employment; and
 - 2.2. That the CEO Employment and Remuneration Policy be amended to reflect any changes.

1. Background

The former CEO's Contract of Employment contains the following clause in respect of additional expenses payable by Council:

8.5.1 Council must meet the following expenses:

- a. reimbursement or payment of membership fees and subscriptions payable by the officer to professional associations or bodies nominated and approved by Council, where the membership of which is, in the opinion of Council, reasonably necessary or desirable to enable the Officer to perform the Duties;*
- b. reimbursement or payment of the reasonable costs of the Officer attending conferences, seminars, in-service training, courses and study approved by Council as reasonably necessary to enable the Officer to perform the Duties; and*
- c. reimbursement or payment of the reasonable costs necessarily incurred by the Officer as a result of the Officer's performance of the Duties, to the limit determined by Council from time to time.*

8.5.2 The Officer is required to seek written approval from Council for any expenses referred to in clause 8.5.1 prior to those expenses being incurred.

8.5.3 Council may require reasonable documentary evidence of expenses before meeting the expenses in Clause 8.5.1

The issue that is raised is the impracticality of 8.5.2 in particular in relation to 8.5.1 (c) which relates to the reimbursement of the reasonable costs necessarily incurred by the Officer through the performance of the duties. This would cover incidental costs like: parking, public transport fares, coffees for meetings etc which contractually require the prior written approval of Council, and often in circumstances where these expenditures could not be sufficiently known in advance of a Council meeting for the Chief Executive Officer to seek prior approval of Council.

2. Discussion

It is felt that clauses 8.5.1 (a) and (b) might be treated differently to 8.5.1 (c).

- **Clause 8.5.1 (c) Reasonable Costs Necessarily incurred (incidental expenses)**

The impracticality is as set out above. Possible ways forward to address this include:

- a variation to 8.5.2 to give effect to the following intention:
 - Expenses incurred under 8.5.1 (c) are to be approved by General Manager Corporate Services and reported to Council on a quarterly basis.

The basis for this is found in the VAGO Fraud and Corruption Control in Local Government Report – which highlighted inappropriate expenses being claimed by a CEO and paid for by their Council. The VAGO report recommended that the position of the Council's chief financial officer or equivalent (at Kingston this is currently, the General Manager, Corporate Services) being authorised to approve the CEO expenses and provide a regular report to Council on CEO incidental expenses claimed. In September 2019 the Audit Committee noted and discussed the VAGO report. The minutes of this Audit Committee read as follows:

“There was dialogue on whether the Mayor or the CFO signs off the CEO’s expenditure claims. The Mayor (of the day) was not comfortable with this process but was agreeable to sight the expenditure claim as part of the CFO authorisation. Ms Filson highlighted that the process will increase the transparency of CEO Expenditure claims”

The risk associated with this approach of involving the Mayor in the process is somewhat problematic as it could be seen to be putting the Mayor in a difficult position as Council cannot delegate any of its powers, functions and duties to Councillors (see s 11(1) of the LGA 2020) with the act of “sighting” may well be seen as indicating assent or otherwise to the approval of the claim.

It also may put the “CFO” in a difficult position if the Mayor does not indicate assent, how then does the “CFO” proceed with the claim. Such difficulty could only be resolved by the Council considering a specific report on the expense reimbursement in question.

Council is asked to consider its approach and whatever approach it determines would ordinarily be discussed with the CEO prior to any amendment of the contract of employment. With Ms Reid having now resigned, whatever new position Council determines would then be included in a new Contract of Employment to be negotiated with the next Chief Executive Officer. The new position of Council should then also be incorporated into an amended CEO Employment and Remuneration Policy to reflect the above change. Such an amendment(s) could impose a quarterly and transaction value monetary limit – beyond either of which prior Council approval would be required and some definition around the types of expenses that would be acceptable or not acceptable as contemplated by the resolution of Council.

- **Clause 8.5.1 (a) and (b) Professional Association and Professional Development Expenses**

Supporting Professional Development is an integral element of the Chief Executive Officer’s employment with Council – as it is for any officer.

As a contemporary organisation, a clear acknowledgement from Council that continuing professional development contributes to personal job satisfaction, workplace productivity, reward and recognition, and a learning culture in the broader organisation is of merit. Professional development is also inextricably linked to Council’s on-going achievement of its mission and strategic goals. Professional memberships and associations are essential in developing the networks of the Chief Executive Officer to keep abreast of trends within the sector and across professional industry sectors.

Professional Development includes the provision of learning and development opportunities and professional memberships and association.

This might best be achieved through the regular CEO Performance Assessment processes to determine which professional memberships or associations and which learning and development activities, in the opinion of the Council, are reasonably necessary or desirable to perform the duties of the role and the responsibilities of the position of Chief Executive Officer.

While, Associations and Memberships that can be supported by Council are easily able to be agreed in advance, the same cannot always be said for learning and development activities as these are not always known in advance and the specific

requirements can change at relatively short notice to reflect emerging issues at Council – though it would not be expected that this circumstance would arise frequently.

Councillors are asked to consider ways to achieve some flexibility in this area and this could be incorporated as a part of the regular Chief Executive Officer performance reviews that are conducted by the Council.

The professional association and membership expenses are best informed through the performance assessment conversations being held with the CEO, by the CEO Employment Sub-Committee and a recommended list of memberships could be reported to Council for approval each quarter as part of the current practice of Council formally endorsing the Quarterly Reviews. This would not require any change to the Contract of Employment.

Professional Development could likewise be informed through the Employment Sub-Committee conversations and known and agreed learning and development activities could be reported to Council for approval each year or half year as applicable, using the process outlined in the preceding paragraph. Alternately, Council could consider including an agreed annual professional development allowance in the Contract of Employment and allowing the CEO to determine their professional development needs. Accountability could be achieved by having a report presented to the CEO Employment Sub Committee outlining the learnings and their application to Kingston as a part of the regular performance review processes for each professional development activity undertaken.

Author/s: Paul Franklin, General Manager Corporate Services
Reviewed and Approved By: Paul Franklin, General Manager Corporate Services

22 February 2021

Agenda Item No: 11.6

QUICK RESPONSE GRANTS

Contact Officer: Gabby Pattenden, Governance Officer

Purpose of Report

To seek Council's consideration of a Quick Response Grant application received.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That Council approve the following Quick Response Grant applications:

- Andrew Dawson – Heatherton RAID (subject to resubmission of the application in the name of an eligible organisation with a bank account in the name of that organisation)
- Suzanne Maree Donato

1. Executive Summary

- The Quick Response Grants Program gives individuals and community groups the opportunity to apply for small grants required at short notice to help them achieve their goals and ambitions.

• This Program responds to the community's need for a form of grant that is flexible and efficient in terms of the time between application and approval and applies to smaller amounts of funding to a maximum of \$1,500.00.

• Quick Response Grants are a category under Council's Community Grants Program.

2. Background

- In April 2019 Council revised the Quick Response Grants Guidelines. Grant applications are checked for eligibility in line with a set of criteria outlined in the Guidelines (Attachment 1). An application must be submitted to Council and considered for approval at an Ordinary Meeting of Council.
- Any not-for-profit group, school or community organisation providing services within the City of Kingston may apply.

- Individuals must be a resident of the City of Kingston and participating in an activity in an unpaid capacity and not as a requirement of any formal course of study or of their employment. Individuals can apply for a grant to assist them to participate in a sporting, educational, recreational or cultural activity; other pursuit of a personal development nature; which will have a clear benefit to the community.

-

Community groups can apply for a grant to assist with the provision of a service, program or activity used by or of benefit to Kingston residents.

3. Discussion

1.1 Council Plan Alignment

Goal 3 - Our connected, inclusive, healthy and learning community

Direction 3.4 - Promote an active, healthy and involved community life

1.2 Operation and Strategic Issues

1.2.1 Assessment of Application Criteria

Applications for Quick Response Grants are assessed against the criteria outlined in the guidelines as follows:

- Are funds needed at short notice or can they wait for the Annual Grants program?
- Does the proposed activity/event/project benefit the City of Kingston residents?
- Has the applicant demonstrated a clear need for funds?
- Has the applicant received any other funding from Council?
- That the organisation is a not-for-profit and has a bank account in the name of organisation.
- Can the project be funded under any other Council grant program?

4. Applications

Name:	Andrew Dawson (Heatherton RAID)	
Amount requested:	\$1500.00	
Description of Project/Event:	A small group of people set up to fight against the Heatherton stabling yard and to work towards relocating the yard to a more suitable site. To persuade the government to honour promise of public open space, helping Council's wish of sports fields come to fruition for the Delta site and relieving residents concerns of an unsavoury use. Our group was formally Heatherton R.A.I.D inc and have fought many applications in this area including ministerial panel and VCAT hearings, we have helped shape Heatherton for a better common cause, however over the years group members have left and or past away and with the governments public space promise we thought it was all done and dusted and we were no longer needed. So the Incorporation part was dropped in the belief we had won our fight over the last 25 years. With the train stable proposal we have reorganised and revitalised the group with new members and vigor.	
How the funds will be used:	The funds will be used for printing, paper, ink etc, setting up a website and domain name that the community and Council can access to see what we are doing and get up to date information. Also signage and letter box drops etc, also re registering of Heatherton R.A.I.D Inc if required.	
Assessment Criteria:	<ul style="list-style-type: none"> • The applicant meets the eligibility criteria • Funds are needed at short notice • The activity/event/project benefits the City of Kingston residents • The applicant has demonstrated a clear need for funds • The applicant has not received any other funding from Council • The applicant is an individual or not for profit organisation • The project cannot be funded under any other Council Grant program 	<p style="text-align: center;">?</p> <p style="text-align: center;">✓</p> <p style="text-align: center;">?</p> <p style="text-align: center;">✓</p> <p style="text-align: center;">✓</p> <p style="text-align: center;">✓</p> <p style="text-align: center;">✓</p>
Grants received in current or last financial year N/A		
Officer Comment: This application is recommended for approval (subject to resubmission of the application in the name of an eligible organisation with a bank account in the name of that organisation).		

Name:	Suzanne Maree Donato	
Amount requested:	\$500.00	
Description of Project/Event:	My exhibition, Happiness, like a breath out of place. Will be on display from January 29th to February 27th 2021. The show consists of nine paintings and five pastel works. All art works are professionally framed.	
How the funds will be used:	The funds will be used for the cost of the gallery hire fee.	
Assessment Criteria:		
• The applicant meets the eligibility criteria		✓
• Funds are needed at short notice		✓
• The activity/event/project benefits the City of Kingston residents		✓
• The applicant has demonstrated a clear need for funds		✓
• The applicant has not received any other funding from Council		✓
• The applicant is an individual or not for profit organisation		✓
• The project cannot be funded under any other Council Grant program		✓
Grants received in current or last financial year		
N/A		
Officer Comment:		
This application meets the assessment criteria and is recommended for approval.		

5. Conclusion

- The grant applications in this report have been assessed according to the assessment criteria approved by Council in the Quick Response Guidelines.

1.3 Environmental Implications

NA

1.4 Social Implications

The allocation of Quick Response Grants allows for Council to provide funds on a small scale to groups and individuals or towards projects or events that are consistent with Council's strategic directions and of benefit to Kingston's residents and community.

1.5 Resource Implications

Funds for Quick Response Grants are allocated by Council through its annual budget process.

1.6 Legal / Risk Implications

NA

Author/s: Gabby Pattenden, Governance Officer
 Reviewed and Approved By: Phil DeLosa, Manager Governance
 Paul Franklin, General Manager Corporate Services

22 February 2021

Agenda Item No: 11.7

REVISED COMMUNITY ENGAGEMENT POLICY

Contact Officer: Megan O'Halloran, Manager Communications and Community Relations
Tracey Cheeseman, Program Leader Strategic Communications and Engagement

Purpose of Report

The purpose of this report is to provide a revised draft of the Community Engagement Policy that has been updated to reflect the requirements of the new *Local Government Act 2020*.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That Council adopt the attached Community Engagement Policy

1. Executive Summary

Council first adopted a Community Engagement Policy in 2019 after a period of public consultation.

To reflect the changes outlined in the *Local Government Act 2020* (the Act) a revised policy was drafted and released for consultation in 2020. The main changes to the policy include:

- a clear list of the document and strategies that we will engage the community on – as outlined in the new Act
- a definition of deliberative engagement
- a strengthened approach to how we will consult based on the draft Victorian Government Engagement Framework that was released for public comment in early 2020.

Public consultation on this revised policy was completed in October 2020 – only one comment was received. Attached to this report is the revised policy for Council adoption.

2. Background

The existing Community Engagement Policy was adopted at the 28 October 2019 Ordinary Council Meeting.

As part of the new Act Councils must develop, adopt, and maintain a Community Engagement Policy (s 55) in consultation with the community to give effect to the community engagement principles (s 56). The Policy must:

- be capable of being applied to the making of Council's local laws, budget, and policy development
- describe the type and form of community engagement having regard to the significance and complexity of the matter and the level of resourcing required
- specify a process for informing the community of the outcome
- include deliberative engagement practices that can be applied to the development of the Community Vision, Council Plan, Financial Plan and Asset Plan

Section 56 of the Act lists the principles of community engagement:

- a community engagement process must have a clearly defined objective and scope;
- participants in community engagement must have access to objective, relevant and timely information to inform their participation;
- participants in community engagement must be representative of the persons and groups affected by the matter that is the subject of the community engagement;
- participants in community engagement are entitled to reasonable support to enable meaningful and informed engagement;
- participants in community engagement are informed of the ways in which the community engagement process will influence Council decision making.

To meet these new requirements, Councils existing policy required updating. This has now been done and the revised policy was released for public comment in October 2020.

In accordance with the new Act, all Victorian Council must adopt a Community Engagement Policy on or before 1 March 2021.

3. Discussion

3.1 Council Plan Alignment

Goal 5 - Our well-governed and responsive organisation

Direction 5.3 - Foster staff health and wellbeing, promote our organisational values and encourage leadership and high productivity

The adoption of a Community Engagement Policy will assist that Council:

- complies with the new Local Government Act 2020
- is transparent in when and for what purpose it will engage with the community
- compliant with the *Charter of Human Rights and Responsibilities Act 2006*

3.2 Consultation/Internal Review

The revised Community Engagement Policy was released for public comment in October 2020.

While over 200 people visited the *Your Kingston Your Say* webpage to view this consultation, over 90 people downloaded the revised policy. Only one comment was received regarding the policy – as per below:

"When you try to please everybody, you please nobody." Look not in short term gains, but at long term growth. Albeit things change quickly which distort current planning for long term, but ultimately, we need to ask ourselves are we working for the interests of the few or the greater good of the many? Reference document: Values statement of an Australia Citizen on Government website.

No changes were made to the revised policy following public consultation.

3.3 Operation and Strategic Issues

3.3.1 New Act requirements

The Local Government Act 1989 included a Right to Make a Submission (s 223) process that applied to a wide range of Council processes and activities. This obligation has effectively transferred to the Community Engagement Policy and each Council will now need to determine how and when it will engage with the community on a wide range of matters including strategic planning and reporting.

The community engagement policy needs to consider and outline how Council intends to engage on the following matters:

- Development or review of the Community Vision (s 88) *
- Preparation and adoption of the Council Plan (s 90) *
- Development, adoption, and review of the Financial Plan (s 91) *
- Development, adoption, and review of the Asset Plan (s 92) *
- Electoral structure review (s 16)
- Governance rules (s 60)
- Proposing and making a local law (s 73)
- Budget or Revised budget (s 95 & 96)
- Compulsory acquisition of land (s 112)
- Selling, exchange or lease of land (s 114 & 115)

*These provisions also include a requirement for deliberative engagement practices.

3.3.2 Deliberative Engagement

As indicated above, there are certain strategies and documents where the Act requires Councils to undertake a deliberative process.

The Act defines deliberative engagement as:

deliberative engagement practices mean the deliberative engagement practices included in a community engagement policy.

So, while the Act has specified the community engagement principles, and that certain strategic planning processes and documents must be developed in accordance with deliberative engagement processes, it does not stipulate the methods or format required by council.

This is good news as it means Councils can choose the most appropriate form of deliberation to suit their situation.

MosaicLab, leading specialists in the field of community engagement, has created 'A short guide to deliberative engagement for Victorian Councils'. The guide sets out a definition of deliberative engagement –

Deliberation is a long and careful consideration or discussion...Public deliberation is one form of 'high influence' community engagement. The expectation is that the convening organisation will implement the recommendations to the greatest extent possible. However, it does not replace or take away from the decision-making powers of elected representatives.

The Guide, similar to the Act, notes that deliberation is a principles-based approach to community engagement, and that meeting the principles is more important than any specific method or format.

This definition has been included in the updated policy.

3.3.3 How we will engage

The existing Community Engagement policy notes that there is no one-size fits-all approach to how community engagement should occur. Instead noting that the engagement approach should reflect the scale and purpose of the decision or project.

Regardless of the level and type of community engagement that occurs, Council's existing approach to community engagement is a six-step process that includes defining the objectives and scope of the public participation, understanding who is affected and how they should be included and evaluating the public participation exercise.

In early 2020 the Victorian Government released their draft Public Engagement Framework. This draft included eight steps to design, deliver and complete public engagement. The revised policy now incorporates these eight-steps as they are more thorough and inclusive:

1. DEFINE the purpose of the engagement.
2. UNDERSTAND stakeholder and community interests, values and opportunities for engagement.
3. DESIGN an appropriate engagement process.
4. DELIVER genuine and respectful engagement.
5. REVIEW and interpret the engagement information and data.
6. APPLY the outcomes of the engagement to inform the decision-making process.
7. EVALUATE the success of the engagement and share lessons learnt.
8. REPORT feedback and 'close the loop' on the public engagement.

4. Conclusion

In line with the Act, it is recommended that the revised policy be adopted by Council at its February 2021 Ordinary Council Meeting.

4.1 Environmental Implications

NA

4.2 Social Implications

The development and adoption of a Community Engagement Policy seeks to adhere to the *Charter of Human Rights and Responsibilities Act 2006* which requires consideration of relevant human rights in making decisions and makes actions that are incompatible with human rights illegal. In particular:

- the right of every person in Victoria to participate in the conduct of public affairs
- the right to freedom of expression, including the freedom to seek, receive and impart information and ideas of all kinds


4.3 Resource Implications

Deliberative engagement processes require considerable resource and time and on average a deliberative engagement exercise can cost between \$50k - \$200k to deliver.

4.4 Legal / Risk Implications

A requirement of the new *Local Government Act 2020* is that all Victorian Council are required to adopt a new Community Engagement Policy by no later than March 2021.

Appendices

Appendix 1 - Revised Community Engagement Policy (Ref 19/78044)  [Download](#)

Author/s:	Megan O'Halloran, Manager Communications and Community Relations Tracey Cheeseman, Program Leader Strategic Communications and Engagement
Reviewed and Approved By:	Paul Franklin, General Manager Corporate Services

11.7

REVISED COMMUNITY ENGAGEMENT POLICY

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Community Engagement Policy



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1 Document Control

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RESPONSIBLE GENERAL MANAGER	General Manager Corporate Services
POLICY OWNER	Manager, Communications and Community Relations
ADOPTED BY	Council 28 October 2019
REVIEW DATE	30/06/2020
CM REF AND VERSION	19/78044
VERSION HISTORY	NA

The City of Kingston recognises the traditional custodians of the land and waterways on which we live, work and play. We extend our respect to all Elders past, present and emerging and to all Aboriginal and Torres Strait Islander peoples who call Kingston home.

2 Purpose

The Community Engagement Policy outlines Kingston City Council's (Council) commitment to provide the community with genuine opportunities to contribute to and inform projects, strategies, services and decisions that affect them. The intent of this policy is to provide clarity about how Council will fulfil its commitment to engaging with the community.

3 Scope

This Policy applies across all of Council.

The Policy is supported by a 'Community Engagement Kit' that provides guidance and procedures for undertaking community engagement.

4 Context

Today, community engagement is an accepted component of any significant project; with stakeholders, the community and customers expecting they will have an opportunity to influence government decisions that affect them.

Council adopted its Community Engagement Policy in 2019 after a period of public consultation. This updated draft policy reflects the changes and expectations outlined for all Victorian Councils in the new *Local Government Act 2020* (the Act).

As part of the new Act Councils must develop, adopt, and maintain a Community Engagement Policy (s 55) in consultation with the community to give effect to the community engagement principles (s 56). The community engagement principles in the new Act are:

- a community engagement process must have a clearly defined objective and scope;
- participants in community engagement must have access to objective, relevant and timely information to inform their participation;
- participants in community engagement must be representative of the persons and groups affected by the matter that is the subject of the community engagement;
- participants in community engagement are entitled to reasonable support to enable meaningful and informed engagement;
- participants in community engagement are informed of the ways in which the community engagement process will influence Council decision making.

5 Public Engagement Best Practice

In 2015 the office of the Victorian Auditor General (VAGO) developed a '*Better Practice Guide for Public Participation in Government Decision-Making*' that advocates for the importance of public participation in government decision-making and provides a high-level framework to use when deciding how best to involve the public in government decision-making and implementation.

The International Association for Public Participation (IAP2) is the leading professional organisation advancing the practice of public participation globally. IAP2 has a series of tools which support the delivery of engagement, including:

- Core Values: informing best practice engagement and defining expectations of the process.
- Public Participation Spectrum: defining the role of the public in engagement processes.
- Code of Ethics for Public Participation Practitioners: a guide for ethics in public engagement.
- Quality Assurance Standard: describes the important elements of public engagement processes.

At the start of 2020, the Victorian Government released a draft Public Engagement Framework for community consultation (this draft was initially due to be finalised and published in April this year, however efforts have been diverted to support the government in response to COVID-19 so it is yet to be finalised). The draft engagement framework provides principles, how-to guidelines and measures for engagement evaluation and has been used in the refinement of this policy.

All the above have been incorporated into the thinking and design of this updated draft Community Engagement Policy

6 Commitment to community engagement

As detailed in the 2017-2021 Council Plan, Council is committed to engaging communities in a meaningful way.

Kingston is a diverse, inclusive community home to people of different ages, abilities, cultural backgrounds, sexualities and genders. Council is committed to engaging with a broad range of perspectives when undertaking community consultation and, where appropriate, will seek to engage with groups that are often underrepresented in community engagement such as (but not limited to) Aboriginal and Torres Strait Islander peoples, people, people with a disability, carers, youth, elderly, and multicultural communities.

Council is committed to principles to drive and inform the way it develops and implements community engagement activity. The principles outlined below are adapted from those outlined in the VAGO better practice guide.

Openness

- Embedding in decision-making processes an openness to understanding and incorporating the views of those affected by decisions.
- Providing access to relevant information about the decision in a manner that participants can understand, so that their contributions may be fully informed.

Accountability

- Being clear about the scope and objectives of the public participation exercise.
- Being clear about the contribution participants will be asked to make and the responsibilities associated with this.
- Providing appropriate time and resources to ensure that those affected can participate in a meaningful way.
- Demonstrating that results and outcomes are consistent with the commitment made at the outset of the process.

Transparency and integrity

- Ensuring that those affected understand the scope of the pending decision, the decision-making process and any constraints on this process.
- Addressing public and stakeholder concerns in an honest and forthright way and communicating results back to the public in a way they understand.

Responsive

- Responding to the engagement and input of the public in a timely and constructive manner.
- Identifying and promoting public participation better practice in government decision-making.

Inclusiveness

- Making every reasonable effort to include the stakeholder groups and members of the public affected by the pending decision.
- Making reasonable adjustments where necessary to remove barriers to participation and ensure an inclusive approach.
- Providing appropriate time and resources to ensure that those affected can participate in a meaningful way.
- Being aware and taking account of the needs of diverse communities to be able to participate in a meaningful way.

Awareness

- Being aware and taking account of legislation that should shape the approach to public participation

7 What is community engagement?

IAP2 defines public participation as the involvement of those affected by a decision in the decision-making process. In this policy we use the term 'community engagement' to describe those situations.

8 Approach to community engagement

When will Council engage the community

The question of when Council will consult is a critical one. Each time there is a project or policy to be developed or a decision to be made there is an opportunity for a community engagement process. The new Act also sets a list of some key strategies and documents Councils must engage with the community. Below sets out when Council will engage its community:

- development or review of the Community Vision*
- preparation and adoption of the Council Plan*
- development, adoption, and review of the Financial Plan*
- development, adoption, and review of the Asset Plan*
- electoral structure review
- governance rules
- proposing and making a local law
- budget or Revised budget
- compulsory acquisition of land
- selling, exchange or lease of land
- substantial changes or review of a Council service or program
- new, or changes of, adopted Council policies and/or strategies
- capital works projects including public buildings, centres and other infrastructure
- Councillor Notices of Motion should have regard to community engagement principles and requirements outlined in this policy.

*In the new Act, these items include a requirement for deliberative engagement practices.

How will Council engage the community?

There is no one-size fits-all approach to how community engagement should occur.

Instead, the engagement approach should reflect the scale and purpose of the decision or project. As noted in the VAGO better practice guide, it is not expected that the depth of analysis and documentation for community engagement on the \$50,000 installation of a local traffic management solution will be the same as the engagement plan required on \$1 billion new public infrastructure project.

Community engagement occurs in various forms with increasing levels of involvement as demonstrated by the IAP2 Public Participation Spectrum. This Spectrum is designed to assist with the selection of the level of participation that defines the public's role in any community engagement program; it also sets out the promise being made to the public, by Council, at each participation level.

The Spectrum shows that all levels of participation are legitimate depending on the goals, time frames, resources and level of concern in the decision to be made. The below also sets out some example engagement techniques at each level.

	Inform	Consult	Involve	Collaborate	Empower
Public participation goal	To provide balanced and objective information to make our community aware of something that has happened or will happen.	To listen to our community's feedback on options or a potential decision and take their input into account.	To seek input to identify issues, concerns and aspirations to inform decision making and show how that input has informed the decision.	To work with our community to develop a detailed understanding of all the issues and opportunities and identify agreed solutions at every step of the process.	To build the capacity of our community to identify solutions and/or lead change.
Promise to the Public	We will keep you informed	We will keep you informed, listen to and acknowledge concerns, and provide feedback on how public input influenced the decision	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decision to the maximum extent possible	We will implement what you decide
Example techniques	Fact sheets Newsletters Websites Open houses	Public comment Focus Groups Surveys Public meetings	Workshops Deliberative polling	Citizen advisory committees Consensus building Participatory decision-making	Citizen juries Ballots Delegated decision Representative panels

Regardless of the level of community engagement that occurs, Council's approach to community engagement will seek to:

1. DEFINE the purpose of the engagement.
2. UNDERSTAND stakeholder and community interests, values and opportunities for engagement.
3. DESIGN an appropriate engagement process.
4. DELIVER genuine and respectful engagement.
5. REVIEW and interpret the engagement information and data.
6. APPLY the outcomes of the engagement to inform the decision-making process.
7. EVALUATE the success of the engagement and share lessons learnt.
8. REPORT feedback and 'close the loop' on the public engagement.

9 Tools and methods

To help guide Council on the level of engagement appropriate for a project, the IAP2 'Working out your spectrum level' worksheet (Appendix 1) will be used to guide this decision, as will local knowledge, community sentiment already understood and precedence of the engagement level for like activities.

Different types of engagement suit different decisions according to the level of impact, and level of influence the community will have. Every project or decision will vary according to its context, who it affects and how it impacts them as well as what can be influenced or is achievable. We assess each project accordingly.

Deliberative Engagement

There are certain strategies and documents where the Act requires Councils to undertake a deliberative process; and while the Act has specified the community engagement principles, and that certain strategic planning processes and documents must be developed in accordance with deliberative engagement processes, it does not stipulate the methods or format required by council.

This means Councils can choose the most appropriate form of deliberation to suit the situation. It is worth noting however that Kingston Council considers "deliberative" to mean long and careful consideration, and when considering the IAP2 spectrum, deliberative engagement sits at the 'Collaborate' and 'Empower' end of the spectrum.

Below is an example of the types of projects that would sit at each level of the IAP2 spectrum.

Examples of how different types of engagement may align with influence

Inform	Consult	Involve	Collaborate	Empower
If a decision has already been subject to engagement or there is a safety issue we will inform you rather than consult, for example drainage repairs.				
	Sometimes options are limited for practical reasons for example work must be carried out, but we will ask the community how and when it should happen.			
	Decisions carrying a lower impact, for example minor park upgrades, still require community input but less time and resource intensive methods.			
		High impact and complex projects for example, major infrastructure upgrades, or precinct master planning or require extra levels of interaction and often happen over several stages.		
			The Local Government Act requires deliberative engagement practices for: <ul style="list-style-type: none"> • Community Visions • Council plans • Financial plans and Asset Management Plans On long term and significant impact projects like these we will use methods to partner with the community.	

10 Exemptions

Community engagement will not occur in circumstances which relate to operational matters, confidential or commercial in confidence information, or when Council must make emergency or safety related decisions.

Community engagement can take place at any time of the year (excluding where possible the Christmas – January holiday period) and is dependent on Council's program of work.

11 Human Rights Charter

This policy has been reviewed against and complies with the Charter of Human Rights and Responsibilities Act 2006.

The development and adoption of a Community Engagement Policy seeks to adhere to the *Charter of Human Rights and Responsibilities Act 2006* which requires consideration of relevant human rights in making decisions and makes actions that are incompatible with human rights illegal. In particular:

- the right of every person in Victoria to participate in the conduct of public affairs
- the right to freedom of expression, including the freedom to seek, receive and impart information and ideas of all kinds

12 Related Documents and Resources

- Your Kingston Your Say website www.yourkingstonyoursay.com.au

This online platform allows Council to interact with its community and seek their feedback via a combination of forums, polls, surveys, maps and other tools to host and encourage conversations and interaction.

- Council also uses a range of tools and templates, including a comprehensive Community Engagement Kit, that guide it in how to approach and implement community engagement.

13 Legislation / External Document

- The *Local Government Act 2020* requires councils to have a community engagement policy
- The *Public Administration Act 2004* requires the use of community views to improve outcomes
- The *Equal Opportunity Act 2010* under which, providers of services
 - have a duty to take reasonable and proportionate steps to eliminate discrimination as far as possible
 - must not discriminate when they deliver services
 - must make reasonable adjustments for people with disabilities so that they can participate or access a service, including when providing information.

14 Internal Document

- Kingston City Council, Community Engagement Kit
- the 2017-2021 Council Plan sets out a range of actions and details how Council will strive to deliver these actions including through 'Engaging our Community in decision-making'.

15 Definitions

Community	Means individuals and groups of people, stakeholders, interest groups and citizen groups. A community may be a geographic location (community of place), a community of similar interest (community of practice) or a community of affiliation or identity (such as industry or sporting club).
Community engagement	Means a planned process that aims to work with customers, stakeholders and/or communities to shape decisions and actions in relation to a problem, opportunity or outcome (IAP2 2015). Community engagement may also be referred to as public participation, consultation and stakeholder engagement.
Council	Means Kingston City Council, being a body corporate constituted as a municipal Council under the <i>Local Government Act 2020</i>
Councillor	Individuals holding the office of a member of Kingston City Council
Council Officer	Means the Chief Executive Officer and employees of Council appointed by the Chief Executive Officer.
Customer/s	Means an individual, business or organisation that uses Council services.
Decision	Decisions can take many forms, and, in this policy, it is used to include activities such as projects, service design/delivery, and policy development means a conclusion or resolution reached after consideration.
Public	Those stakeholders who are not typically part of the decision-making entity or entities.
Public Participation	A process that involves the public in problem-solving or decision-making and that uses public input to make better decisions.
Project	Means a planned undertaking that builds, enhances and/or maintains Council assets or enhances Council services in order to achieve a desired outcome, within a defined scope
Stakeholder/s	Any individual, group of individuals, organisation or politics entity with an interest or stake in the outcome of a decision.
IAP2 Australasia	The International Association for Public Participation (IAP2) is an international federation of member affiliates which seek to promote and improve the practice of public participation
Inform	A level of community engagement in the IAP2 Spectrum for Public Participation in which an organisation provides the community with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions
Consult	A level of community engagement in the IAP2 Spectrum for Public Participation in which an organisation seeks community feedback on alternatives, drafts or proposals.
Involve	A level of community engagement in the IAP2 Spectrum for Public Participation in which an organisation works with the community to ensure that their concerns and aspirations are directly reflected in the alternatives developed.
Collaborate	A level of community engagement in the IAP2 Spectrum for Public Participation in which an organisation partners with the community through the whole process of making a decision.
Empower	A level of community engagement in the IAP2 Spectrum for Public Participation in which an organisation shares some or all of its authority to make decisions with the community

APPENDIX 1**Working Out Your Spectrum Level (adapted from IAP2, 2006)**

Complete the Public Expectations Worksheet to help determine what level of Public Participation you should be performing.

Tick the appropriate boxes for questions 1 to 5. Then, follow the instructions in the left column.

Assessment questions	Very low	Low	Moderate	High	Very high
1. What is the probable level of difficulty in addressing the problem / opportunity?					
2. What is the potential for public outrage related to the project?					
3. How important are the potential impacts to the public?					
4. How much do major stakeholders care about the problem / opportunity to be addressed and the decision to be made?					
5. What degree of participation does the public appear to want?					
Count number of ticks in each column					
Multiply number of ticks by the weight	x1	x2	x3	x4	x5
Enter column score					
Add total of all five column scores					
Divide total score by the number of questions	/5				
Average score					

Score Indicates:

1 - 2	Very low - Low	
2 - 3	Low - Moderate	Recommendation: at least Consult
3 - 4	Moderate - High	Recommendation: probably Involve
4 - 5	High – Very high	Recommendation: minimum Involve, consider opportunities for Collaborate or Empower

Agenda Item No: 11.8

COUNCILLOR CODE OF CONDUCT

Contact Officer: Patrick O'Gorman, Governance Officer

Purpose of Report

This report presents the Councillor Code of Conduct for adoption by Council at the February Council Meeting.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That Council adopt the Councillor Code of Conduct and Councillors sign the Code of Conduct.

1. Executive Summary

The Councillor Code of Conduct has been prepared to reflect all necessary requirements of the *Local Government Act 2020* (the Act), including the Standards of Conduct.

The Code of Conduct also includes the Councillor values that were developed by Councillors at the Leadership & Teamwork Councillor Induction session held on Wednesday 2 December.

Attachment 1 contains the Councillor Code of Conduct.

2. Background

Section 139 of the Local Government Act reads as follows:

139 Councillor Code of Conduct

- 1) *A Council must develop a Councillor Code of Conduct.*
- 2) *The purpose of the Councillor Code of Conduct is to include the standards of conduct expected to be observed by Councillors in the course of performing their duties and functions as Councillors, including prohibiting discrimination, harassment (including sexual harassment) and vilification.*
- 3) *A Councillor Code of Conduct—*
 - a) *must include the standards of conduct prescribed by the regulations expected to be observed by Councillors; and*
 - b) *must include any provisions prescribed by the regulations for the purpose of this section; and*
 - c) *must include provisions addressing any matters prescribed by the regulations for the purpose of this section; and*
 - d) *may include any other matters which the Council considers appropriate, other than any other standards of conduct.*

- 4) *A Council must review and adopt the Councillor Code of Conduct within the period of 4 months after a general election.*
- 5) *A Council must adopt the Councillor Code of Conduct under subsection (4) by a formal resolution of the Council passed at a meeting by at least two-thirds of the total number of Councillors elected to the Council.*
- 6) *Until a Council adopts a Councillor Code of Conduct under subsection (4), the Councillors must comply with the existing Councillor Code of Conduct.*
- 7) *A Councillor Code of Conduct is inoperative to the extent that it is inconsistent with any Act (including the Charter of Human Rights and Responsibilities Act 2006) or regulation.*

In accordance with subsection 3, the Standards of Conduct prescribed in Schedule 1 of the *Local Government (Governance and Integrity) Regulations 2020* are included in Chapter 4 of the Code of Conduct found in Attachment 1.

3. Discussion

3.1 Council Plan Alignment

Goal 5 - Our well-governed and responsive organisation

Direction 5.4 - A responsive and well managed organisation

Council is committed to fulfilling its legislative responsibilities under the Act.

3.2 Consultation/Internal Review

Leadership and Teamwork Workshop

Consultation with Councillors regarding the Councillor Code of Conduct was undertaken at the Leadership & Teamwork Induction Workshop held on Wednesday 2 December. Councillors developed the Councillor 'ICARE' Values found in Chapter 2 of Attachment 1.

3.3 Operation and Strategic Issues

3.3.1 Standards of Conduct

The mandatory Standards of Conduct that must be included in the Councillor Code of Conduct under the Act are contained in Chapter 4 in Attachment 1.

These Standards are expected to be observed by Councillors while performing their duties and functions as Councillors.

3.3.2 Councillor 'ICARE' Values

The Councillor 'ICARE' values that are included in Chapter 2 of Attachment 1 were developed by Councillors with the assistance of the Councillor Induction facilitator. These values will aid Councillors in guiding their decision making and conduct during their time as a Councillor. These values exist outside of the legislative framework, and act as distinct values that belong to Councillors at the City of Kingston.

3.3.3 Overarching Governance Principles

The overarching governance principles found in section 9 of the Act have been included in Chapter 3 of Attachment 1. While this is not a legislative requirement, a Council must give effect to the principles in the performance of its role, therefore their inclusion may contribute to the declaration that Councillors will undertake to uphold best practice decision making and behaviour in their role as Councillors.

3.3.4 Interpersonal Dispute Resolution Procedure

The Internal Dispute Resolution Procedure will apply to Councillor disputes that exist outside of the legislative framework. The procedure may apply to other matters, e.g. a breach of the Councillor shared values.

The Interpersonal Dispute Resolution Procedure has been retained from the previous version to allow a process for disputes to be facilitated and resolved between Councillors. It should be noted however that this process cannot be undertaken to resolve alleged breaches of the Standards of Conduct, to which they must follow the Internal Arbitration Process outlined in the Act. A diagram of the differing 'Tiers of Councillor Conduct' can be found on page 5 of Attachment 1 to help aid Councillors in their understanding of the differing processes to handle Councillor conduct.

3.3.5 Internal Arbitration Process

The process for considering a Code of Conduct matter is now administered by the Principal Conduct Registrar, which is a State Government appointed position rather than a Council process as previously detailed in the previous Code of Conduct.

3.3.6 Signed declaration by Councillors to the Code of Conduct

While it is no longer a statutory obligation for Councillors to sign the Councillor Code of Conduct, it is a symbolic representation of Councillors' commitment to abide by the Code of Conduct and the Councillor 'ICARE' values.

4. Conclusion

4.1 Environmental Implications

Not applicable.

4.2 Social Implications

Not applicable.

4.3 Resource Implications

Not applicable.

4.4 Legal / Risk Implications

The Councillor Code of Conduct must be adopted by Council by 24 February 2021.

Appendices

Appendix 1 - Councillor Code of Conduct (Ref 21/23474) 

Author/s: Patrick O'Gorman, Governance Officer

Reviewed and Approved By: Phil DeLosa, Manager Governance

Tony Ljaskevic, Manager Information Services and Strategy

11.8

COUNCILLOR CODE OF CONDUCT

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Councillor Code of Conduct

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1 Document Information

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RESPONSIBLE GENERAL MANAGER	General Manager Corporate Services
RESPONSIBLE MANAGER (Policy Owner)	Manager Governance
APPROVED/ADOPTED BY	Council
SIGNATURE	
APPROVAL DATE	22 February 2021
EFFECTIVE DATE (If different from approval date)	22 February 2021
REVIEW DATE	
CM REF AND VERSION	13/23737[v6]
VERSION HISTORY	This Policy Replaces 13/23737[v5]



Chapter 1

Code of Conduct Framework

The City of Kingston recognises the traditional custodians of the land and waterways on which we live, work and play. We extend our respect to all Elders past, present and emerging and to all Aboriginal and Torres Strait Islander peoples who call Kingston home.

1 Purpose

This Councillor Code of Conduct documents Councillors commitment to each other, the community and meets all legislative requirements.

2 Definitions

the Act means the Local Government Act 2020

CCO means Councillor Conduct Officer

3 Scope

This Councillor Code of Conduct sets agreed standards of Councillor behaviour and provides guidance on how interpersonal issues and alleged breaches of this Councillor Code of Conduct may be managed.

The Councillor Code of Conduct also contains the Standards of Conduct prescribed in Regulation 12 of the Local Government (Governance and Integrity) Regulations 2020 pursuant to section 139(3)(a) of the Local Government Act 2020.

This Councillor Code of Conduct applies to all Councillors of the City of Kingston.

This Councillor Code of Conduct does not apply to members of Council staff of the City of Kingston.

This Councillor Code of Conduct reflects Councillors' commitment to conduct requirements contained in the Local Government Act 2020 (the Act).

This Councillor Code of Conduct does not prescribe procedures that involve alleged breaches of the Standards of Conduct or any form of misconduct under the Act.

This Councillor Code of Conduct does not extend to investigating breaches of the Local Government Act, which remain the responsibility of the Local Government Investigations and Compliance Inspectorate and other relevant integrity bodies.

4 Commitment to our 'ICARE' Values

During the 2020-2024 Councillor Induction process, Councillors collaborated to develop a set of values to guide decision making and behaviour. The 'ICARE' values are:

Integrity

Compassion

Accountability

Responsiveness

Empathetic and Informed.

See Chapter 2 for further details.

5 Legislative context

5.1 Overarching Governance Principles

This Code of Conduct identifies the Overarching Governance Principles outlined in section 9 of the Act which if given effect will result in good governance outcomes.

While these principles are not a requirement of the Councillor Code of Conduct, Council is committed to giving effect to these principles in the performance of its role.

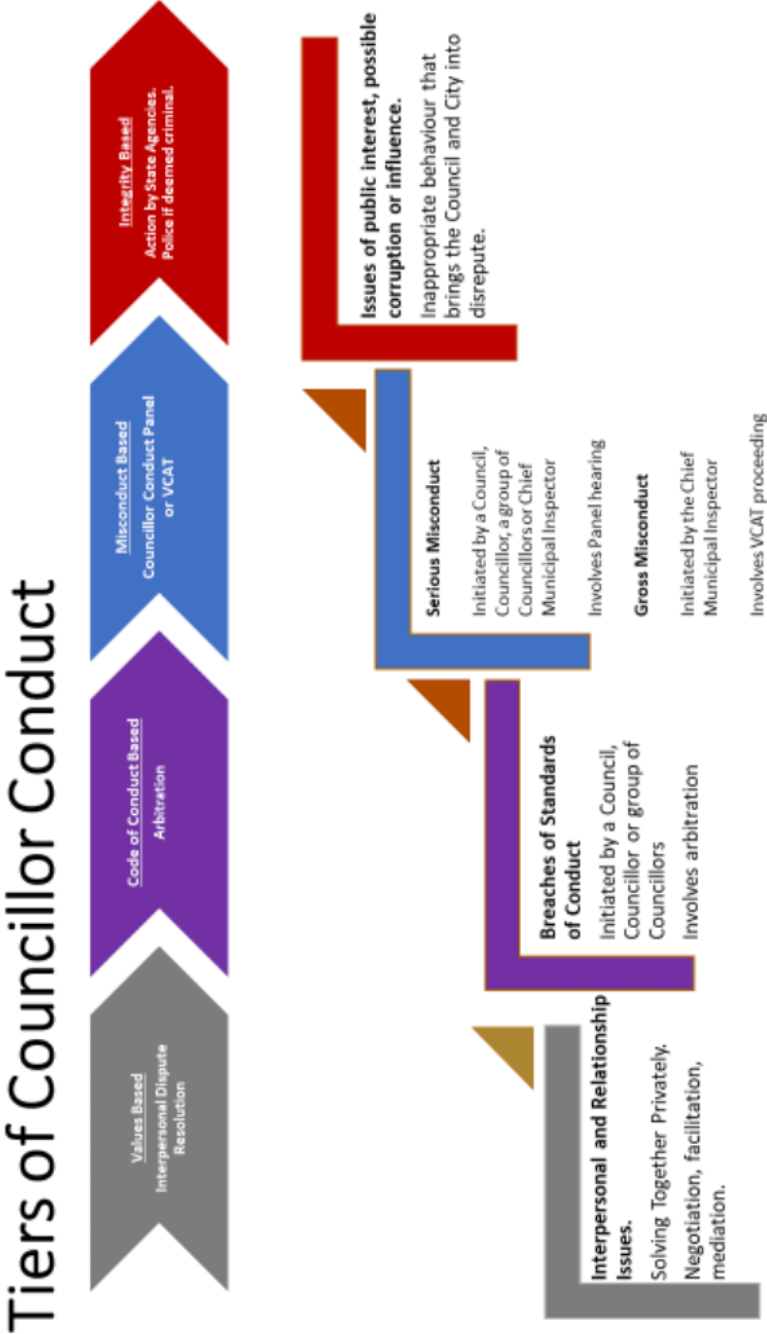
See Chapter 3 for further details.

5.2 Standards of Conduct

The Code of Conduct must include the Standards of Conduct which are expected to be observed by Councillors in the course of performing their duties and functions as Councillors. See Chapter 4 for further details.

6 Tiers of Councillor Conduct

The following diagram provides an outline of the different tiers of Councillor Conduct, and the process for dealing with interpersonal disputes, breaches of the standards of conduct and alleged Councillor misconduct.





Chapter 2

Our 'ICARE' Values

1 Purpose

The City of Kingston Councillor Values (Councillor values) guide our decision making and conduct during our time as a Councillor. These values were developed and agreed upon as a commitment to each other in performing the role of Councillor in the interests of our community.

2 Our 'ICARE' Values

The following are the Councillor 'ICARE' Values:

2.1 Integrity

We are open, honest, transparent and act consistently as an individual and collective group.

2.2 Compassion

We are committed to operating in an inclusive and caring manner.

2.3 Accountability:

We take responsibility for our decisions, clearly explaining our processes and rationale.

2.4 Responsiveness:

We are focussed on outcomes based on clear reasoning and achieved in a timely manner.

2.5 Empathetic and Informed:

We holistically consider fact, emotion, perspective and reason.

These values are unique and distinct to Councillors of the City of Kingston that aim to uphold best practice behaviour, responsible interaction and decision-making that complement the Standards of Conduct prescribed in the Act.

These values are demonstrated by the following examples:

- *Being transparent by encouraging public scrutiny of decisions.*
- *Taking responsibility for assessing whether there are any conflicts of interest in any matter relating to their Council roles*
- *Explaining decisions openly and without obscurity.*
- *Endeavouring to not misrepresent Council's position on matters when engaging with the community via all methods of communication.*
- *Not implying that the Councillor is authorised to speak as a representative of the Council, nor give the impression that the views they express are those of the Council.*
- *Not using any email addresses, Council provided technology or any Council logos or insignia that may give the impression of official support or endorsement of a Councillor's personal comment.*
- *Seeking to provide a fair and accurate account of the issue.*
- *Ensuring that a Councillor's social media account is not used to host or disseminate misinformation*
- *Not speaking over the top of each other*
- *Debate the issue not the person*

- *Focus on feedback and not criticism in all communication*
- *Recognise that Councillors do not have parliamentary privilege and therefore should be very careful, especially in the heat of Council debate, not to make defamatory and misleading statements*
- *Be prepared for meetings by reading reports prior and thereby reduce the need for long presentations*
- *Seeking to promote civility and fact in spoken conversations or when engaging via social media, media releases or other electronic communication.*
- *Not posting or causing to be posted or distributing material that is offensive, obscene, defamatory, misleading, threatening, harassing, bullying, discriminatory, hateful, racist, sexist, homophobic, infringes copyright, constitutes a contempt of the Council, the Mayor or Councillors or any Council staff or is otherwise unlawful when engaging via social media, media releases or other electronic communication.*
- *Not using the identity or likeness of another employee, contractor or other Councillor in a disparaging manner when engaging via social media, media releases or other electronic communication.*
- *Not posting material that is, or might be construed as threatening, harassing, bullying or discriminatory towards a Councillor, employee, contractor of the Council or member of the community when engaging via social media, media releases or other electronic communication.*
- *Ensuring that a Councillor's social media account is not used to host or spread hateful remarks about another Councillor, the Mayor, Council or Council staff*
- *Councillors will endeavour to consider 'public perception'; not only compliance*
- *Respecting the sometimes sensitive nature of information provided to Councillors for the purposes in acting in the role of a Councillor*
- *Not making any comments verbally, in writing, via social media, media releases or other electronic communication that might otherwise cause damage to the Council's reputation or bring it into disrepute.*
- *Not using Council resources or facilities for any purpose other than the role of Councillor*
- *Not using the role of Councillor to obtain advantage for ourselves or others*
- *Reflecting on whether Councillors are obscuring or being "economical with the truth"*
- *Not using or disclosing any confidential information obtained in our capacity as Councillors, especially information from confidential meetings, briefings or reports when engaging via social media, media releases or other electronic communication.*
- *Showing through actions that Councillors understand the impact they have on others*
- *Considering the impact on Council's reputation and each other of what Councillors say and do*
- *Respecting confidentiality when matters are considered in camera or matters which are confidential under the Act*



City of
KINGSTON

Chapter 3

Overarching Governance Principles

1 Purpose

Section 9 of the *Local Government Act 2020* outlines a list of overarching governance principles a Council must give effect to in the performance of its role.

2 Overarching Governance Principles

- (1) A Council must in the performance of its role give effect to the overarching governance principles.
- (2) The following are the overarching governance principles –
 - (a) *Council decision are to be made and actions taken in accordance with the relevant law;*
 - (b) *priority is to be given to achieving the best outcomes for the municipal community, including future generations;*
 - (c) *the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;*
 - (d) *the municipal community is to be engaged in strategic planning and strategic decision making;*
 - (e) *innovation and continuous improvement is to be pursued;*
 - (f) *collaboration with out Council and Government and statutory bodies is to be sought;*
 - (g) *the ongoing financial viability of the Council is to be ensured;*
 - (h) *regional, state and national plans and policies are to be taken into account in strategic planning and decision making;*
 - (i) *the transparency of Council decision, actions and information is to be ensured.*
- (3) In giving effect to the overarching governance principles, a Council must take into account the following supporting principles –
 - (a) *the community engagement principles;*
 - (b) *the public transparency principles;*
 - (c) *the strategic planning principles;*
 - (d) *the financial management principles;*
 - (e) *the service performance principles.*

3 Commitment statement

As Councillors, we understand the importance of these principles and our responsibility in acting in accordance with these principles.



City of
KINGSTON

Chapter 4

Standards of Conduct

1 Purpose

Section 139 of the Local Government Act stipulates the purpose of the Councillor Code of Conduct is to include the standards of conduct expected to be served by Councillors in the course of performing their duties and functions as Councillors.

2 Standards of Conduct

2.1 Treatment of others

A Councillor must, in performing the role of a Councillor, treat other Councillors, members of Council staff, the municipal community and members of the public with dignity, fairness, objectivity, courtesy and respect, including by ensuring that the Councillor—

- a) takes positive action to eliminate discrimination, sexual harassment and victimisation in accordance with the Equal Opportunity Act 2010; and
- b) supports the Council in fulfilling its obligation to achieve and promote gender equality; and
- c) does not engage in abusive, obscene or threatening behaviour in their dealings with members of the public, Council staff and Councillors; and
- d) in considering the diversity of interests and needs of the municipal community, treats all persons with respect and has due regard for their opinions, beliefs, rights and responsibilities.

2.2 Performing the role of Councillor

A Councillor must, in performing the role of a Councillor, do everything reasonably necessary to ensure that the Councillor performs the role of a Councillor effectively and responsibly, including by ensuring that the Councillor—

- a) undertakes any training or professional development activities the Council decides it is necessary for all Councillors to undertake in order to effectively perform the role of a Councillor; and
- b) diligently uses Council processes to become informed about matters which are subject to Council decisions; and
- c) is fit to conscientiously perform the role of a Councillor when acting in that capacity or purporting to act in that capacity; and
- d) represents the interests of the municipal community in performing the role of a Councillor by considering and being responsive to the diversity of interests and needs of the municipal community.

2.3 Compliance with good governance measures

A Councillor, in performing the role of a Councillor, to ensure the good governance of the Council, must diligently and properly comply with the following—

- a) any policy, practice or protocol developed and implemented by the Chief Executive Officer in accordance with section 46 of the Act for managing interactions between members of Council staff and Councillors;

- b) the Council expenses policy adopted and maintained by the Council under section 41 of the Act;
- c) the Governance Rules developed, adopted and kept in force by the Council under section 60 of the Act;
- d) any directions of the Minister issued under section 175 of the Act.

2.4 Councillor must not discredit or mislead Council or public

- 1) In performing the role of a Councillor, a Councillor must ensure that their behaviour does not bring discredit upon the Council.
- 2) In performing the role of a Councillor, a Councillor must not deliberately mislead the Council or the public about any matter related to the performance of their public duties.

2.5 Standards do not limit robust political debate

Nothing in these standards is intended to limit, restrict or detract from robust public debate in a democracy.



Chapter 5

Interpersonal Dispute Resolution Procedure

1. Purpose

As Councillors we are committed to abiding by the internal resolution procedure contained in this Chapter to ensure that we can resolve differences respectfully and expeditiously.

2. Scope

This section applies to interpersonal disputes where personal differences between Councillors arise that may affect the operation of the Council.

This section does not apply for matters which constitute an alleged breach of the Standards of Conduct or any form of alleged misconduct under the Act.

This section does not apply to disputes relating to apparent offences under the Act, which should be referred to the Minister for Local Government or a relevant investigative body.

This section does not intend to resolve differences in policy or decision making, which are appropriately resolved through debate and voting at Council and Special Committee meetings.

Nor does this section apply to disputes between Councillors and Council staff.

An application for an internal dispute resolution cannot be made during the election period for a general election. Internal resolution procedures which are in progress are to be suspended for the duration of the election period and may only resume if all parties to the matter are re-elected. An application cannot be resumed if there are multiple parties involved and not all of the parties have been re-elected. However, if the applicant still wishes to pursue the matter, a new application must be submitted to the Councillor Conduct Officer (CCO) against only those respondents that have been re-elected.

Finally, this section does not apply to disputes between Councillors and members of the public. (Refer to Chapter 6.)

3. Interpersonal Dispute Resolution Procedure

3.1 Where an interpersonal dispute arises between Councillors, at first instance Councillors will endeavour to informally resolve the dispute between or among themselves or, if mutually agreed, with the assistance of the Mayor.

3.2 Where an interpersonal dispute cannot be resolved informally by the parties concerned, a request may be made for the dispute to be referred to external mediation. Requests should be made in writing to the CCO and must specify:

- a) the parties involved in the dispute;
- b) the particulars of the dispute; and
- c) whether an attempt has been made to informally resolve the dispute.

3.3 Upon receipt of the request for external mediation the CCO must, in confidence, notify the other party to the dispute, the Chief Executive Officer and the Mayor.

The CCO must ascertain whether the other party to the interpersonal dispute is willing to attend an external mediation. If the other party declines to participate,

he/she must provide reasons in writing to the CCO who will provide a copy to the party who requested the mediation. Once received, the CCO is not required to take any further action.

If the other party to the interpersonal dispute agrees to attend external mediation, the CCO must select an external mediator by seeking recommendations of mediators from a legal firm on Council's legal service provider panel.

- 3.4** The CCO will select a mediator based on his/her satisfaction that the mediator meets the following criteria:

- a) The mediator is suitably independent;
- b) The mediator is suitably qualified; and
- c) The mediator has relevant experience.

The CCO will notify the parties involved in writing of the name of the selected mediator.

- 3.5** The mediation must take place no later than 30 days after the request for mediation is made. The parties in attending the mediation must use their best endeavours to resolve the dispute and act with good faith and respect towards each other.

- 3.6** Where resolution is reached by mediation, the mediator is to document any agreement reached and provide copies to both parties. Upon receipt of this agreement, the matter is considered closed and cannot be the subject of a further complaint.

- 3.7** Where a resolution cannot be reached by mediation, the parties have the option of undertaking one further mediation process on the matter and the process contained in clauses 3.2, 3.3, 3.4, 3.5 and 3.6 must be followed again. In the event that a resolution is still not reached, and the grievance does not also constitute an alleged breach of the Standards of Conduct contained in Chapter 4, the matter is considered closed and Councillors will endeavour to continue to undertake their role in accordance with this Councillor Code of Conduct and legislative requirements in a professional manner and in the best interests of the community.



Chapter 6

Complaints from the Public

1. Purpose

This Chapter outlines the process for dealing with complaints from the public in respect of the conduct of a Councillor.

2. Complaints

- 2.1** Where a complaint is received from the public in respect to the conduct of a Councillor against the Councillor Code of Conduct, the complaint will be conveyed to the Mayor and the named Councillor for their consideration.
- 2.2** Where the Mayor believes the complaint relates to a breach of the Councillor Code of Conduct, the Mayor can progress the matter his/herself via the internal resolution procedure for interpersonal disputes contained in Chapter 5.
- 2.3** Members of the public and the Councillor/s concerned will be notified in writing of the process followed and the outcome of their complaint by the Mayor.
- 2.4** The outcome communicated by the Mayor is final and is not subject to an appeals process. However, members of the public will be advised of their right to escalate complaints to external integrity bodies such as:
 - The Local Government Investigations and Compliance Inspectorate
 - The Independent Broad-Based Anti-Corruption Commission (IBAC)
 - The Victorian Ombudsman
 - The Minister for Local Government
- 2.5** Council staff will not assess or investigate any such complaint. If the complaint involves a potential public interest disclosure, it will be dealt in accordance with the Public Interest Disclosures Act 2012 (Vic).



Chapter 7

Conflict of Interest

1. Purpose

This Chapter outlines Councillors duties and responsibilities regarding conflicts of interest.

2. Conflict of Interest

Under Division 2 of Part 6 of the Act Councillors are required to declare and manage conflicts of interest. The Act stipulates two types of conflict of interest:

A relevant person has a **general conflict of interest** in a matter if an impartial, fair-minded person would consider that the person's private interests could result in that person acting in a manner that is contrary to their public duty.

A relevant person has a **material conflict of interest** in respect of a matter if an affected person would gain a benefit or suffer a loss depending on the outcome of the matter.

The Act contains specific requirements pertaining to conflicts of interest. We as Councillors commit to abide by these requirements and acknowledge that ultimate responsibility for appropriate disclosure and management of conflicts of interest rests with each individual Councillor.

To further strengthen Councillors' commitment to integrity in the disclosure and management of conflicts of interest the following conflict of interest principles will also apply to Councillors.

The principles adopted by Council raise the level of diligence required in managing issues related to conflicts of interest.

In relation to conflict of interest:

- Councillors are to disclose any conflicts of interest at meetings prescribed under Chapter 5 of the Governance Rules in the manner prescribed by Chapter 5 of the Governance Rules.
- Conflicts of interest provisions apply to Council Meetings, Councillor briefings, delegated committee meetings, community asset committee meetings and any meetings conducted under the auspices of Council.
- Where a Councillor declares a conflict of interest, they must announce to those present they have a conflict of interest in the matter and leave the meeting immediately prior to the matter being discussed and not return until the matter has been disposed of.
- Councillors are to be aware of their responsibilities relating to gifts, membership, donations etc. in relation to conflict of interest within the legislative and policy context and environment for the Council.



Chapter 9

Councillor Declaration

Declaration

Following adoption of this Councillor Code of Conduct by Council, each Councillor will make a written declaration stating that they will abide by the Councillor Code of Conduct and the City of Kingston Councillor Values. This declaration must be witnessed by the Chief Executive Officer.

This Code of Conduct was adopted by the Council on 22 February 2021 and I declare that I will abide by this Councillor Code of Conduct.

..... Cr Tamsin Bearsley	..... Date	..... Paul Franklin, Acting CEO, Witness
..... Cr Timothy Cochrane	..... Date	..... Paul Franklin, Acting CEO, Witness
..... Cr Jenna Davey - Burns	..... Date	..... Paul Franklin, Acting CEO, Witness
..... Cr Tracey Davies	..... Date	..... Paul Franklin, Acting CEO, Witness
..... Cr David Eden	..... Date	..... Paul Franklin, Acting CEO, Witness
..... Cr Christopher Hill	..... Date	..... Paul Franklin, Acting CEO, Witness
..... Cr Cameron Howe	..... Date	..... Paul Franklin, Acting CEO, Witness
..... Cr George Hua	..... Date	..... Paul Franklin, Acting CEO, Witness
..... Cr Georgina Oxley	..... Date	..... Paul Franklin, Acting CEO, Witness
..... Cr Hadi Saab	..... Date	..... Paul Franklin, Acting CEO, Witness
..... Cr Steve Staikos	..... Date	..... Paul Franklin, Acting CEO, Witness

22 February 2021

Agenda Item No: 11.9

PROBITY REVIEW - FINAL REPORT

Contact Officer: Kelly Shacklock, Organisational Governance Co-ordinator

Purpose of Report

The purpose of this report is to present Council the Probity Review final report.

Disclosure of Officer Conflict of Interest

The General Manager Planning and Development has declared a material conflict of interest in this matter of the Probity Review for the reason of being a participant in the process as an interviewee.

OFFICER RECOMMENDATION

That Council:

1. Receive the final report of the Probity Review; and
2. Note that a further report will be presented to Councillors at a Councillor Information Session (CIS) meeting with officer responses to the recommendations outlined in section 3.3.2 of this report for further consideration.

1. Executive Summary

Holding Redlich conducted a Probity Review on specific planning matters as resolved by Council (Appendix 2). In summary, these planning matters included:

- planning matters that involved persons of interest in Operation Sandon, an IBAC investigation into planning matters at the City of Casey; and
- planning matters that Council deemed worthy of independent review.

The final report describes the methodology applied, findings and recommendations (Confidential - Appendix 1). This report is privileged and confidential communication between Kingston City Council and Holding Redlich for the purpose of providing legal advice.

Without in any way amounting to a waiver of legal professional privilege, in summary:

- no evidence of improper conduct was found; and
- thirteen recommendations were made to improve practices that were identified during the review.

The total cost excluding officer time to Council of the Probity Review amounted to \$249,000.

Following the adoption of the motion to conduct the review and the ensuing media coverage, Council was contacted by both IBAC and the Victorian Ombudsman's office requesting a copy of the report. This was followed up in January and the report has been provided to those agencies who have agreed to respect the privilege associated with the report.

2. Background

The Probity Review was initiated by Council and was considered at the following meetings:

- 9 December 2019
- 24 February 2020
- 27 April 2020
- 25 May 2020
- 27 July 2020

Minute extracts of these meeting are attached (Appendix 2).

3. Discussion

3.1 Council Plan Alignment

Goal 5 - Our well-governed and responsive organisation

Direction 5.1 - Support decision making to provide an efficient and effective council which embodies the principles of democracy

The probity review demonstrates Councils commitment to governance and integrity.

3.2 Consultation/Internal Review

The Probity Review was conducted by Holding Redlich. Consultation occurred with persons deemed relevant and appropriate by Holding Redlich.

3.3 Operation and Strategic Issues

3.3.1 Summary of Findings

The Probity Review detected no actual or suspected improper conduct that unduly influenced the specific planning decisions that were subject to the review. Several practices and themes were raised for improvement that correlate to the recommendations (see table at 3.3.2).

3.3.2 Recommendations

The table below includes a synopsis of the recommendations made by Holding Redlich which are yet to be considered by the relevant line departments.

Recommendation	Context	Responsible Division
Meeting with lobbyist	Maintain a register of Councillor meetings with lobbyists	Planning and Development, Corporate Services
Political donations	Council develop/review political donation policy	Corporate Services
Review of planning applications	Random allocation to officers with auditing	Planning and Development
Ongoing ethics training	For Councillors and officers	Corporate Services
Councillor training	Victorian town planning system	Planning and Development
Meetings with applicants	Define senior officer for applicant, Councillor and officer meetings	Planning and Development
Records of meetings	Document all meetings with external parties, lobbyists with contemporaneous file notes	Planning and Development

Recommendation	Context	Responsible Division
Reporting improper conduct	Adequate mechanisms for officer and Councillors to report suspected misconduct	Corporate Services, Planning and Development
Call-ins	Council develop call-in framework	Planning and Development
Election campaign donation returns	Adopt a policy on election campaign return forms (election cycle and annual)	Corporate Services
Following planning panel recommendations	Transparent approach where not followed	Planning and Development
Relationships	Consider methods to enhance interactions between Councillors and officers	CEO

It is proposed to bring a report to a future CIS with the officer responses to these recommendation for further consideration.

4. Conclusion

4.1 Environmental Implications

Not applicable to this report.

4.2 Social Implications

Community expectations of planning decision making.

4.3 Resource Implications

The outsourced costing of the Probity Review amounted to \$249,000. The process was managed by a General Manager and Coordinator, supported by several staff.

The advice to Council on the recommendations will be overseen by General Managers Planning and Development and Corporate Services.

4.4 Legal / Risk Implications

The Probity Review final report is confidential subject to legal privilege.

Appendices

Appendix 1 - Probity Review - Final Report (Ref 21/25138) - Confidential

Appendix 2 - Minute extracts - Council Meetings - Probity Review (Ref 21/25137) 

Author/s: Kelly Shacklock, Organisational Governance Co-ordinator

Reviewed and Approved By: Phil DeLosa, Manager Governance
Paul Franklin, Acting Chief Executive Officer

11.9

PROBITY REVIEW - FINAL REPORT

1	Minute extracts - Council Meetings - Probity Review.....	449
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**City of Kingston
Ordinary Meeting of Council**

Minutes**9 December 2019**

12.2 Notice of Motion No. 58/2019 - Cr West - Probity Review - Planning Developments

Moved: Cr West**Seconded: Cr Staikos**

That:

1. Officers provide a report to Council that lists all applications or approvals of developments with more than 10 dwellings in the past 15 years in the City of Kingston with which the following planners and lobbyists named in current IBAC proceedings have been involved:
 - John Woodman, planner and developer
 - Megan Schutz, planner
 - Phil Staindl, lobbyist
 - Lorraine Wreford, lobbyist
 - Wolfdene, development company owned by John Woodman's son.
2. That the list includes details including the date of the application and approval, what rezoning or planning permit application was involved and the names of any other lobbyists, planners, developers and landowners associated with such applications or approvals.
3. Noting the involvement of persons of interest from the recent IBAC hearings and operation Sardon - Council undertake a probity review of the following planning applications, including but not limited to:
 - Controversial or non-compliant Green Wedge applications,
 - Chicquita Park
 - Waterways
 - 44 First Avenue Chelsea Heights
4. That officers provide a report of the costs involved by the February 2020 Meeting in:
 - various parts of this resolution,
 - appointing an independent legal expert to undertake the work involved in point 3 and to advise on whether or not referral to IBAC may be warranted, for the first Councillor Briefing and Ordinary Meeting of 2020 and in the meantime proceed with this work up to the value of \$25,000.
5. In the meantime, officers proceed with this work, starting with parts 1 and 2, to the value of \$25,000.

CARRIED**13. Urgent Business**

There were no items of urgent business.

**City of Kingston
Ordinary Meeting of Council**

Minutes**24 February 2020****8.8 Response to Notice of Motion No. 57/2019 - Heritage Review****Moved: Cr West****Seconded: Cr Gledhill**

That Council:

1. Commence community consultation to contribute to the development of a list of potentially significant heritage places as part of Stage 1.
2. Engage a suitably qualified consultancy to undertake a preliminary review of Kingston's heritage places (Stage 1) through a public tender process.
3. Receive a report at the conclusion of the preliminary review of Kingston's heritage places (Stage 1) with recommendations on how to proceed.
4. Note it currently provides a reduction in annual rates for privately owned residential heritage places with further measures to be investigated as part of the scope of works undertaken by a heritage consultant as part of Stage 1 and reported back to Council.

CARRIED**8.9 Response to Notice of Motion No. 58/2019 - Probity Review****Moved: Cr West****Seconded: Cr Brownlees**

That Council:

1. Note that fourteen (14) 'applications or approvals of developments' have been identified where the involvement of some of the parties or organisations in which they are employed meet the search criteria established through the Council resolution of more than 10 dwellings in the past 15 years;
2. Allocate time at an upcoming Councillor Information Session to workshop the items contained in Section 3.3.2 of this report; and
3. Receive a further report at the April Ordinary Council Meeting outlining the status of the IBAC investigation and the proposed scope and method of procurement to conduct the probity review.

CARRIED

**City of Kingston
Ordinary Meeting of Council**

Minutes**27 April 2020****8.6 Response to Notice of Motion 58/2019 - Probity Review****Moved: Cr West****Seconded: Cr Brownlees**

That Council note the update on its resolutions in relation to item 8.9 at the Ordinary Meeting of Council Meeting on 24 February 2020 and that if further evidence is provided linking any of the parties to the IBAC investigation with these or other Kingston planning applications, this information should be added to the 14 applications listed in the relevant table to be included in a report to be presented to the May Ordinary Meeting of Council.

CARRIED**8.7 South East Melbourne****Moved: Cr Staikos****Seconded: Cr Bearsley**

That:

1. Council continue collaborative efforts with SEM in working towards a City Deal that seeks to deliver positive transformative outcomes for the South East Melbourne region.
2. A further update be provided to Councillors once the implications of COVID-19 on the City Deal are further understood from the perspective of the Commonwealth and State Governments.

Amendment**Moved: Cr West**

That:

1. Council continue collaborative efforts with SEM in working towards a City Deal that seeks to deliver positive transformative outcomes for the South East Melbourne region.
2. A further update be provided to Councillors once the implications of COVID-19 on the City Deal are further understood from the perspective of the Commonwealth and State Governments.
3. Council provide a report on what other projects are proposed as part of the proposed City Deal, apart from Kingston's recycled water pipe proposal, to the May Ordinary Meeting of Council.

The Amendment was accepted by the Mover and Seconder**The Resolution now reads as follows:**

That:

1. Council continue collaborative efforts with SEM in working towards a City Deal that seeks to deliver positive transformative outcomes for the South East Melbourne region.
2. A further update be provided to Councillors once the implications of COVID-19 on the City Deal are further understood from the perspective of the Commonwealth and State Governments.

**City of Kingston
Council Meeting**

Minutes**25 May 2020**

- Ward H: Yammerbook
- Ward I: Sandpiper
- Ward J: Longbeach
- Ward K: Banksia

CARRIED**A Division was Called:****DIVISION:****FOR:** Crs Oxley, Barth, Eden, Staikos and West (5)**AGAINST:** Crs Bearsley and Brownlees (2)**ABSTAINED:** Crs Gledhill and Hua (2)**CARRIED****11.10 Good Governance Framework****RECOMMENDATION**

That Council adopt the Good Governance Framework.

Note: Refer to page 4 of the Minutes where this item was block resolved.**11.11 Response to Notice of Motion 58/2019 - Probity Review Update****Moved: Cr West****Seconded: Cr Staikos**

That Council:

1. Resolve to seek assistance to commence the Probity Review in response to the Notice of Motion 58/2019 in accordance with the Draft Project Brief provided in Appendix 1 to this report as amended, *related to the planning matters listed*.
2. Seek responses to the Project Brief from Legal Service Providers contained in the report to conduct the Probity Review.
3. Provide an update to Councillors upon the completion of Stage 1 of the Review.
4. Amend the Draft Project Brief as follows:

Under the heading: Matters to be Investigated (section 3):

- a. after point 14: replace the words 'planning applications' with the words *planning matters* and delete the quotation marks
- b. after the second point 2: "Application to rezone the Peninsula Kingswood Golf Club": add the sub heading: *Applications to subdivide Green Wedge land*
- c. after the second point 5: "Application at 370 Old Dandenong Road, Dingley Village or part of the land occupied by Din San Nursery" add the following sub-heading over the following matters listed in the 18 May CIS agenda as the first three dot points on page 5: *Proposals to rezone Green Wedge land for residential development:*
 - A motion to rezone approximately 34 properties as part of a notice of

**City of Kingston
Council Meeting**

Minutes**25 May 2020**

Motion on the agenda for 23 September 2013

- A resolution to rezone the Green Wedge between Heatherton/Kingston Road and Lower Dandenong Roads to Rural Living Zone, with a minimum lot size of 2000 sq m.
 - Request to the Minister to authorise preparation of a Planning Scheme Amendment to rezone Green Wedge land bounded by Governor and Springvale Roads, Southern Golf Course and Braeside Park.
- d. That a summary shortlist of matters to be investigated by the probity reviewer (as per point 3 of the 9 December Council Resolution 58/2019) be added to this project brief and extended as follows by way of clarification of point iv, and the addition of extra points v and vi:
- i. **Waterways** (including Council resolutions dating back to 1998 and before, including votes recorded; Planning Scheme Amendments L33 and c71, and any matters involving John Woodman and then Kingston Councillors and officers.)
 - ii. **Chicquita Park** (including the history going back to the Commonwealth Government decision to sell, all Council resolutions, the Planning Panel (council submission and panel recommendation, and any other matters raised or documents submitted by Councillors or requested by the reviewer or relating to Phil Staindl's involvement
 - iii. **44 First Avenue, Chelsea Heights** (including applications in 2004, 2010 and 2012, plus officer reports and other documents provided by officers or councillors or panel submissions and any matters involving John Woodman, Megan Schutz or Lorraine Wreford.)
 - iv. **Controversial or non-compliant Green Wedge applications**, including:
 - **Alex Fraser applications**, going back to Council report and recommendation & Council submission to the 2008 Dingley Village application as well as the Clarinda application, plus submissions to the C143 panel and Alex Fraser's submissions for extension, Council reports and any matters related to Phil Staindl's involvement.
 - **Proposed subdivision of land in the Kingston Green Wedge:**
 - o Lot 2 Leslie Road Clarinda
 - o 150-170 Old Dandenong Road, Heatherton
 - o 370 Old Dandenong Road, Dingley Village
 - **Proposals to rezone Green Wedge land for residential development:**
 - o A motion to rezone approximately 34 properties as part of a notice of Motion on the agenda for 23 September 2013
 - o A resolution to rezone the Green Wedge between Heatherton/Kingston Road and Lower Dandenong Roads to Rural Living Zone, with a minimum lot size of 2000 sq m.
 - o Request to the Minister to authorise preparation of a Planning Scheme Amendment to rezone Green Wedge land

**City of Kingston
Council Meeting**

Minutes**25 May 2020**

bounded by Governor and Springvale Roads, Southern Golf Course and Braeside Park.

- v. **640 Nepean Highway, Carrum**, (including application, officer report and Council resolution, and documents relating to Megan Schutz.)
- vi. **Application for a multi-unit development at Woods Avenue Mordialloc** involving three double storey dwellings, (including application, officer report and Council resolution.)
- e. That all other applications listed, with officer reports, be provided for noting by the probity reviewer and subject to more detailed investigation only if the probity reviewer considers it necessary or if Councillors or officers provide evidence indicating that further investigation is warranted.

Under the heading: Project Stages, Tasks and Deliverables (section 4)

- f. Under the heading Stage 1(b) Data Review and Analysis add a third dot point:
 - *the provider will give precedence to interviewing any senior planning officers who have been involved in any of these matters and who may be planning to retire from Council, prior to their departure.*
- g. Replace the first and second dot points under the sub-heading Stage 2 – Report as follows:
 - *Those matters where there is no evidence of improper influence by the parties identified in notice of Motion 58/2019 or of any developer, landholder, Councillor, former Councillor or Council officers on Kingston Council decisions;*
 - *Those matters where there is evidence of improper influence by the parties identified in notice of Motion 58/2019 or by any developer, landholder, Councillor, former Councillor or Council officers on Kingston Council decisions or where for any other reason the probity reviewer considers it is worth requiring referral to Victorian Integrity Agencies.*

Procedural Motion**Moved: Cr Staikos****Seconded: Cr Eden**

That Cr West be granted an extension of time to speak on the matter.

CARRIED**Amendment****Moved: Cr Brownlees****Seconded: Cr Bearsley**

That the motion be amended to include the words “and including representation of Mr Mark Dreyfus QC on behalf of residents prior to determination and as Council’s representative at panel hearings” at point 4(d)(ii).

CARRIED

**City of Kingston
Council Meeting**

Minutes**25 May 2020****A Division was Called:****DIVISION:****FOR:** Crs Barth, Bearsley, Brownlees, Gledhill and Hua (5)**AGAINST:** Cr West (1)**ABSTAINED:** Crs Oxley, Eden and Staikos (3)**The Amendment was put and CARRIED****The Amendment became the Motion****Procedural Motion****Moved: Cr Gledhill****Seconded: Cr Bearsley**

That consideration of this matter be deferred.

LOST**Procedural Motion****Moved: Cr Eden****Seconded: Cr West**

That the motion now be put.

CARRIED**The Motion was put and CARRIED****A Division was Called:****DIVISION:****FOR:** Crs Oxley, Barth, Eden, Hua, Staikos and West (6)**AGAINST:** Cr Bearsley (1)**ABSTAINED:** Crs Brownlees and Gledhill (2)**CARRIED****The Resolution now reads as follows:****Moved: Cr West****Seconded: Cr Staikos**

That Council:

1. Resolve to seek assistance to commence the Probity Review in response to the Notice of Motion 58/2019 in accordance with the Draft Project Brief provided in Appendix 1 to this report as amended, *related to the planning matters listed*.
2. Seek responses to the Project Brief from Legal Service Providers contained in the report to conduct the Probity Review.
3. Provide an update to Councillors upon the Completion of Stage 1 of the Review.
4. Amend the Draft Project Brief as follows:

Under the heading: Matters to be Investigated (section 3):

- a. after point 14: replace the words 'planning applications' with the words *planning matters* and delete the quotation marks
- b. after the second point 2 "Application to rezone the Peninsula Kingswood Golf Club": add the sub heading: *Applications to subdivide Green Wedge land*
- c. after the second point 5: "Application at 370 Old Dandenong Road, Dingley

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Village or part of the land occupied by Din San Nursery" add the following sub-heading over the following matters listed in the 18 May CIS agenda as the first three dot points on page 5: *Proposals to rezone Green Wedge land for residential development:*

- A motion to rezone approximately 34 properties as part of a notice of Motion on the agenda for 23 September 2013
 - A resolution to rezone the Green Wedge between Heatherton/Kingston Road and Lower Dandenong Roads to Rural Living Zone, with a minimum lot size of 2000 sq m.
 - Request to the Minister to authorise preparation of a Planning Scheme Amendment to rezone Green Wedge land bounded by Governor and Springvale Roads, Southern Golf Course and Braeside Park.
- d. That a summary shortlist of matters to be investigated by the probity reviewer (as per point 3 of the 9 December Council Resolution 58/2019) be added to this project brief and extended as follows by way of clarification of point iv, and the addition of extra points v and vi:
- i. **Waterways** (including Council resolutions dating back to 1998 and before, including votes recorded; Planning Scheme Amendments L33 and c71, and any matters involving John Woodman and then Kingston Councillors and officers.)
 - ii. **Chicquita Park** (including the history going back to the Commonwealth Government decision to sell, all Council resolutions, the Planning Panel (council submission and panel recommendation, and any other matters raised or documents submitted by Councillors or requested by the reviewer or relating to Phil Staindl's involvement and including representation of Mr Mark Dreyfus QC on behalf of residents prior to determination and as Council's representative at panel hearings
 - iii. **44 First Avenue, Chelsea Heights** (including applications in 2004, 2010 and 2012, plus officer reports and other documents provided by officers or councillors or panel submissions and any matters involving John Woodman, Megan Schutz or Lorraine Wreford.)
 - iv. **Controversial or non-compliant Green Wedge applications**, including:
 - **Alex Fraser applications**, going back to Council report and recommendation & Council submission to the 2008 Dingley Village application as well as the Clarinda application, plus submissions to the C143 panel and Alex Fraser's submissions for extension, Council reports and any matters related to Phil Staindl's involvement.
 - **Proposed subdivision of land in the Kingston Green Wedge:**
 - o Lot 2 Leslie Road Clarinda
 - o 150-170 Old Dandenong Road, Heatherton
 - o 370 Old Dandenong Road, Dingley Village
 - **Proposals to rezone Green Wedge land for residential**

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- A motion to rezone approximately 34 properties as part of a notice of Motion on the agenda for 23 September 2013
 - A resolution to rezone the Green Wedge between Heatherton/Kingston Road and Lower Dandenong Roads to Rural Living Zone, with a minimum lot size of 2000 sq m.
 - Request to the Minister to authorise preparation of a Planning Scheme Amendment to rezone Green Wedge land bounded by Governor and Springvale Roads, Southern Golf Course and Braeside Park.
- v. **640 Nepean Highway, Carrum**, (including application, officer report and Council resolution, and documents relating to Megan Schutz.)
- vi. **Application for a multi-unit development at Woods Avenue Mordialloc** involving three double storey dwellings, (including application, officer report and Council resolution.)
- e. That all other applications listed, with officer reports, be provided for noting by the probity reviewer and subject to more detailed investigation only if the probity reviewer considers it necessary or if Councillors or officers provide evidence indicating that further investigation is warranted.

Under the heading: Project Stages, Tasks and Deliverables

- f. Under the heading Stage 1(b) Data Review and Analysis add a third dot point:
- *the provider will give precedence to interviewing any senior planning officers who have been involved in any of these matters and who may be planning to retire from Council, prior to their departure.*
- g. Replace the first and second dot points under the sub-heading Stage 2 – Report as follows:
- *Those matters where there is no evidence of improper influence by the parties identified in notice of Motion 58/2019 or of any developer, landholder, Councillor, former Councillor or Council officers on Kingston Council decisions;*
 - *Those matters where there is evidence of improper influence by the parties identified in notice of Motion 58/2019 or by any developer, landholder, Councillor, former Councillor or Council officers on Kingston Council decisions or where for any other reason the probity reviewer considers it is worth requiring referral to Victorian Integrity Agencies.*

Procedural Motion**Moved: Cr Eden****Seconded: Cr Staikos**

That the meeting be extended for 30 minutes until 10.30pm.

CARRIED

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- My Business Matters Pty Ltd
3. That Council note the following applications have been withdrawn:
- Mentone St Bedes Football Club

Note: Refer to page 5 of the Minutes where this item was block resolved.

11.5 Attendance Fees for Members of Council Advisory Committees and ICACC

Moved: Cr West**Seconded: Cr Barth**

That Council initiate attendance payments for Strategic Advisory Committee members and for Aboriginal community member or members of ICACC up to the value of \$200.00 per year if all meetings are attended.

Cr Oxley returned to the meeting at 9.34pm

Cr Oxley assumed the role of Chair

CARRIED

11.6 CEO and General Manager Expenses

RECOMMENDATION

That Council note the report in response to the resolution of item 12.2 of the Council Meeting on 23 March 2020.

Note: Refer to page 5 of the Minutes where this item was block resolved.

11.7 Planning Probity Review Clarification

Councillor Gledhill declared a conflict of interest in this item as he was involved in the development at 9 Woods Avenue Mordialloc and left the meeting at 9.35pm prior to any discussion on the matter.

Moved: Cr West**Seconded: Cr Staikos**

1. That as no records can be found of the Lantrak subdivision, the reference to Proposed Subdivision of Land for 150 – 170 Old Dandenong Road, Heatherton be deleted, and be replaced with the following three subdivision applications in the Green Wedge in 2014:

KP14/833 - 217-227 Kingston Road Heatherton
 KP14/747 - 468-508 Heatherton Road
 KP14/826 - 721-731 Clayton Road
2. That the planning reference for the "*multi-unit development at Woods Avenue Mordialloc involving three double storey dwellings*" identified for probity review in the May 25 Council resolution refers to:

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KP2013/473, 9 Woods Avenue Mordialloc. Develop the land for the construction of three (3) double storey and one(1) single storey dwelling. KP2013/792 and KP2013/792A also refer to the same application for 9 Woods Avenue.

LOST**11.8 Appointment of External Member to the Audit Committee****Moved: Cr Staikos****Seconded: Cr West**

That Geoff Harry be appointed as external member of the Audit Committee for a period of three years expiring on 31 July 2023.

Cr Gledhill returned to the meeting at 9.51pm

CARRIED**11.9 To identify the specific changes that will need to be made to the 2020/21 Budget in light of the 5% discount to the rates and charges applicable for 2019/20 and set those as the rates and charges for 2020/21**

Note: This matter was deferred from the Council meeting on 23 July 2020 and was resumed following the Procedural Motion below.

Moved: Cr Bearsley**Seconded: Cr Gledhill**

That Council resolve to determine the Budget measures to be undertaken in order to reduce the 2020/21 advertised budget expenditure by the agreed 5% rate reduction.

Further that officers prepare a revised Budget, by the September Council Meeting, with the following items to be considered:

- Clarification of what rates and charges the reduction applies to
- Deferral of the refurbishment of the council chambers and foyer
- No new positions (except those already advertised)
- Reduction in budget surplus

Further that whilst officer advice is sought, Councillors will take responsibility for where the savings/adjustments are found.

Procedural Motion**Moved: Cr Eden****Seconded: Cr West**

That consideration of this item be deferred until the 27 July Council Meeting as a supplementary item to the agenda.

CARRIED

14. Confidential Items

14 Confidential Items

This information is confidential information under section 3(1) of the *Local Government Act 2020* and therefore suitable for consideration in closed session. In accordance with the *Local Government Act 2020*, Council may resolve to consider these items in open or closed session.

14.1 Sunnyboy Lease

Agenda item 14.1 *Sunnyboy Lease* is designated confidential because it is:

- because it is Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released, and because it is private commercial information, being information provided by a business, commercial or financial undertaking that—, and because it is or (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage (section 3(1)(a), (g) and (g(ii))), and
- The report contains revenue information from a tenant and considerations that if made public could harm the business and jeopardise Council's negotiating position..

14.2 Property Acquisition

Agenda item 14.2 *Property Acquisition* is designated confidential because it is:

- because it is Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released, and because it is land use planning information, being information that if prematurely released is likely to encourage speculation in land values (section 3(1)(a) and (c)), and
- The report contains information regarding a potential Compulsory Acquisition of property that if made public would jeopardise the negotiation position of Council..

Confidential Appendices

9.1 Kingston Woman of the Year Award 2021 Nominations

Appendix 1, Kingston Woman of the Year Award 2021-Nomination Summary is designated confidential as it relates to (s3(1)(f))

9.1 Kingston Woman of the Year Award 2021 Nominations

Appendix 2, Woman of the Year Award Winner and Honourable Mentions 2021 is designated confidential as it relates to (s3(1)(f))

9.2 Le Page Sports Pavilion Female Friendly Amenities Upgrade - Award of Contract CON-20/114

Appendix 1, CON-20/114 - Post interview evaluation matrix - Le Page Pavilion Female Friendly Upgrade is designated confidential as it relates to (s3(1)(g))

- 9.2 Le Page Sports Pavilion Female Friendly Amenities Upgrade - Award of Contract CON-20/114**
Appendix 2, CON-20/114 - Project budget - Le Page Pavilion Female Friendly Upgrade is designated confidential as it relates to (s3(1)(g))
- 9.3 5th Mordialloc Sea Scouts Refurbishment - Award of Contract CON 20/035**
Appendix 1, CON 20-035 Post Tender Evaluation Matrix 5th Mordialloc Sea Scouts Refurbishment is designated confidential as it relates to (s3(1)(g))
- 9.3 5th Mordialloc Sea Scouts Refurbishment - Award of Contract CON 20/035**
Appendix 2, CON 20-035 Project Budget - 5th Mordialloc Sea Scouts Refurbishment is designated confidential as it relates to (s3(1)(g))
- 10.2 Landfill Services - Outcome of Collective Tender Process and Consideration of Contract**
Appendix 1, Appendix 1 : Cleanaway summary is designated confidential as it relates to (s3(1)(g))
- 10.2 Landfill Services - Outcome of Collective Tender Process and Consideration of Contract**
Appendix 2, Appendix 2: Suez Summary is designated confidential as it relates to (s3(1)(g))
- 10.2 Landfill Services - Outcome of Collective Tender Process and Consideration of Contract**
Appendix 3, Appendix 3 : Landfill Services Financial Information is designated confidential as it relates to (s3(1)(g))
- 10.5 Chelsea Level Crossing Removal - Commuter Parking Agreement**
Appendix 1, Letter from LXRP Adam Maguire - Chelsea Commuter parking distribution is designated confidential as it relates to (s3(1)(d.))
- 11.1 Award of Contract CON-20/053 - Provision of Vehicle Leasing and Fleet Management Services**
Appendix 1, Tender Evaluation Report CON-20/053 (including Attachments) is designated confidential as it relates to (s3(1)(g,g(ii)))
- 11.1 Award of Contract CON-20/053 - Provision of Vehicle Leasing and Fleet Management Services**
Appendix 2, Probity Auditor Report - Kingston City Council - Vehicle Leasing and Fleet Management Services is designated confidential as it relates to (s3(1)(g))
- 11.9 Probity Review - Final Report**
Appendix 1, Probity Review - Final Report is designated confidential as it relates to (s3(1)(e))

RECOMMENDATION

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:

14.1 Sunnyboy Lease

This agenda item is confidential information for the purposes of section 3(1) of the Local Government Act 2020:

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Appendix 1, Kingston Woman of the Year Award 2021-Nomination Summary

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9.2 Le Page Sports Pavilion Female Friendly Amenities Upgrade - Award of Contract CON-20/114

Appendix 1, CON-20/114 - Post interview evaluation matrix - Le Page Pavilion Female Friendly Upgrade

This appendix is confidential in accordance with the Local Government Act 2020, s3(1) as it relates to (s3(1)(g)).

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Appendix 2, Probity Auditor Report - Kingston City Council - Vehicle Leasing and Fleet Management Services

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11.9 Probity Review - Final Report

Appendix 1, Probity Review - Final Report

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