

Agenda

Ordinary Council Meeting

Monday, 25th September 2023

Commencing at 7.00pm

Council Chamber
1230 Nepean Highway, Cheltenham

kingston.vic.gov.au

Peter Bean
Chief Executive Officer
Kingston City Council

**City of Kingston
Ordinary Council Meeting**

Agenda

25 September 2023

Notice is given that a Meeting of Kingston City Council will be held at 7.00pm at Council Chamber, 1230 Nepean Highway, Cheltenham, on Monday, 25 September 2023.

1. Apologies

2. Confirmation of Minutes of Previous Meetings

Minutes of Ordinary Council Meeting 28 August 2023

Minutes of Special Council Meeting 11 September 2023

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

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

4. Petitions

Nil

5. Presentation of Awards

Nil

6. Reports from Delegates Appointed by Council to Various Organisations

7. Question Time

8. Planning and Place Reports

8.1	Town Planning Application Decisions - August 2023.....	5
8.2	KP-2023/76 - The Wannarkladdin Wetlands (Lot 1 on Title Plan 409790A), Bonbeach.....	19
8.3	Urban Forest Strategy - For Adoption.....	77
8.4	Prioritising Stormwater Treatment & Reuse Projects at Council Reserves	211

9. Community Strengthening Reports

9.1	Commercial Use of Council Land applications - November 2023 - December 2024.....	233
9.2	Reconciliation Action Plan Progress Report 2	241

10. Infrastructure and Open Space Reports

10.1	Contract Award CON 23/081 - Public Toilet Cleaning Services.....	281
10.2	Contract Award CON 23/082 - BBQ & Picnic Amenities Cleaning Services.....	299

11. Customer and Corporate Support Reports

11.1	CEO and General Manager Quarterly Expenses.....	321
------	---	-----

**City of Kingston
Ordinary Council Meeting**

Agenda

25 September 2023

11.2	Advocacy Update.....	327
11.3	Quick Response Grants.....	345
11.4	Governance Rules	355
11.5	Kingston Performance Report, Quarter Four, April to June 2023	501
11.6	Governance and Compliance Report.....	557
12.	Chief Finance Office Reports	
12.1	Adoption of the Annual Statements to 30 June 2023	595
12.2	2022/23 Budget Outcome	707
13.	Notices of Motion	
13.1	Notice of Motion No. 26/2023 - Cr Howe - Beauty Spot Sculpture.....	717
14.	Urgent Business	
15.	Confidential Items	725
15.1	Kingston Heritage Review - Stage 1 Findings	
15.2	Property Matter	
	Confidential Attachments	
9.1	Commercial Use of Council Land applications - November 2023 - December 2024	
	Appendix 1 Commercial Event EOI 2023/24 - Mordialloc Summer Carnival Proposal	

8. Planning and Place Reports

Ordinary Council Meeting

25 September 2023

Agenda Item No: 8.1

TOWN PLANNING APPLICATION DECISIONS - AUGUST 2023

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

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

A summary of the decisions is as follows:

Type of Decision	Number of Decisions Made	Percentage (%)
Planning Permits	78	83
Notice of Decision	9	9
Refusal to Grant a Permit	3	4
Other - Withdrawn (3) - Prohibited (0) - Permit not required (1) - Lapsed (0) - Failure to Determine (0)	4	4
Total	94	100

(NB: Percentage figures have been rounded)

OFFICER RECOMMENDATION

That the report be noted.

Appendices

Appendix 1 - Town Planning Application Decisions August 2023 (Ref 23/243177) 

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

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

8.1

TOWN PLANNING APPLICATION DECISIONS - AUGUST 2023

1	Town Planning Application Decisions August 2023	9
---	---	---

Planning Decisions August, 2023							
APPL. No.	PROPERTY ADDRESS	SUBURB	APPL. DATE	DATE DECIDED	PROPOSAL DESCRIPTION	DECISION	VCAT DECISION
KP-2021/801	Unit 1 90 Keith Street	PARKDALE	16/11/2021	31/08/2023	Subdivide the land into two (2) lots	Permit	No
KP-2018/88/C	26-34 Beyer Road	BRAESIDE	15/05/2023	31/08/2023	Develop the land for the construction of two (2) buildings for industry, business identification signage and a reduction in the associated car parking requirement in the Land Subject to Inundation Overlay	Permit	No
KP-2022/798	179-217 Centre Dandenong Road	DINGLEY VILLAGE	9/12/2022	31/08/2023	Lopping of native vegetation	Permit	No
KP-2022/804	118 Palm Beach Drive	PATTERSON LAKES	14/12/2022	30/08/2023	Use of land for informal outdoor recreation (shared user path) to the rear of properties No.118 to No.146 Palm Beach Drive (approximately 360m in length)	Notice of Decision	No
KP-2023/442	1 Hallinan Court	CHELTENHAM	8/08/2023	30/08/2023	Subdivide the land into two (2) lots	Permit	No
KP-2017/675/A	15 Biscop Road	MOORABBIN	1/08/2023	30/08/2023	Develop the land for the construction of two (2) dwellings with associated works	Permit	No
KP-2017/304/A	23 Nepean Highway	ASPENDALE	4/11/2021	30/08/2023	The use and development of the site for a display home, a reduction in the car parking requirement associated with the display home, the construction of a double storey dwelling to the rear of the display home and to erect a business identification sign	Permit	No

KP-2023/86	32 Wren Road	MOORABBIN	20/02/2023	30/08/2023	Use of the land as a restricted recreation facility (Gymnasium) and display of business identification signage on land affected by a Heritage Overlay	Permit	No
KP-2022/808	43 Milton Avenue	CLAYTON SOUTH	15/12/2022	30/08/2023	The development of three (3) dwellings	Permit	No
KP-2023/328	135 Herald Street	CHELTENHAM	8/06/2023	29/08/2023	Construction of a warehouse and reduction in car parking on land affected by a Special Building Overlay	Permit	No
KP-2023/421	52 Whatley Street	CARRUM	26/07/2023	29/08/2023	Subdivide the land into three (3) lots	Permit	No
KP-2022/674	41 Kershaw Street	MORDIALLOC	12/10/2022	28/08/2023	Construction of two (2) dwellings in the Special Building Overlay	Permit	No
KP-2023/134	557-561 Main Street	MORDIALLOC	21/03/2023	28/08/2023	Subdivide the land into twelve (12) lots	Permit	No
KP-2023/455	6 84-90 Lakewood Boulevard	BRAESIDE	16/08/2023	28/08/2023	The construction of a mezzanine level in the existing warehouse	Permit	No
KP-2023/450	5 Longbeach Close	ASPENDALE	15/08/2023	28/08/2023	The construction of a ground floor extension to the existing dwelling	Permit	No
KP-2023/457	60 Northcliffe Road	EDITHVALE	16/08/2023	28/08/2023	Subdivide the land into two (2) lots	Permit	No
KP-2023/458	10 Margaret Street	MOORABBIN	16/08/2023	25/08/2023	Subdivide the land into two (2) lots	Permit	No
KP-2023/75	22 Alex Avenue	MOORABBIN	15/02/2023	25/08/2023	Part use of the land as a caretaker's house in association with an existing factory (industrial, as of right)	Permit	No
KP-2023/326	SHOP 486B South Road	MOORABBIN	7/06/2023	25/08/2023	Display of a major promotional sign	Permit	No
KP-2023/379	25 Crawford Road	CLARINDA	3/07/2023	25/08/2023	Subdivide the Land into Three (3) Lots	Permit	No
KP-2023/363	476-478 Clayton Road	CLAYTON SOUTH	15/08/2023	24/08/2023	The construction of a shed associated with the service station	Permit	No

KP-2022/727	58 Mentone Parade	MENTONE	9/11/2022	24/08/2023	The development of two (2) dwellings	Permit	No
KP-2023/361	10 Collocott Street	MORDIALLOC	26/06/2023	24/08/2023	Subdivide the Land into Four (4) Lots	Permit	No
KP-2022/525	146 Beach Road	PARKDALE	8/08/2022	23/08/2023	The construction of three (3) double storey dwellings	Notice of Decision	No
KP-2022/156	59 Station Street	ASPENDALE	15/03/2022	23/08/2023	Development of the land for two (2) dwellings	Refused	Yes
KP-2023/310	2-16 Piper Drive	CHELSEA HEIGHTS	22/08/2023	23/08/2023	To construct and put up for display an internally illuminated promotional sign	Permit	No
KP-2023/192	12 Glenola Road	CHELSEA	19/04/2023	23/08/2023	Development of three (3) dwellings	Permit	No
KP-2050/1	1230 Nepean Highway	CHELTENHAM	1/07/2023	23/08/2023	TEST ONLY - PLEASE IGNORE	Withdrawn	No
KP-2023/463	21 Steedman Street	MORDIALLOC	17/08/2023	23/08/2023	Please disregard as this was not fully processed upon entry, please refer to KP-2023/467 We are keeping as much of this beautiful house as possible whilst making it more practical. We are wanting to put an extension on to our existing family home for owner/occupier use. We are proposing to add an	Withdrawn	No
KP-2023/307	1 234-236 Lower Dandenong Road	MORDIALLOC	22/08/2023	23/08/2023	To construct and put up for display of an internally illuminated promotional sign	Permit	No
KP-2023/311	39 Kingston Road	HEATHERTON	22/08/2023	23/08/2023	To construct and put up for display an internally illuminated promotional sign	Permit	No

KP-2023/308	1 290-292 Wickham Road	HIGHETT	22/08/2023	23/08/2023	To construct and put up for display an internally illuminated promotional sign	Permit	No
KP-2022/662	2 Third Avenue	CHELSEA HEIGHTS	5/10/2022	23/08/2023	The development of two (2) dwellings	Notice of Decision	No
KP-1983/2047/B	6 Phillip Street	MENTONE	19/10/2022	23/08/2023	Alterations and additions to the existing swim centre building, including an additional swimming pool, café and the display of business identification and internally illuminated signage	Notice of Decision	No
KP-2023/325	1 Stawell Street	MENTONE	7/06/2023	23/08/2023	Subdivide the land into three (3) lots	Permit	No
KP-2022/767	2 Lincoln Parade	ASPENDALE	30/11/2022	22/08/2023	Development of four (4) double storey dwellings	Refused	No
KP-2023/449	118 Chute Street	MORDIALLOC	11/08/2023	22/08/2023	The construction of an extension to a single storey dwelling in the Special Building Overlay	Permit	No
KP-2023/435	163 Beach Road	PARKDALE	7/08/2023	22/08/2023	Subdivide the land into two (2) lots	Permit	No
KP-2023/321	2 241 Governor Road	BRAESIDE	6/06/2023	22/08/2023	The display of business identification signage	Permit	No
KP-2023/238	53-59 Broadway	BONBEACH	8/05/2023	22/08/2023	The construction of a temporary kitchen structure located in the carpark of the existing residential aged care facility	Permit	No
KP-2023/129	18 James Street	CLAYTON SOUTH	17/03/2023	22/08/2023	Use of land for motor repairs (fitting of accessories) and reduce the car parking requirements of Clause 52.06 of the Kingston Planning Scheme	Permit	No
KP-2023/365	59 Northcliffe Road	EDITHVALE	27/06/2023	21/08/2023	Subdivide the land into three (3) lots	Permit	No
KP-2023/364	35 Woodbine Grove	CHELSEA	27/06/2023	21/08/2023	Subdivide the land into four (4) lots	Permit	No

KP-2023/16	14 Perry Street	MOORABBIN	17/01/2023	21/08/2023	Construction of Three (3) double-storey dwellings	Notice of Decision	No
KP-2022/353	4 Luton Place	CLAYTON SOUTH	26/05/2022	21/08/2023	Construction of three (3) double storey dwellings	Notice of Decision	No
KP-2023/139	4 Alma Road	PARKDALE	22/03/2023	21/08/2023	Development of two (2) dwellings	Notice of Decision	No
KP-2023/298	39 Bradshaw Street	MORDIALLOC	1/06/2023	18/08/2023	Construction of two (2) dwellings	Permit	No
KP-2023/444	41 Dawn Street	HIGHETT	9/08/2023	17/08/2023	Subdivide the land into two (2) lots	Permit	No
KP-2023/441	5 Elliot Street	PARKDALE	8/08/2023	17/08/2023	Subdivide the land into two (2) lots	Permit	No
KP-2022/726	7 1-3 James Street	MORDIALLOC	2/11/2022	17/08/2023	The construction of a first floor addition and a roof top terrace to the existing dwelling	Permit	No
KP-2022/631	2-6 James Street	CLAYTON SOUTH	20/09/2022	17/08/2023	Use of the land for car sales	Permit	No
KP-2023/306	120 Kingston Road	HEATHERTON	15/08/2023	17/08/2023	To construct and put up for display an internally illuminated promotional sign	Permit	No
KP-2023/304	585 Clayton Road	CLARINDA	15/08/2023	17/08/2023	To construct and put up for display an internally illuminated promotional sign	Permit	No
KP-2023/305	41 Old Dandenong Road	OAKLEIGH SOUTH	15/08/2023	17/08/2023	To construct and put up for display an internally illuminated promotional sign	Permit	No
KP-2023/303	1240 Centre Road	CLARINDA	15/08/2023	17/08/2023	To construct and put up for display an internally illuminated promotional sign	Permit	No
KP-2023/302	Gnd Floor 137-145 Chesterville Road	HIGHETT	15/08/2023	17/08/2023	To construct and put up for display an internally illuminated promotional sign	Permit	No
KP-2023/309	572 Clayton Road	CLAYTON SOUTH	15/08/2023	17/08/2023	To construct and put up for display an internally illuminated promotional sign	Permit	No

KP-2023/301	446-450 Warrigal Road	HEATHERTON	15/08/2023	17/08/2023	To construct and put up for display an internally illuminated promotional sign	Permit	No
KP-2021/687	2 Berwen Street	CHELSEA	1/10/2021	17/08/2023	The construction of one (1) double storey dwelling to the front of the existing dwelling on a lot	Permit	Yes
KP-2023/162	7 174-175 Nepean Highway	ASPENDALE	4/04/2023	17/08/2023	Re-subdivision of Lot 14 and common property generally in accordance with the submitted plans	Permit	No
KP-2023/354	1 91 Lower Dandenong Road	MENTONE	20/06/2023	16/08/2023	Subdivide the land into two (2) lots	Permit	No
KP-2023/434	47 Hillston Road	MOORABBIN	7/08/2023	16/08/2023	Subdivide the land into two (2) lots	Permit	No
KP-2023/427	54 Fraser Avenue	EDITHVALE	1/08/2023	16/08/2023	Subdivide the land into two (2) lots	Permit	No
KP-2023/395	20 Collins Street	MENTONE	17/07/2023	16/08/2023	Re-subdivide the land into three (3) lots (boundary realignment) and remove common property	Permit	No
KP-2023/39	590 Nepean Highway	BONBEACH	1/02/2023	16/08/2023	Subdivide the land into Six (6) Lots, and the removal of Easement E-1, E-2 and E-3 on Lot 1 and Lot 2 on LP025656	Permit	No
KP-2014/301/B	47 Weymar Street	CHELTENHAM	6/12/2017	15/08/2023	Develop the Land for the Construction of One (1) Dwelling to the rear of an existing Dwelling	Withdrawn	No
KP-2023/353	16 Dahmen Street	CARRUM	20/06/2023	15/08/2023	Subdivide the land into two (2) lots	Permit	No
KP-2006/967/A	12 Burdekin Boulevard	WATERWAYS	17/05/2023	15/08/2023	To construct buildings and works (two storey dwelling)	Permit	No
KP-2023/285	43 Garden Boulevard	DINGLEY VILLAGE	29/05/2023	15/08/2023	Construction of buildings and works at the existing depot	Withdrawn	No
KP-2022/113	1 Northcliffe Road	EDITHVALE	24/02/2022	14/08/2023	Construction of four, two storey dwellings on a lot in accordance with the endorsed plans	Permit	Yes

KP-2023/117	10 Houston Street	MENTONE	10/03/2023	14/08/2023	The construction of a single storey dwelling to the rear of the existing dwelling and alterations and additions to the existing dwelling	Permit	No
KP-2022/572	52 Marrbridge Road	MOORABBIN	25/08/2022	11/08/2023	The construction of four (4) double storey dwellings	Refused	Yes
KP-2023/380	116-120 Warren Road	MORDIALLOC	3/07/2023	10/08/2023	Lop a tree. Significant Tree # 15 Eucalyptus camalulensis - Remove deadwood and reduce weight on the longest lateral limbs to the east, north, southwest & northwest	Permit Not Required	No
KP-2023/431	57 McSwain Street	PARKDALE	2/08/2023	10/08/2023	The construction of a double storey dwelling in the Special Building Overlay	Permit	No
KP-2023/371	Factory 34 632-642 Clayton Road	CLAYTON SOUTH	25/07/2023	10/08/2023	The construction of a mezzanine level in an existing warehouse	Permit	No
KP-2023/338	32 Bevan Avenue	CLAYTON SOUTH	13/06/2023	8/08/2023	Subdivide the land into six (6) lots	Permit	No
KP-2023/419	12 Lawborough Avenue	PARKDALE	27/07/2023	8/08/2023	The construction of a carport associated with the existing dwelling in the Special Building Overlay	Permit	No
KP-2023/429	13 Gale Street	ASPENDALE	2/08/2023	8/08/2023	Subdivide the land into two (2) lots	Permit	No
KP-2023/426	4 Bayliss Street	CHELTENHAM	31/07/2023	7/08/2023	Subdivide the land into two (2) lots	Permit	No
KP-2004/269/A	47 Rae Avenue	EDITHVALE	12/05/2023	7/08/2023	The construction of two dwellings	Permit	No
KP-2023/178	35 Wren Road	MOORABBIN	9/04/2023	4/08/2023	Use of land for materials recycling and associated works within the front setback on land subject to a Heritage Overlay	Permit	No
KP-2023/400	7 Dissik Street	CHELTENHAM	18/07/2023	4/08/2023	The construction of two (2) warehouses and a reduction in the car parking requirement	Permit	No

7 of 9

KP-2023/212	Gnd Floor 137-145 Chesterville Road	HIGHETT	28/04/2023	4/08/2023	The display of an internally illuminated promotion sign	Permit	No
KP-2022/657	606-608 South Road	MOORABBIN	30/09/2022	4/08/2023	Use and development of the land for a Retail Premises (Motor Vehicle Sales), Industry (Motor Vehicle Restoration) and a Place of Assembly (Function Centre), construct and put up for display signage, reduction of the car parking requirement, alter access to a road in a Transport Zone 2 and associated	Notice of Decision	No
KP-2014/791/B	29 Whatley Street	CARRUM	10/05/2023	3/08/2023	Develop the land for the construction of three (3) dwellings	Permit	No
KP-2023/409	22 Langrigg Avenue	EDITHVALE	21/07/2023	3/08/2023	The construction of a double storey dwelling in the Special Building Overlay	Permit	No
KP-2010/636/A	149-150 Beach Road	PARKDALE	1/06/2023	3/08/2023	To extend two or more dwellings on a lot	Permit	No
KP-2021/401	42-48 Redwood Drive	DINGLEY VILLAGE	30/06/2021	2/08/2023	Development of Buildings and Works	Permit	No
KP-2023/378	1 8 Black Street	CHELSEA	3/07/2023	2/08/2023	Subdivide the land into two (2) lots	Permit	No
KP-2016/744/A	2 Railway Parade	HIGHETT	9/05/2023	1/08/2023	Use the land for the Sale and Consumption of Liquor (Restaurant and Cafe licence) and sale of packaged liquor when associated with a take away food service, construction of buildings and works, a reduction of the car parking and loading bay requirements and the display of a business identification s	Permit	No
KP-2022/791	55 Nirringa Avenue	ASPENDALE	13/12/2022	1/08/2023	The development of two (2) dwellings	Permit	No

KP-1997/195/A	487A Station Street	CARRUM	8/03/2023	1/08/2023	The development of four (4) dwellings	Permit	No
KP-2023/318	14 Argyle Avenue	CHELSEA	6/06/2023	1/08/2023	Subdivide the land into Three (3) Lots	Permit	No
KP-2023/312	12 Woods Avenue	MORDIALLOC	5/06/2023	1/08/2023	Subdivide the land into Four (4) Lots	Permit	No
KP-2022/192	19 Booker Street	CHELTENHAM	25/03/2022	1/08/2023	The construction of two (2) double storey dwellings	Notice of Decision	No

Ordinary Council Meeting

25 September 2023

Agenda Item No: 8.2

KP-2023/76 - THE WANNARKLADDIN WETLANDS (LOT 1 ON TITLE PLAN 409790A), BONBEACH

Contact Officer: Tim Yildirim, Statutory Planner

Purpose of Report

This report is for the Council to consider planning permit application No. KP-2023/76 at The Wannarkladdin Wetlands (Lot 1 on Title Plan 409790A), BONBEACH VIC 3196.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

RECOMMENDATION

That Council determine to support the proposal and issue a planning permit for **The removal of native vegetation pursuant to Clause 52.17, on land affected by the Environmental Significance Overlay (Schedule 1) at The Wannarkladdin Wetlands (Lot 1 on Title Plan 409790A), BONBEACH VIC 3196**, subject to the conditions contained within this report.

This application requires a decision by Council as the permit applicant is Kingston City Council.

EXECUTIVE SUMMARY			
Address	The Wannarkladdin Wetlands, BONBEACH VIC 3196		
Legal Description	(Lot 1 on Title Plan 409790A)		
Applicant	City of Kingston		
Planning Officer	Tim Yildirim		
PLANNING REQUIREMENTS			
Planning Scheme	Kingston		
Zoning	Clause 36.01 – Public Use Zone (Schedule 1)		
Overlays	Clause 42.01 – Environmental Significance Overlay (Schedule 1) Clause 44.04 – Land Subject to Inundation Overlay		
Particular Provisions	Clause 52.17 – Native Vegetation Clause 52.31 – Local Government Projects		
Permit Trigger/s	Clause 42.01-2 – To remove, destroy, or lop any vegetation, including dead vegetation. Clause 52.17-1 – To remove, destroy or lop native vegetation including dead vegetation.		
APPLICATION / PROCESS			
Proposal	The removal of native vegetation pursuant to Clause 52.17, on land affected by the Environmental Significance Overlay (Schedule 1)		
Reference No.	KP-2023/76	RFI Received	NA
App. Received	14 February 2023	App. Amended	NA
S.52 Advertising	Notice is required to be given to the Secretary to the Department of Energy, Environment and Climate Action (formerly DELWP).		
S.55 Referrals	None required		
Internal Referrals	Vegetation management officer, external ecologist		
Objection(s)	None received		
Vegetation	Trees > 8m	No	No. of Trees to be Removed (circumference 110cm) Nil
LEGISLATIVE			
Covenant/Other Restriction	No	Complies: NA	
Aboriginal Cultural Sensitivity Area	Yes		
CHMP	Approved cultural heritage management plan provided.		
Considered Plans	Plans prepared by City of Kingston, titled Example of Connection to Melbourne Water Drain (dated August 2019), Bonbeach Sports Reserve Outfall Drain Proposed Stormwater Layout and Consultation Plan (Dated February 2023), submitted to Council on 14 February 2023.		

1.0 KEY ISSUES

1.1 The main issue arising from this proposal relates to:

- The removal of native vegetation.

2.0 SITE AND SURROUNDS

2.1 The subject land affected by the native vegetation removal is located within the Wannarkladdin Wetlands, in Bonbeach. The subject land covers an area of approximately 1,870 square and comprises Lot 1 on Title Plan 419488S; Lot 1 on Title Plan 409790A; and Lots 1, 2, 3 and on Title Plan 820847C. The Wannarkladdin Wetlands is owned by the City of Kingston and managed by Melbourne Water.

2.2 The overall project area incorporates the Bonbeach Sports Reserve and the associated asphalt carpark and extends into the Wannarkladdin Wetlands, where the native vegetation removal triggers a planning permit requirement. The extent of the project area is depicted below, with the Wannarkladdin Wetlands on the eastern (right) side of the image:



Source: Aerial image prepared by TerraCulture, dated 14 January 2020.

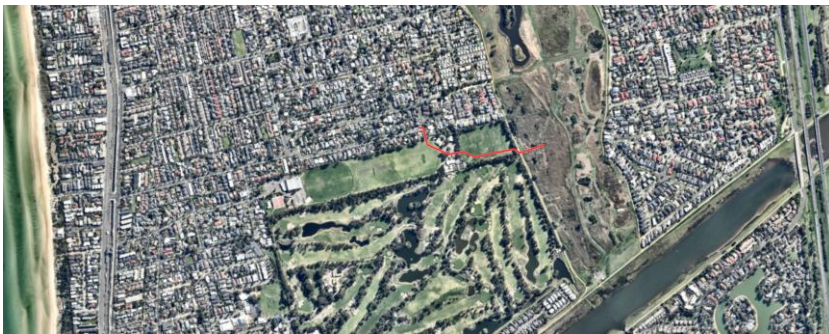
2.3 The land contained within the Bonbeach Sports Reserve has a slight fall of 0.5 metres, from the western envelope adjacent to Cannes Avenue, towards the length of southern portion of the site. Land within the Wannarkladdin Wetlands (east of Bonbeach Sports Reserve) falls a further 0.5 metres.

2.4 The following aerial image illustrates the broader parent allotment(s) within the surrounding environment:



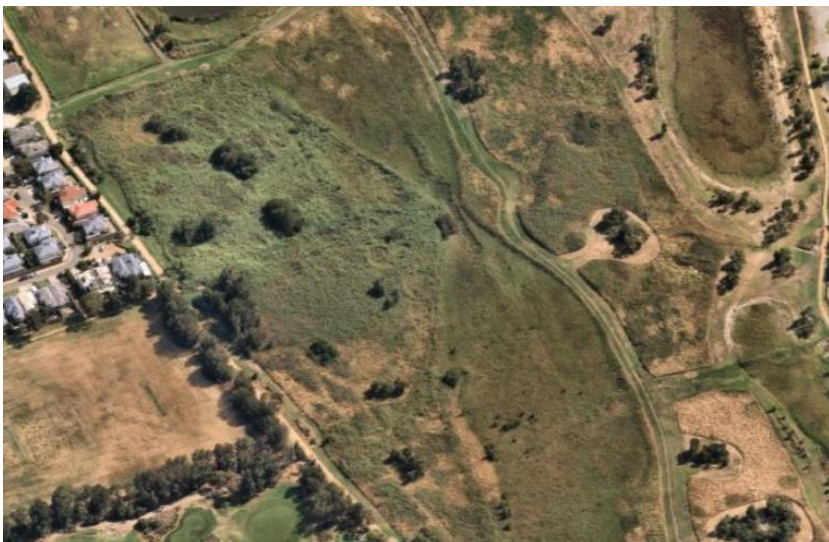
Source: NearMap, 26 April 2023.

2.5 The following aerial image illustrates the project area in its surrounding context:



Source: NearMap, 26 April 2023.

2.6 The Wannarkladdin Wetlands are located to the west of the Bonbeach Sports Reserve as shown below:



Source: NearMap, panoramic view (16 February 2023).

3.0 TITLE DETAILS

3.1 There are no restrictions listed on the Certificates of Title.

4.0 PROPOSAL

Agenda

4.1 It is proposed to remove native vegetation from the subject land in order to carry out buildings and works for a major drainage pipeline. The intention of the project seeks to reduce the impact of flooding in surrounding properties and public roads.

4.2 In particular, the project seeks to:

- Remove native vegetation (Tall Marsh), located within the Wannarkladdin Wetlands.
- Construct a 1,350 millimetre diameter underground stormwater drain.
- Construct a 400 millimetre diameter rising main.
- Construct a pumping station.
- Construct a connection to a Melbourne Water main drain, located within the Wannarkladdin Wetlands.
- Construct a maintenance access road comprised of crushed rock.

4.3 These works are distinguished on the submitted plans (extract provided below):



Bonbeach Sports Reserve outfall drain proposed stormwater layout and consultation plan, dated February 2023.

4.4 This application seeks to obtain a planning permit for the removal of associated native vegetation located within the Wannarkladdin Wetlands, noting all other aforementioned buildings and works described are exempt from the requirements of a planning permit. This is elaborated upon further in Section 14 of this report.

4.5 The extent of native vegetation to be removed from the Wannarkladdin Wetlands comprises 0.149 hectares of Tall Marsh (EVC 821). The particular species of Tall Marsh sought to be removed comprises of Common Reed's (*Phragmites australis*).

4.6 Two (2) River Redgum's, and one (1) Spotted Gum located within the Bonbeach Sports Reserve may also be impacted. However, these trees are confirmed to have been planted. Pursuant to [Clause 52.17-7](#) (Table of Exemptions), a permit is not required to remove, destroy, or lop these trees as they were planted, refer to Section 12 (Referrals) of this report for further comment.

4.7 Regard is given to the submitted ecological assessment, prepared by Biosis, dated 13 February 2023, which provides further details on native vegetation within the subject land sought to be removed, including the relevant offset requirements determined by way of an intermediate assessment pathway.

5.0 PLANNING CONTROLS

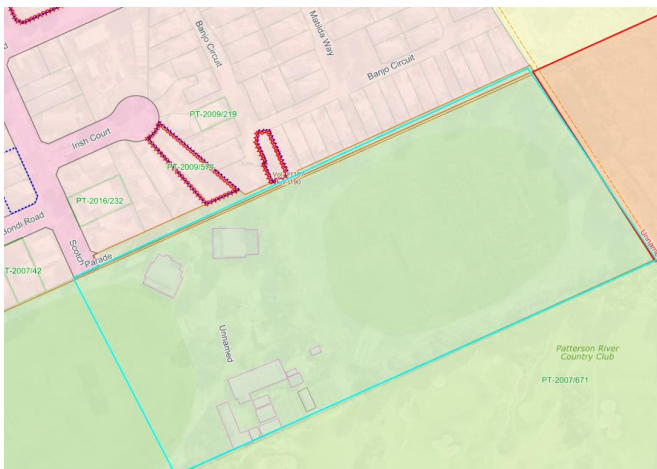
5.1 The subject land within the Wannarkladdin Wetlands is located within the Public Use Zone (Schedule 1):



PUZ1

Source: Intramaps.

- 5.2 That part of the project area located within the Bonbeach Sports Reserve, is located within the Public Park and Recreation Zone:



PPRZ

Source: Intramaps.

6.0 OVERLAYS

- 6.1 The Wannarkladdin Wetlands are burdened by the Land Subject to Inundation Overlay.
- 6.2 The Wannarkladdin Wetlands is also affected by the Environmental Significance Overlay (Schedule 1).

7.0 PLANNING PERMIT REQUIREMENTS

- 7.1 Pursuant to **Clause 42.01-2** (Environmental Significance Overlay), a planning permit is required to remove, destroy or lop any vegetation, including dead vegetation.
- 7.2 Pursuant to **Clause 52.17-1** (Native Vegetation), a planning permit is required to remove, destroy or lop (including prune) native vegetation, including dead native vegetation.

8.0 RELEVANT HISTORY

8.1 Planning enquiry response PE-2022/792 was issued on 19 December 2022, specifying a planning permit may be required for the removal of native vegetation in association with proposed minor utility installation. This application for a planning permit has been made subsequent to this advice provided.

9.0 AMENDMENT TO PLANS

9.1 There were no formal amendments made by the permit applicant during the course of this application.

10.0 ADVERTISING

10.1 Pursuant to **Clause 52.31** (Local Government Projects) and **Clause 52.31-2** (Exemption from Notice and Review), the application under any provision of this planning scheme to develop land by or on behalf of a municipal council is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act, particularly noting that the application seeks to remove not more than 0.5 hectares of native vegetation, and the overall estimated cost is less than \$10 million.

10.2 Pursuant to **Clause 67.02** (Notice Requirements and Exemption) and **Clause 67.02-2** (Notice Requirements), in accordance with Section 52(1)(c) of the Act, notice of an application to remove, destroy or lop native vegetation under **Clause 52.17** must be given to the Secretary to the Department of Energy, Environment and Climate Action (formerly DELWP) (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).

10.3 Accordingly, notice was given to the Secretary to the Department of Energy, Environment and Climate Action (formerly DELWP), and a minimum period of fourteen (14) days was offered to submit any relevant comments/concerns/objections. Following the fourteen day period, no objection was received.

11.0 PLANNING CONSULTATION MEETING

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

12.0 REFERRALS

External Referrals

12.1 It is noted that the subject site exceeds 4,000 square metres in overall area, seeks to remove native vegetation and therefore the advice of an expert ecologist has been sought in accordance with an adopted Council Resolution.

Referral as Required in Accordance with Council Resolution	Comments
Ecology and Heritage Partners	<p>Section 3 of the external consultant’s peer review criticises the Biosis report for not having adequate detail regarding the consideration of avoiding and minimising impacts to native vegetation.</p> <p>As a result, additional information was sought from the permit applicant who provided the proposed strategy that has avoided the removal of trees to both the north and south of the pump station in its proposed location. Considering this along with the proposed pipeline location officers have determined that the applicant has satisfactorily minimised and avoided native vegetation removal to the extent practicable.</p>

	<p>Section 4 of the external consultant’s peer review notes that no evidence has been provided by the applicant to substantiate the following comments contained in the Biosis Ecological Assessment:</p> <ul style="list-style-type: none"> - Two Victorian species, two (2) River Redgums, and one (1) Spotted Gum located within the Bonbeach Sports Reserve may be impacted, but as they are planted, they are exempt from permit requirements under the Planted Vegetation exemption in Clause 52.17. <p>The permit applicant subsequently confirmed that these trees were planted in 2015 and have grown considerably since the time of planting. Accordingly, these trees are confirmed to have been planted and are exempt from the requirements of Clause 52.17.</p> <p>Section 5 of the peer review provides several recommendations, to form conditions of any permit issued, including:</p> <ul style="list-style-type: none"> - Specifying all native trees to be retained. - Securing native vegetation offsets and to provide evidence that the required offsets have been secured. - Tree protection measures for trees to be retained. <p>These recommendations have been reviewed by Council’s vegetation management officer. Refined conditions to be included on any planning permit issued have been provided (see internal referrals below).</p>
--	---

Internal Referrals

12.2 The application was referred to the following internal departments for comment.

Department / Area	Comments / Rationale / Recommended Conditions
Vegetation Management Officer	Following receipt of the external consultant’s peer review comments discussed above, Council’s vegetation management officer advised of no objection to the extent of native vegetation proposed to be removed, subject to the inclusion of conditions on any permit issued. These conditions have taken into account the recommendations provided by Ecology and Heritage Partners and are outlined in the recommendation section of this report.

13.0 RELEVANT POLICIES

13.1 Municipal Planning Strategy (MPS)

- Clause 02.02 – Vision
- Clause 02.03 – Strategic Directions

13.2 Planning Policy Framework (PPF)

- Clause 11.03 – Planning for Places
- Clause 12.01 – Biodiversity
- Clause 12.03 – Water Bodies and Wetlands
- Clause 12.05 – Significant Environments and Landscapes
- Clause 13.03 – Floodplains

13.3 Zoning

- Clause 36.01 – Public Use Zone (Schedule 1)

13.4 Overlays

The activity area is located in the following overlays:

- Clause 42.01 – Environmental Significance Overlay (Schedule 1)

Agenda

- Clause 44.04 – Land Subject to Inundation Overlay

13.5 Particular Provisions

- Clause 52.17 – Native Vegetation
- Clause 52.31 – Local Government Projects

13.6 General Provisions

- Clause 65 – Decision Guidelines

14.0 PLANNING CONSIDERATIONS:

Municipal Planning Strategy

14.1 The application has been assessed against Council's Municipal Planning Strategy and it is considered that the proposal is consistent with relevant policies contained within this section of the Kingston Planning Scheme.

14.2 **Clause 02.02** (Vision) seeks to ensure that community infrastructure is managed to achieve optimal community benefit, in order to meet the long term needs of the community. Open space provisions must address the changing leisure and recreation needs of Kingston's growing population.

14.3 **Clause 02.03** (Strategic Directions) seeks to facilitate open space areas. It is acknowledged that much of Council's physical infrastructure is ageing and, as the municipality contains large areas of flood prone land (such as the subject site and surrounds), it is critical to ensure ongoing improvements to drainage infrastructure. Importantly Council's drainage infrastructure must protect floodplains and flood prone areas to minimise the impacts of flooding.

Planning Policy Framework

14.4 The application has been assessed against the Planning Policy Framework and it is considered that the proposal is consistent with relevant policies contained within this section of the Kingston Planning Scheme.

14.5 **Clause 11.03** (Planning for Places) and **Clause 11.03-3S** (Peri-urban Areas) seeks to protect areas that are strategically important for the environment, biodiversity, landscape, open space and recreation.

14.6 **Clause 12.01** (Biodiversity) and **Clause 12.02-1S** (Protection of Biodiversity) seek to limit fragmentation of habitat and avoid impacts of development on important areas of biodiversity, whilst managing and protecting these important areas, by supporting development that contributes to the protection of habitat for indigenous plants.

14.7 **Clause 12.01-1L** (Protection of Biodiversity – Kingston) seeks to retain and replant native trees and vegetation cover where possible. **Clause 12.01-2S** (Native Vegetation Management) seeks to ensure that there is no net loss to biodiversity as a result of the removal, destruction, or lopping of native vegetation. Development should minimise impacts from the removal of native vegetation that cannot be avoided, and to provide an offset to compensate for any loss in biodiversity. **Clause 12.01-2L** (Native Vegetation Management – Kingston) further reinforces these provisions at a local level, encouraging the retention of existing native vegetation wherever possible.

14.8 **Clause 12.03** (Water Bodies and Wetlands) and **Clause 12.03-1S** (River and Riparian Corridors, Waterways, Lakes, Wetlands and Billabongs) encourages the protection of environmental landscape values, including native vegetation, and sensitively design projects to maintain and enhance the surrounding landscape setting. Green spaces, such as

recreational areas, should be planned without adversely impacting environment values and flood management capacity.

- 14.9 **Clause 12.05** (Significant Environments and Landscapes) and **Clause 12.05-1S** (Environmentally Sensitive Areas) encourage the protection and conservation of environmentally sustainable areas which provide significant recreation value from development that would diminish their value. **Clause 12.05-2S** (Landscapes) recognises natural landscapes for their aesthetic value and it is important to ensure natural features are protected and enhanced.
- 14.10 **Clause 13.03** (Floodplains) and **Clause 13.03-1S** (Floodplain Management) seek to protect community infrastructure from flood hazard, including overland flows. Strategies in place seek to avoid intensifying the impact of flooding.
- 14.11 The application has been assessed against the relevant Planning Policy Framework guidelines and it is considered that the proposed removal of native vegetation meets the provisions contained within this section of the Kingston Planning Scheme. Particularly, the proposal seeks to minimise the removal of native vegetation where possible. The proposal addresses native vegetation retention and rejuvenation policy directives of the Kingston Planning Scheme.
- 14.12 Whilst a permit is not required for the associated drainage works which necessitate the removal of native vegetation, it is important to note that these works are carried out in line with the Planning Policy Framework, through providing critical upgrades to the capacity of ageing drainage infrastructure in an area prone to flooding, whilst minimising the removal of native vegetation where possible, providing for appropriate offset replanting to ensure no net-loss, and through limiting impact to the natural environment of Council's public open space and the abutting Wannarkladdin Wetlands.
- 14.13 **Clause 15.03-2S** (Aboriginal Cultural Heritage) seeks to ensure the protection and conservation of places of Aboriginal cultural heritage significance.
- 14.14 In this instance, as the proposed activity **is not exempt** under the *Aboriginal Heritage Regulations 2018*, the permit applicant was required to prepare and submit a cultural heritage management plan (CHMP) to Council. Accordingly, a cultural heritage management plan has been prepared by a qualified cultural heritage advisor and submitted to Council. Importantly, the plan has been approved by the Secretary of the Department of Premier and Cabinet.
- 14.15 The approved plan contains the results of an assessment of the potential impact of the proposed activity on Aboriginal cultural heritage. Further, it outlines measures to be taken before, during and after the activity in order to manage and protect Aboriginal cultural heritage in the activity area.

Zoning Provisions

- 14.16 The Wannarkladdin Wetlands are located within the Public Use Zone. Pursuant to **Clause 36.01** (Public Use Zone) and the associated table of uses at **Clause 36.01-1**, the proposal for a minor utility installation is classified as a Section 1 use (as the proposed drainage works are considered a service and utility pursuant to **Clause 36.01-6**). Therefore, no planning permit is required for the use of land for minor utility installation, within the Wannarkladdin Wetlands, with respect to the zone.
- 14.17 Pursuant to **Clause 36.01-2**, a planning permit is required for buildings and works associated with a Section 2 land use. The proposal is classified as a Section 1 use (minor utility installation) and therefore, a planning permit is not required to carry out the drainage works within the Wannarkladdin Wetlands, with respect to the zone.

14.18 The Bonbeach Sports Reserve is located within the Public Park and Recreation Zone. Pursuant to **Clause 36.02-2** (Public Park and Recreation Zone), a planning permit is required to construct a building or construct or carry out works. However, pursuant to **Clause 52.31** (Local Government Projects), any requirement in the zone or a schedule to the zone to obtain a permit to construct a building or construct or carry out works, does not apply to the development of land carried out by, or on behalf of, a municipal council, where the cost of development is not more than \$10 million.

14.19 As the drainage works are carried out by Kingston City Council, with an estimated cost of less than \$10 million (estimated total cost of \$2.2 million), a planning permit is not required to carry out the drainage works within the Bonbeach Sports Reserve, with respect to the zone.

Overlay Provisions

Environmental Significance Overlay

14.20 The Wannarkladdin Wetlands are affected by the Environmental Significance Overlay. Pursuant to **Clause 42.01-2** (Environmental Significance Overlay), a planning permit is required to construct a building or construct or carry out works. However, pursuant to **Clause 62.02-1**, any requirement in this scheme relating to the construction of a building or the construction or carrying out of works, does not apply to buildings and works associated with a minor utility installation. Therefore, a planning permit is not required to carry out the drainage works within the Wannarkladdin Wetlands, with respect to the overlay.

14.21 Pursuant to **Clause 42.01-2**, planning permit is required to remove, destroy or lop any vegetation, including dead vegetation. Therefore, a planning permit is required to remove vegetation located within the Wannarkladdin Wetlands.

14.22 Pursuant to **Clause 44.04-1** (Land Subject to Inundation Overlay) of the Kingston Planning Scheme, a planning permit is required to construct a building or construct and carry out works on the land. This does not apply to flood mitigation works carried out by the responsible authority or floodplain management authority. As the buildings and works are being carried out by Council for the purposes of flood mitigation, a planning permit is not required for either parcel of land, in respect of the Land Subject to Inundation Overlay.

Particular Provisions

14.23 Pursuant to **Clause 52.17-1** (Native Vegetation), a planning permit is required to remove, destroy or lop native vegetation. This does not apply to native vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding. There are three (3) native trees located within the Bonbeach Sports Reserve that may be impacted by the proposal, as discussed in Section 12 of this report. However, these are confirmed to have been planted and a permit is not required in this respect.

14.24 Pursuant **Clause 52.17-1** (Native Vegetation), a planning permit is required to remove 0.149 hectares of Tall Marsh; Common Reeds (*Phragmites australis*), located within the Wannarkladdin Wetlands.

14.25 An application to remove, destroy or lop native vegetation must comply with the application requirements specified in the guidelines.

14.26 The purpose of **Clause 52.17** is to ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the *Guidelines for the Removal, Destruction or Lopping of Native Vegetation* (DELWP, 2017) (the Guidelines):

1. Avoid the removal, destruction or lopping of native vegetation.

2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
3. Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation. To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.

14.27 **Clause 52.17-4** states that before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider the decision guidelines specified in the Guidelines as appropriate. Upon review of the proposal, the extent of native vegetation removal proposed is found to be appropriate for the following reasons:

- Efforts have been made to maximise the retention of native vegetation, subject to conditions. The extent of native vegetation to be removed is not considered to be of major detriment to the biodiversity of the surrounding area, subject to offset planting. The improvements to ageing drainage infrastructure is also considered to outweigh the potential minor effects on biodiversity outcomes.
- Appropriate offset planting will be carried out, to the satisfaction of Council, subject to conditions on any permit issued.

14.28 It is considered that the proposed native vegetation removal is consistent with the objectives of **Clause 52.17**, the above policies and provisions.

General Provisions

14.29 **Clause 65.01** of the Kingston Planning Scheme is relevant to this application and requires consideration to be given to a variety of matters including planning scheme policies, orderly planning, the extent to which native vegetation forms part of the character of the area, and whether native vegetation can be protected.

15.0 CONCLUSION

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

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

15.3 The proposal is considered appropriate for the site as evidenced by:

- The proposal should not have a detrimental impact on native vegetation to be retained, subject to offset planting conditions.
- The proposal satisfies the requirements of the Kingston Planning Scheme, including the Municipal Planning Strategy, the Planning Policy Framework, the Environmental Significance Overlay (Schedule 1) and **Clause 52.17** (Native Vegetation).

16.0 RECOMMENDATION

16.1 That Council determine to support the proposal and issue a planning permit for **the removal of native vegetation at The Wannarkladdin Wetlands (Lot 1 on Title Plan 409790A), Bonbeach VIC 3196**, subject to the following conditions:

Endorsed Plans

1. The extent of works (removal of native vegetation) as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

Vegetation Removal

Agenda

2. Prior to the commencement of any buildings and work, the permit holder must advise all persons undertaking the vegetation removal or works on site of all relevant permit conditions and associated statutory requirements or approvals.
3. In order to offset the permitted clearing of native vegetation in accordance with *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP 2017), the permit holder must secure a minimum offset amount of 0.032 general habitat units. The species nominated for the offset must be located within the Port Phillip and Westernport Catchment Management boundary, or Kingston municipal area, with a minimum strategic biodiversity score of at least 0.340.
4. Prior to the removal of any native vegetation, evidence must be provided that the offset, required by condition 3 has been secured, to the satisfaction of the Responsible Authority. This must be evidenced by:
 - a. An established first party offset site including a security agreement signed by both parties, and a management plan detailing the ten (10) year management actions and ongoing management of the site; and/or
 - b. Credit extract(s) allocated to the permit from the Native Vegetation Credit Register.A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit.
5. Within thirty (30) days of endorsement of the offset evidence, a copy of the endorsed offset evidence must be provided to Planning Approvals at the Department of Environment, Land, Water and Planning, Port Phillip regional office.
6. Should the offset include a first party offset(s), the permit holder must provide an annual offset site report to the responsible authority by the anniversary date of the execution of the offset security agreement, for a period of ten (10) consecutive years. After the tenth (10th) year, the landowner must provide a report at the reasonable request of a statutory authority.
7. Within six (6) months of the conclusion of the permitted clearing of native vegetation pursuant to this permit, the offset requirements may be reconciled with the written agreement of the Responsible Authority and the Department of Environment, Land, Water and Planning.
8. Prior to the commencement of any buildings and works, a native vegetation protection fence must be erected around the perimeter of the area of native vegetation to be removed on site. The protection fence must be constructed of chain mesh, or similar to the satisfaction of the Responsible Authority.
9. The native vegetation protection fence must remain in place until all works are completed, to the satisfaction of the Responsible Authority.
10. Except with the written consent of the Responsible Authority, within the area of native vegetation to be retained and any associated tree protection zone, the following are prohibited:
 - a. Vehicular or pedestrian access.
 - b. Trenching or soil excavation.
 - c. Storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products.
 - d. Entry and exit pits for underground services.
 - e. Any other actions, works or activities that may result in adverse impacts to native vegetation that is to be retained.

Permit Expiry

11. 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 works (removal of native vegetation) is not started within two (2) years from the date of permit issue.
- The works (removal of native vegetation) is not completed within four (4) years from the date of permit issue.

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

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

Note: Prior to the commencement of works, you are required to obtain any necessary building permit(s), where relevant.

Note: The permit holder must provide a copy of this planning permit to any appointed building surveyor. It is the responsibility of the permit holder and building surveyor to ensure that all works approved by any building permit is consistent with the planning permit, including extent of native vegetation to be removed.



Note: The permit holder must provide a copy of this planning permit and any endorsed plans to any external contractor(s) to ensure that all vegetation (including native vegetation) to be retained on site are protected during any works.



Note: Before removing / pruning any vegetation (including native vegetation) from the site, the permit holder or any contractor engaged should consult Council's vegetation management officer to verify if a Local Laws permit 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 as required by the *Aboriginal Heritage Act 2006*. A copy of the approved cultural heritage management plan must be held on site during the construction activity.

Appendices

Appendix 1 - Proposed stormwater layout (Ref 23/214020)  

Appendix 2 - Ecological assessment prepared by Biosis (Ref 23/214022)  

Appendix 3 - Peer review report from external ecologist (Ref 23/214028)  

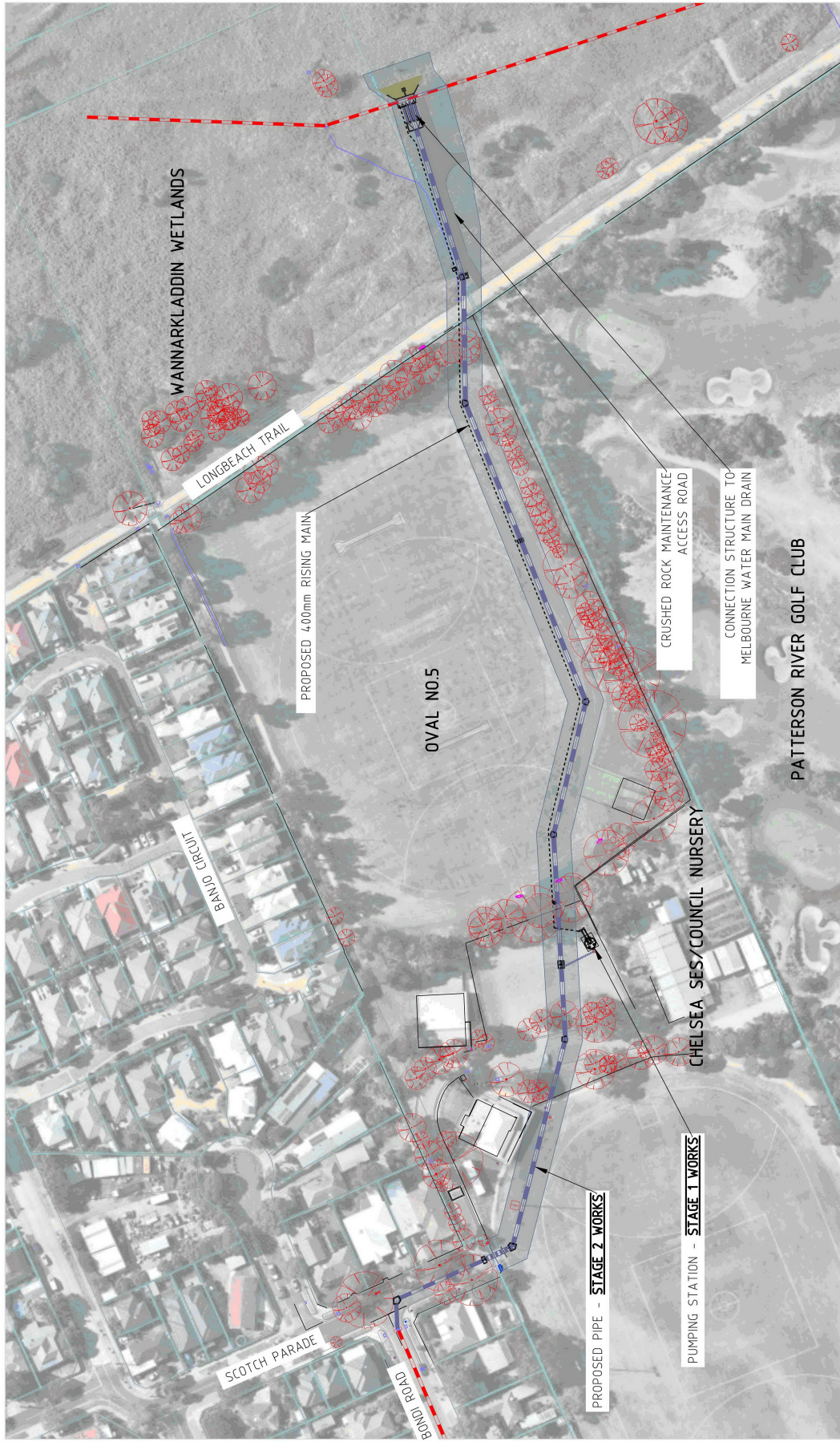
Appendix 4 - Proposed plans (Ref 23/214105)  

Author/s: Tim Yildirim, Statutory Planner
Reviewed and Approved By: Nikolas Muhllechner, Team Leader Statutory Planning
Alfred Carnovale, Manager City Development

8.2

KP-2023/76 - THE WANNARKLADDIN WETLANDS (LOT 1 ON TITLE PLAN 409790A), BONBEACH

1	Proposed stormwater layout	37
2	Ecological assessment prepared by Biosis	39
3	Peer review report from external ecologist	65
4	Proposed plans.....	73



OVERVIEW OF WORKS

- APPROXIMATE LOCATION OF PROPOSED WORKS
- PROPOSED 150mm PIPE LOCATION - STAGE 2 WORKS
- PROPOSED 400mm RISING MAIN - STAGE 2 WORKS

LEGEND



City of KINGSTON

**BONBEACH SPORTS RESERVE OUTFALL DRAIN,
PROPOSED STORMWATER LAYOUT
CONSULTATION PLAN**

February 2023

13 February 2023

Glenn Olin
 City of Kingston
 Email: glenn.olin@kingston.vic.gov.au

Dear Glenn

Bondi Road Bonbeach outfall project ecological assessment

Our ref: Matter 36607

Regarding Council's request for ecological assessment of the Bondi Road Bonbeach outfall project in Bonbeach we can provide the following. The site was assessed on 26 January 2023.

Description

The study area is the construction footprint of a proposed drain located within Bonbeach Sports Reserve which supports exotic grassland with some planted Victorian and non-Victorian Australian native trees and the west side of Wannarkladdin Wetlands which supports native reedswamp vegetation.

Native vegetation

'Native vegetation' consists of 'plants that are indigenous to Victoria, including trees, shrubs, herbs, and grasses' (Kingston planning scheme, Clause 73.01) and is subject to permit requirement to remove, lop or destroy with exemptions (Clause 52.17).

Two Victorian species, trees 4 (River Red-gum), 6 (Spotted Gum) and 15 (River Red-gum) in the arboricultural impact assessment may be impacted (Treescape Consulting 2020) but as they are planted they are exempt from permit requirement under the Planted vegetation exemption in Clause 52.17.

- One Victorian plant species ('native vegetation') requiring a permit for removal was found:
 Common Reed *Phragmites australis*

A habitat zone is a patch of native vegetation where $\geq 25\%$ of the total perennial understorey plant cover is native (DELWP 2017). The study area has one habitat zone (Attachment 2):

- HZ1, Tall Marsh EVC 821, defined by a dense bed of Common Reed with Blackberry *Rubus anglocandicans* and Toowoomba Canary-grass *Phalaris aquatica* (Figure 1).

The Department of Energy, Environment and Climate Action models the pre-1750 ecological vegetation class (EVC) as Plains Grassy Wetland EVC 125 (DEECA 2023c), part of Carrum Swamp. However the current vegetation is Tall Marsh EVC 821.

The Victorian Biodiversity Atlas lists numerous flora species listed under the EPBC Act and/or FFG Act recorded within 5 km of the site. None of these species are likely to occur on the site.

Biosis Pty Ltd
 Melbourne

38 Bertie Street
 Port Melbourne VIC 3207

Phone: 03 8686 4800
 Fax: 03 9646 9242

ACN 006 175 097
 ABN 65 006 175 097

Email: melbourne@biosis.com.au

[biosis.com.au](https://www.biosis.com.au)

Native fauna

No fauna were seen during site assessment. The Victorian Biodiversity Atlas lists numerous fauna species listed under the EPBC Act and/or FFG Act recorded within 5 km of the site. There is a low likelihood of any of these species occurring on site although they may fly over and any occurrence would be transient.

Conservation significance

Common Reed *Phragmites australis* is secure in the City of Kingston (City of Kingston 2018).

Tall Marsh is secure in Kingston (City of Kingston 2018) and endangered in the Gippsland Plain bioregion (DEECA 2023a as Reed Swamp EVC 300).

Permit requirements

A planning permit from the Responsible Authority (City of Kingston) is required to remove this native vegetation (Clause 52.17).

There are no protected flora species under the Flora and Fauna Guarantee Act so no requirement for a protected flora permit.

Guidelines

Native vegetation within the construction footprint requiring a permit for removal under Clause 52.17 is assessed using the *Guidelines for the removal, destruction of lopping of native vegetation* (DELWP 2017), an incorporated document in the Kingston planning scheme.

Native vegetation requiring a permit for removal may be summarised as follows.

Table 1. Summary of native vegetation (requiring permit)

EVC	Area (ha)
Tall Marsh EVC 821	0.149

Photos of the vegetation are in Attachment 3.

As per the Guidelines, site assessment was undertaken to map the extent and determine the condition score of the habitat zone using the habitat hectare method (DSE 2004) and the EVC benchmark for Tall Marsh (DEECA 2023b). The site-assessed condition score follows.

Table 2. Condition score of habitat zone HZ1

Habitat zone		HZ1	
EVC		TM	
		Max Score	Score
Site Condition	Large Trees	10	na
	Tree Canopy Cover	5	na
	Lack of Weeds	15	4
	Understorey	25	5
	Recruitment	10	0
	Organic Litter	5	3
	Logs	5	na
	Total		12
Modifier			75/55
Total Site Score			16
Landscape Value	Patch Size	10	2
	Neighbourhood	10	1
	Distance to Core Area	5	1
	Total Landscape Score		4
Habitat points		100	20
CONDITION SCORE		1	0.20

TM Tall Marsh EVC 821

Information was submitted to DEECA which provided a native vegetation removal report (Attachment 4).

As per the native vegetation removal report, the site is in Location category 2 and the extent of proposed native vegetation removal is less than 0.5 hectares, so the permit application will be assessed in the Intermediate Assessment Pathway. DELWP is a Recommending Referral Authority (Clause 66.02).

As per the native vegetation removal report, provision of an offset will be a permit condition. The offset will comprise 0.032 general habitat units with a minimum strategic biodiversity value score of 0.340.

Information required in the Intermediate Assessment Pathway is in Attachment 5.

References

- City of Kingston 2018. Kingston biodiversity strategy technical report. City of Kingston.
<https://www.kingston.vic.gov.au/files/sharedassets/public/hptrim/communications-website-and-online-development-corporate-website-documents/biodiversity-strategy-technical-report.pdf>
- DELWP 2017. Guidelines for the removal, destruction or lopping of native vegetation.
Department of Environment, Land, Water and Planning, Victoria.
www.environment.vic.gov.au/_data/assets/pdf_file/0021/91146/Guidelines-for-the-removal,-destruction-or-lopping-of-native-vegetation,-2017.pdf
- DEECA 2023a. Bioregional conservation status for each BioEVC. Department of Energy, Environment and Climate Action, Victoria.
www.environment.vic.gov.au/_data/assets/pdf_file/0012/50511/Bioregional-Conservation-Status-for-each-BioEVC.pdf
- DEECA 2023b. Ecological vegetation class benchmarks of the Gippsland Plain bioregion.
Department of Energy, Environment and Climate Action, Victoria.
https://www.environment.vic.gov.au/_data/assets/pdf_file/0033/48696/GipP_EVCs_combined.pdf
- DEECA 2022c. NatureKit. Department of Energy, Environment and Climate Action, Victoria.
<https://www.environment.vic.gov.au/biodiversity/naturekit>
- DSE 2004. Native vegetation: sustaining a living landscape. Vegetation quality assessment manual – guidelines for applying the habitat hectares scoring method. Version 1.3.
Department of Sustainability and Environment, Melbourne.
https://www.environment.vic.gov.au/_data/assets/pdf_file/0016/91150/Vegetation-Quality-Assessment-Manual-Version-1.3.pdf
- Treescape Consulting 2020. Site address: Bonbeach Sports Reserve, drainage works.
Report commissioned by City of Kingston, prepared by Peter Clark, Treescape Consulting.

Attachments

- 1 Indigenous flora
- 2 Ecological features
- 3 Photos
- 4 Native vegetation removal report
- 5 Application requirements in the Intermediate Assessment Pathway
- 6 Report of available native vegetation credits

Please contact me if you have any enquiries.

Regards

A handwritten signature in black ink that reads 'Jeff Yugovic'.

Jeff Yugovic
Senior Associate Ecologist

Attachment 1. 'Native vegetation'

Scientific name	Common name
Locally indigenous species:	
<i>Phragmites australis</i>	Common Reed

Attachment 2. Ecological features

Attachment 3. Photos



Photo 1. Habitat zone HZ1, Tall Marsh, 26.01.23

Attachment 4. Native vegetation removal report

Native vegetation removal report

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

Date of issue: 09/02/2023
Time of issue: 10:27 am

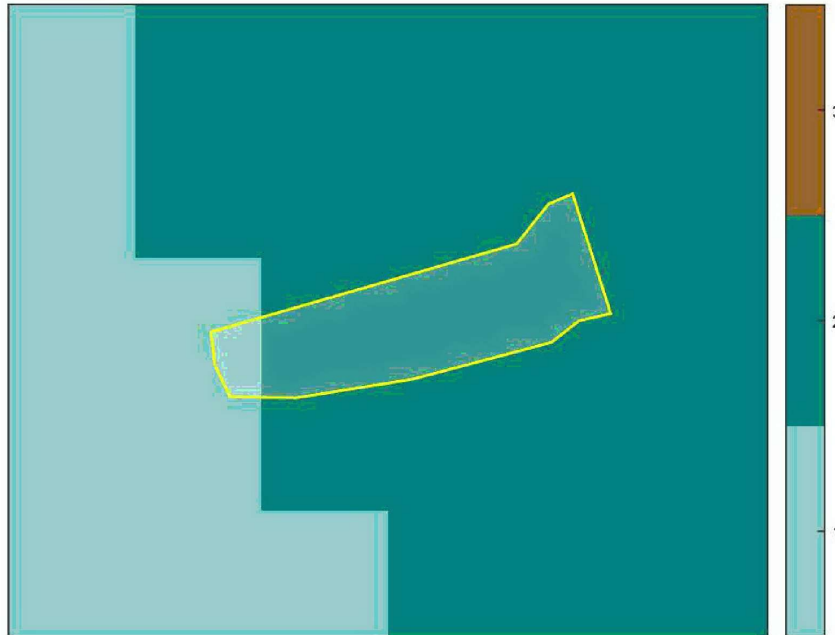
Report ID: BIO_2023_012

Project ID	ENSYM_36607_BondiRd_Outfall_230203
-------------------	------------------------------------

Assessment pathway

Assessment pathway	Intermediate Assessment Pathway
Extent including past and proposed	0.149 ha
Extent of past removal	0.000 ha
Extent of proposed removal	0.149 ha
No. Large trees proposed to be removed	0
Location category of proposed removal	Location 2 The native vegetation is in an area mapped as an endangered Ecological Vegetation Class (as per the statewide EVC map). Removal of less than 0.5 hectares of native vegetation in this location will not have a significant impact on any habitat for a rare or threatened species.

1. Location map



Native vegetation removal report

Offset requirements if a permit is granted

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

General offset amount¹	0.032 general habitat units
Vicinity	Port Phillip and Westernport Catchment Management Authority (CMA) or Kingston City Council
Minimum strategic biodiversity value score ²	0.340
Large trees	0 large trees

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

Appendix 1 includes information about the native vegetation to be removed

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

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

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

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

Native vegetation removal report

Next steps

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

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

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

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

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

Additional application requirements must be met including:

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

© The State of Victoria Department of Environment, Land, Water and Planning Melbourne 2023

This work is licensed under a Creative Commons Attribution 4.0 International licence. You are free to re-use the work under that licence, on the condition that you credit the State of Victoria as author. The licence does not apply to any images, photographs or branding, including the Victorian Coat of Arms, the Victorian Government logo and the Department of Environment, Land, Water and Planning logo. To view a copy of this licence, visit <http://creativecommons.org/licenses/by/34.0/au/deed.en>

Authorised by the Victorian Government, 8 Nicholson Street, East Melbourne.

For more information contact the DELWP Customer Service Centre 136 186

Disclaimer

This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.

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

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

www.delwp.vic.gov.au

Appendix 1: Description of native vegetation to be removed

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

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

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

Native vegetation to be removed

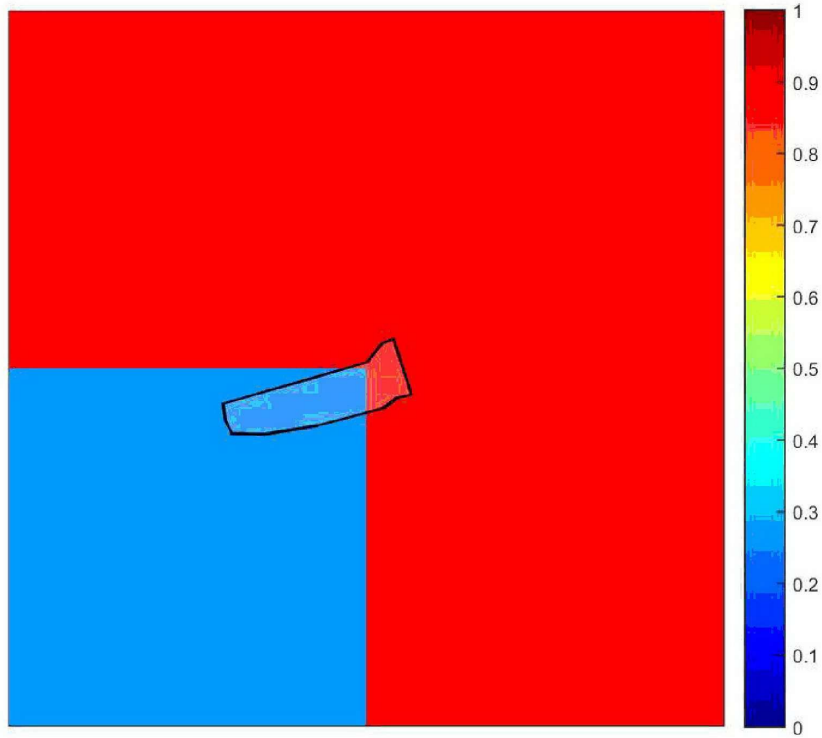
Information provided by or on behalf of the applicant in a GIS file							Information calculated by EnSym					
Zone	Type	BioEVC	BioEVC conservation status	Large tree(s)	Partial removal	Condition score	Polygon Extent	Extent without overlap	SBV score	HI score	Habitat units	Offset type
1-A	Patch	gipp0821	Endangered	0	no	0.200	0.149	0.149	0.426		0.032	General

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

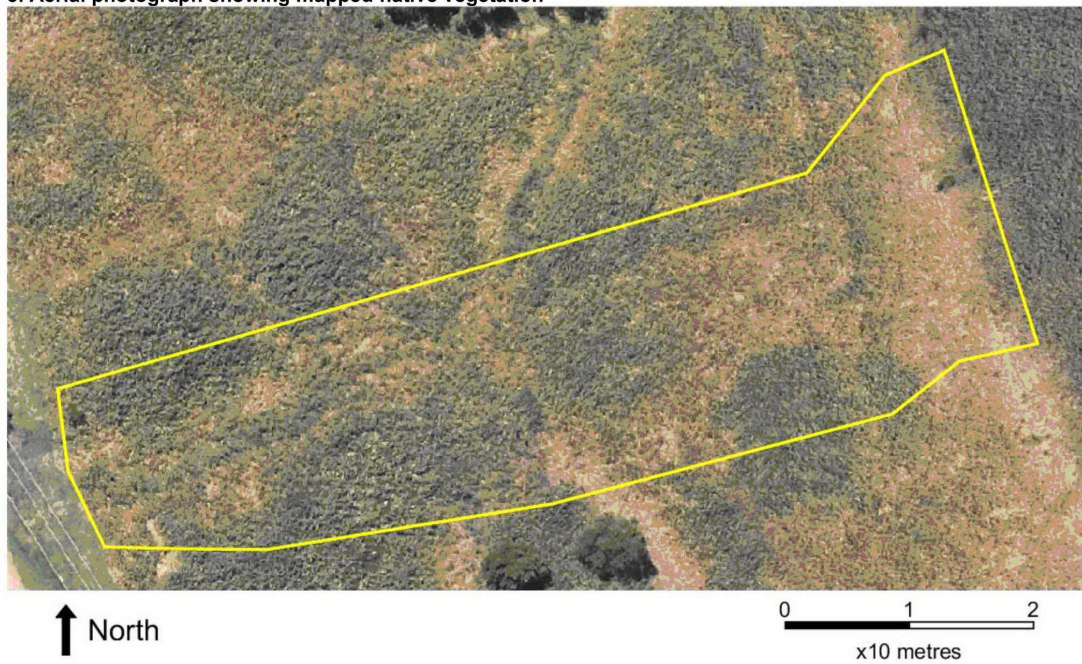
This is not applicable in the Intermediate Assessment Pathway.

Appendix 3 – Images of mapped native vegetation

2. Strategic biodiversity values map



3. Aerial photograph showing mapped native vegetation



4. Map of the property in context



Yellow boundaries denote areas of proposed native vegetation removal.

Attachment 5. Application requirements in the Intermediate Assessment Pathway

Applications to remove native vegetation must include the following information (DELWP 2017), as appropriate.

Table A5.1: Application requirements for all applications for a permit to remove native vegetation

Number	Application requirement
1	<p>Information about the native vegetation to be removed, including:</p> <ul style="list-style-type: none"> • The assessment pathway and reason for the assessment pathway. This includes the location category of the native vegetation to be removed. Intermediate Assessment Pathway, Location category 2 • A description of the native vegetation to be removed that includes: <ul style="list-style-type: none"> – whether it is a patch or a scattered tree (or both) Patch – the extent (in hectares) 0.149 ha – the number and circumference (in centimetres measured at 1.3 metres above ground level) of any large trees within a patch Not applicable – the number and circumference (in centimetres measured at 1.3 metres above ground level) of any scattered trees, and whether each tree is small or large Not applicable, as above – the strategic biodiversity value score 0.260 – the condition score 0.20 – if it includes endangered Ecological Vegetation Classes Yes – if it includes sensitive wetland or coastal areas. On edge of and within Wannarkladdin Wetlands • Maps showing the native vegetation and property in context and containing: <ul style="list-style-type: none"> – scale, north point and property boundaries – location of any patches of native vegetation and the number of large trees within the patch proposed to be removed Attachment 2 – location of scattered trees proposed to be removed, including their size • The offset requirement, determined in accordance with section 5 of the Guidelines, that will apply if the native vegetation is approved to be removed. 0.032 general habitat units

Number	Application requirement
2	<p>Topographic and land information relating to the native vegetation to be removed, showing ridges, crests and hilltops, wetlands and waterways, slopes of more than 20 percent, drainage lines, low lying areas, saline discharge areas, and areas of existing erosion, as appropriate. This may be represented in a map or plan.</p> <p>The wetland has dense vegetation and the surface is almost level, there is no erosion.</p>
3	<p>Recent, dated photographs of the native vegetation to be removed.</p> <p>Attachment 3</p>
4	<p>Details of any other native vegetation approved to be removed, or that was removed without the required approvals, on the same property or on contiguous land in the same ownership as the applicant, in the five year period before the application for a permit is lodged.</p> <p>None</p>
5	<p>An avoid and minimise statement. The statement describes any efforts to avoid the removal of, and minimise the impacts on the biodiversity and other values of native vegetation, and how these efforts focussed on areas of native vegetation that have the most value.</p> <p>The statement should include a description of the following:</p> <ul style="list-style-type: none"> • Strategic level planning – any regional or landscape scale strategic planning process that the site has been subject to that avoided and minimised impacts on native vegetation across a region or landscape <p>No</p> <ul style="list-style-type: none"> • Site level planning – how the proposed use or development has been sited or designed to avoid and minimise impacts on native vegetation <p>Construction footprint is minimised.</p> <ul style="list-style-type: none"> • That no feasible opportunities exist to further avoid and minimise impacts on native vegetation without undermining the key objectives of the proposal. <p>No feasible opportunities exist to further avoid and minimise impacts on native vegetation without undermining the key objectives of the proposal.</p>
6	<p>A copy of any Property Vegetation Plan contained within an agreement made pursuant to section 69 of the Conservation, Forests and Lands Act 1987 that applies to the native vegetation to be removed.</p> <p>Not applicable</p>
7	<p>Where the removal of native vegetation is to create defensible space, a written statement explaining why the removal of native vegetation is necessary. This statement must have regard to other available bushfire risk mitigation measures. This statement is not required when the creation of defensible space is in conjunction with an application under the Bushfire Management Overlay.</p> <p>Not applicable</p>
8	<p>If the application is under Clause 52.16, a statement that explains how the proposal responds to the Native Vegetation Precinct Plan considerations at decision guideline 8.</p> <p>Not applicable</p>

Number	Application requirement
9	<p data-bbox="363 320 1331 409">An offset statement providing evidence that an offset that meets the offset requirements for the native vegetation to be removed has been identified, and can be secured in accordance with the Guidelines.</p> <p data-bbox="363 439 1007 465">A suitable statement includes evidence that the required offset:</p> <ul data-bbox="363 495 1331 636" style="list-style-type: none"><li data-bbox="363 495 863 521">• is available to purchase from a third party, or<li data-bbox="363 533 1331 591">• will be established as a new offset and has the agreement of the proposed offset provider, or<li data-bbox="363 607 735 636">• can be met by a first party offset. <p data-bbox="363 651 512 678">Attachment 6.</p>

Attachment 6. Report of available native vegetation credits

Report of available native vegetation credits

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

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

Date and time: 09/02/2023 02:44

Report ID: 17679

What was searched for?

General offset

General habitat units	Strategic biodiversity value	Large trees	Vicinity (Catchment Management Authority or Municipal district)	
0.032	0.34	0	CMA	Port Phillip and Westernport

Details of available native vegetation credits on 09 February 2023 02:44

These sites meet your requirements for general offsets.

Credit Site ID	GHU	LT	CMA	LGA	Land owner	Trader	Fixed price	Broker(s)
BBA-0277	6.426	454	Port Phillip and Westernport	Mornington Peninsula Shire	No	Yes	No	Abezco, Ethos, VegLink
BBA-0670	0.402	0	Port Phillip and Westernport	Cardinia Shire	No	Yes	No	Bio Offsets
BBA-0670	18.072	148	Port Phillip and Westernport	Cardinia Shire	No	Yes	No	Abezco, VegLink
BBA-0677	16.368	1491	Port Phillip and Westernport	Whittlesea City	No	Yes	No	Abezco, VegLink
BBA-0678	45.126	2620	Port Phillip and Westernport	Nillumbik Shire	No	Yes	No	VegLink
BBA-0678_2	0.388	59	Port Phillip and Westernport	Nillumbik Shire	No	Yes	No	VegLink
BBA-0931	0.034	0	Port Phillip and Westernport	Moorabool Shire	Yes	Yes	No	Bio Offsets
BBA-2789	1.317	14	Port Phillip and Westernport	Baw Baw Shire	Yes	Yes	No	Contact NVOR
BBA-2790	2.911	116	Port Phillip and Westernport	Baw Baw Shire	Yes	Yes	No	Contact NVOR
BBA-2832	0.222	0	Port Phillip and Westernport	Nillumbik Shire	Yes	Yes	Yes	Nillumbik SC
BBA-2870	0.044	0	Port Phillip and Westernport	Yarra Ranges Shire	No	Yes	No	Contact NVOR
BBA-2870	2.544	431	Port Phillip and Westernport	Yarra Ranges Shire	Yes	Yes	No	VegLink
BBA-2871	16.335	1668	Port Phillip and Westernport	Yarra Ranges Shire	Yes	Yes	No	VegLink
BBA-3030	0.697	0	Port Phillip and Westernport	Moorabool Shire	Yes	Yes	No	VegLink

BBA-3030	0.204	0	Port Phillip and Westernport	Moorabool Shire	Yes	Yes	Yes	VegLink
BBA-3030	0.257	0	Port Phillip and Westernport	Moorabool Shire	No	Yes	No	Contact NVOR
TFN-C0287	0.158	0	Port Phillip and Westernport	Cardinia Shire	Yes	Yes	No	TFN
TFN-C1636	0.941	130	Port Phillip and Westernport	Yarra Ranges Shire	Yes	Yes	No	Yarra Ranges SC
TFN-C1650	0.098	20	Port Phillip and Westernport	Yarra Ranges Shire	Yes	Yes	Yes	Yarra Ranges SC
TFN-C1663	0.102	27	Port Phillip and Westernport	Yarra Ranges Shire	Yes	Yes	Yes	Yarra Ranges SC
TFN-C1664	2.221	64	Port Phillip and Westernport	Yarra Ranges Shire	Yes	Yes	No	Yarra Ranges SC
TFN-C1763_3	11.231	0	Port Phillip and Westernport	Mornington Peninsula Shire	Yes	Yes	No	Ecocentric
TFN-C1962	0.098	9	Goulburn Broken, Port Phillip and Westernport	Macedon Ranges Shire	No	Yes	No	Contact NVOR
VC_CFL-0838_01	0.209	697	Port Phillip And Westernport	Yarra Ranges Shire	Yes	Yes	No	VegLink
VC_CFL-3016_01	0.035	22	Port Phillip And Westernport	Yarra Ranges Shire	Yes	Yes	No	VegLink
VC_CFL-3084_01	0.256	117	Port Phillip And Westernport	Cardinia Shire	Yes	Yes	No	VegLink
VC_CFL-3084_02	0.038	38	Port Phillip And Westernport	Cardinia Shire	Yes	Yes	No	VegLink
VC_CFL-3682_01	1.834	0	Port Phillip And Westernport	Nillumbik Shire	Yes	Yes	No	Abezco
VC_CFL-3687_01	0.321	64	Port Phillip And Westernport	Baw Baw Shire	Yes	Yes	No	Baw Baw SC
VC_CFL-3708_01	0.198	507	Port Phillip And Westernport	Yarra Ranges Shire	Yes	Yes	No	VegLink
VC_CFL-3709_01	0.139	395	Port Phillip And Westernport	Yarra Ranges Shire	Yes	Yes	No	VegLink
VC_CFL-3710_01	7.606	322	Port Phillip And Westernport	Yarra Ranges Shire	Yes	Yes	No	VegLink
VC_CFL-3740_01	1.094	92	Port Phillip And Westernport	Cardinia Shire, Yarra Ranges Shire	Yes	Yes	No	Bio Offsets
VC_CFL-3740_01	0.318	16	Port Phillip And Westernport	Yarra Ranges Shire	Yes	Yes	No	Bio Offsets
VC_CFL-3744_01	2.428	377	Port Phillip And Westernport	Macedon Ranges Shire	Yes	Yes	No	VegLink
VC_CFL-3758_01	0.466	12	Port Phillip And Westernport	Melton City	Yes	Yes	No	VegLink
VC_CFL-3762_01	0.324	102	Port Phillip And Westernport	Moorabool Shire	Yes	Yes	No	VegLink
VC_CFL-3764_01	8.011	51	Port Phillip And Westernport	Yarra Ranges Shire	Yes	Yes	No	VegLink
VC_CFL-3769_01	0.879	52	Port Phillip And Westernport	Nillumbik Shire	Yes	Yes	No	VegLink
VC_CFL-3769_01	0.988	0	Port Phillip And Westernport	Nillumbik Shire	Yes	Yes	Yes	VegLink

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

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

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

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

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

LT - Large Trees

CMA - Catchment Management Authority

LGA - Municipal District or Local Government Authority

Next steps

If applying for approval to remove native vegetation

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

If you have approval to remove native vegetation

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

Broker contact details

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

© The State of Victoria Department of Environment, Land, Water and Planning 2023



This work is licensed under a Creative Commons Attribution 4.0 International licence. You are free to re-use the work under that licence, on the condition that you

credit the State of Victoria as author. The licence does not apply to any images, photographs or branding, including the Victorian Coat of Arms, the Victorian Government logo and the Department of Environment, Land, Water and Planning (DELWP) logo. To view a copy of this licence, visit <http://creativecommons.org/licenses/by/4.0/>

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

Disclaimer

This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.

Obtaining this publication does not guarantee that the credits shown will be available in the Native Vegetation Credit Register either now or at a later time when a purchase of native vegetation credits is planned.

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



Peer Review: Ecological Implications of the Bonbeach Sports Reserve Outfall Drain (KP-2023/76)

Date: 3 May 2023

Author: Samantha Barron (Consultant Botanist)

Ref: 17168

1 Introduction

Ecology and Heritage Partners Pty Ltd was commissioned by the City of Kingston to conduct a peer review of the ecological information used to inform a planning application KP-2023/76 for the proposed drainage upgrades located at Bonbeach Sports Reserve and Wannarkladdin Wetlands, Bonbeach, Victoria (the study area).

We understand that a drainage line and pump station is proposed to be constructed to reduce the risk and severity of flooding in adjacent properties and road infrastructure.

2 Scope

Specifically, the peer review comprises:

- A peer review of the native vegetation implications as contained within the planning application KP-2023/76 to identify and confirm any legislative implications under Clause 52.17 of the City of Kingston planning scheme. These documents specifically include:
 - Vegetation Assessment of Bondi Road Bonbeach outfall project ecological assessment (Biosis 2023); and,
 - Development Application, including Planning Permit Application and Planning Information Response (City of Kingston).

It should be noted that no site assessment was included as part of the scope of this peer review, and as such, an on-ground assessment of the type, quality and extent of native vegetation was not undertaken.

3 Peer Review

3.1 Permit application requirements

The vegetation assessment report for prepared by Biosis Pty Ltd (Biosis 2023) is very brief and does not adequately address all of the Intermediate Assessment Pathway application requirements under Clause 52.17 of the City of Kingston planning scheme (Table 1).

Adelaide

Brisbane

Canberra

Geelong

Melbourne

Sydney

1300 839 325

HEAD OFFICE: 292 Mt Alexander Road, Ascot Vale VIC 3032

www.ehpartners.com.au

ABN: 65 685 233 760

Table 1. Application requirements for a permit to remove native vegetation (*Victoria Planning Provisions Clause 52.17-2; DELWP 2017a*)

No.	Application Requirement	Peer Review Response
Application requirements under the Intermediate Assessment Pathway		
1	<p>Information about the native vegetation to be removed, including:</p> <ul style="list-style-type: none"> The assessment pathway and reason for the assessment pathway. A description of the native vegetation to be removed. Maps showing the native vegetation and property in context. The offset requirement that will apply if the native vegetation is approved to be removed. 	<p>Addressed</p> <ul style="list-style-type: none"> The assessment pathway is outlined in page 3 and Attachment 4; A description of the vegetation is provided in page 1; Maps are provided on page 8 in the form of a Figure 2 <i>Ecological features of the study area</i>; and, The required offset for vegetation removal is detailed in page 3 and Appendix 4 <i>Native vegetation removal report</i>.
2	Topographic and land information relating to the native vegetation to be removed, showing ridges, crests and hilltops, wetlands and waterways, slopes of more than 20 percent, drainage lines, low lying areas, saline discharge areas, and areas of existing erosion, as appropriate.	<p>Addressed</p> <p>A brief description is provided in Attachment 5.</p>
3	Recent, dated photographs of the native vegetation to be removed.	<p>Addressed</p> <p>One photo of Habitat Zone 1 is provided on page 9.</p>
4	Details of any other native vegetation approved to be removed, or that was removed without the required approvals, on the same property or on contiguous land in the same ownership as the applicant, in the five-year period before the application for a permit is lodged.	<p>Addressed</p> <p>No previous removal is stated in the NVR report (Attachment 4), and within Table A5.1 (Attachment 5).</p>
5	An avoid and minimise statement. The statement describes any efforts to avoid the removal of and minimise the impacts on the biodiversity and other values of native vegetation, and how these efforts focussed on areas of native vegetation that have the most value.	<p>Not adequately addressed</p> <p>A very brief avoid and minimise statement is provided. See section 3.1.1 below.</p>
6	A copy of any Property Vegetation Plan contained within an agreement made pursuant to section 69 of the <i>Conservation, Forests and Lands Act 1987</i> that applies to the native vegetation to be removed.	Not applicable.
7	Where the removal of native vegetation is to create defensible space, a written statement explaining why the removal of native vegetation is necessary. This statement must have regard to other available bushfire risk mitigation measures. This statement is not required when the creation of defensible space is in conjunction with an application under the Bushfire Management Overlay.	Not applicable
8	If the application is under Clause 52.16, a statement that explains how the proposal responds to the Native Vegetation Precinct Plan considerations at decision guideline 8.	Not applicable.
9	An offset statement providing evidence that an offset that meets the offset requirements for the native vegetation to be removed has been identified and can be secured in accordance with the Guidelines.	<p>Addressed</p> <p>A report demonstrating the available native vegetation credits is provided in</p>

No.	Application Requirement	Peer Review Response
		Attachment 6. The report indicates that there are ten or more available offsets.

3.1.1 Application requirement #5 – Avoid and minimise statement

The report indicates that the construction footprint has minimised impacts to native vegetation and states that *no feasible opportunities exist to further avoid and minimise impacts on native vegetation without undermining the key objectives of the proposal*, however it is unclear what efforts were investigated to avoid and/or minimise impacts, or why there are no feasible opportunities to minimise impacts. Therefore, the report does not adequately outline the site level planning that has been undertaken and does not sufficiently address Application requirement 5: Avoid and minimise statement.

4 Legislative Implications

4.1 Planning and Environment Act 1987

4.1.1 Clause 52.17 of the City of Kingston planning scheme

As indicated in the Vegetation Assessment report and Development Application, a permit to remove native vegetation is triggered under Clause 52.17 of the City of Kingston planning scheme.

Biosis (2023) relies on the planted vegetation exemption included in Clause 52.17-7 to exclude areas of planted native vegetation (identified as trees 4, 6, and 15 in the arboricultural report) subject to a permit for removal. As no photos or evidence of the trees planted status were included in Vegetation Assessment report (Biosis 2023) and the arborist assessment was not provided to Ecology and Heritage Partners, we are not able to review the status of the trees and confirm that these trees were planted and exempt from the requirement for a permit. If evidence cannot be provided that the native trees were planted, they will need to be considered as native vegetation, and offset as per the Guidelines (DELWP 2017a).

5 Suggested Permit Conditions

Should the application ultimately be approved by the City of Kingston, we consider the following standard permit conditions to be suitable in this instance as per Appendix 9 of the Assessors Handbook (DELWP 2017b):

5.1 Construction management

Before any permitted clearing of native vegetation starts, [amended] plans to the satisfaction of the responsible authority must be submitted to and approved by the [insert]. When approved, the plans will be endorsed and will form part of this permit. The plans must include [Delete or amend the following as required]:

- A detailed description of the measures to be implemented to protect the native vegetation to be retained during construction works, and the person/s responsible for implementation and compliance. These measures must include the erection of a native vegetation protection fence around all native vegetation to be retained on site, to the satisfaction of the [insert], including the tree protection zones

of all native trees to be retained. All tree protection zones must comply with AS 4970-2009 *Protection of Trees on Development Sites*, to the satisfaction of the [insert].

- An amended site plan, drawn to scale with dimensions and georeferences (such as VicGrid94 coordinates), that clearly shows:
 - i. the location and identification of the land affected by this permit, including standard parcel identifiers for freehold land;
 - ii. the location and area of all native vegetation present, including scattered trees, that are permitted to be removed under this permit;
 - iii. [any other information required to ensure provision of an endorsable plan]

5.2 Protection of vegetation to be retained

Select one of the following conditions based on the site condition and proposed works:

Protection of vegetation to be retained

Before works start, a plan to the satisfaction of the [insert] identifying all native vegetation to be retained and describing the measures to be used to protect the identified vegetation during construction, must be prepared and submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will form part of this permit. All works constructed or carried out must be in accordance with the endorsed plan.

or

Protection of remnant vegetation to be retained

Before works start, a native vegetation protection fence must be erected around all remnant patches of native vegetation to be retained on site. This fence must be erected around the remnant patch at a distance of [number] metres from retained native vegetation. The protection fence must be constructed of [star pickets/chain mesh/or similar] to the satisfaction of the [insert]. The protection fence must remain in place until all works are completed to the satisfaction of the [insert].

Except with the written consent of the [insert], within the area of native vegetation to be retained and any associated tree protection zone, the following are prohibited:

- a) vehicular or pedestrian access
- b) trenching or soil excavation
- c) storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products
- d) entry and exit pits for underground services
- e) any other actions or activities that may result in adverse impacts to retained native vegetation.

5.3 Native vegetation offsets

To offset the removal of [number] hectares of native vegetation, the permit holder must secure a native vegetation offset, in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP 2017a) as specified below:

General offset

- A general offset of [XXX] general biodiversity equivalence units with the following attributes:
 - be located within the Port Phillip and Westernport Catchment Management Authority boundary or City of Kingston municipal district; and,
 - have a strategic biodiversity value of at least [insert amount from NVR report].

5.4 Offset evidence and timing

[Before any native vegetation is removed/ Prior to the issue of the Statement of Compliance], evidence that the required offset for the project has been secured must be provided to the satisfaction of [insert].

The offset evidence can be:

- a security agreement signed by both parties, to the required standard, for the offset site or sites, including a 10-year offset management plan and/or;
- an allocated credit extract from the Native Vegetation Credit Register.

A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit. Within 30 days of endorsement of the offset evidence by the responsible authority, a copy of the endorsed offset evidence must be provided to the Department of Energy, Environment and Climate Action [DEECA] (formerly the Department of Environment, Land, Water and Planning [DELWP]).

6 Conclusion

On review of the relevant documentation relating to native vegetation implications associated with the proposed outfall drainage, it is recommended that the below matters be considered further:

- Clarify efforts undertaken to avoid and/or minimise impacts to native vegetation to address application requirement #5 – avoid and minimise statement (if not already provided separately); and,
- Additional evidence that clearly determines if native trees are planted or not (if not already provided separately). If the trees are not planted, additional photos and an updated NVR report that reflects the removal of the trees and offset obligations is required. If evidence cannot be provided that the native trees were planted, they will need to be considered as native vegetation, and offset as per the Guidelines (DELWP 2017a).

Updates as per the above points may result in amended offset obligations being generated for the project.

I trust the foregoing is of assistance. Please do not hesitate to contact me on 0417 051 109 or sbarron@ehpartners.com.au if you have any questions or would like to discuss in further detail.



www.ehpartners.com.au

Kind Regards

A handwritten signature in black ink, appearing to read "S. Barron".

Samantha Barron

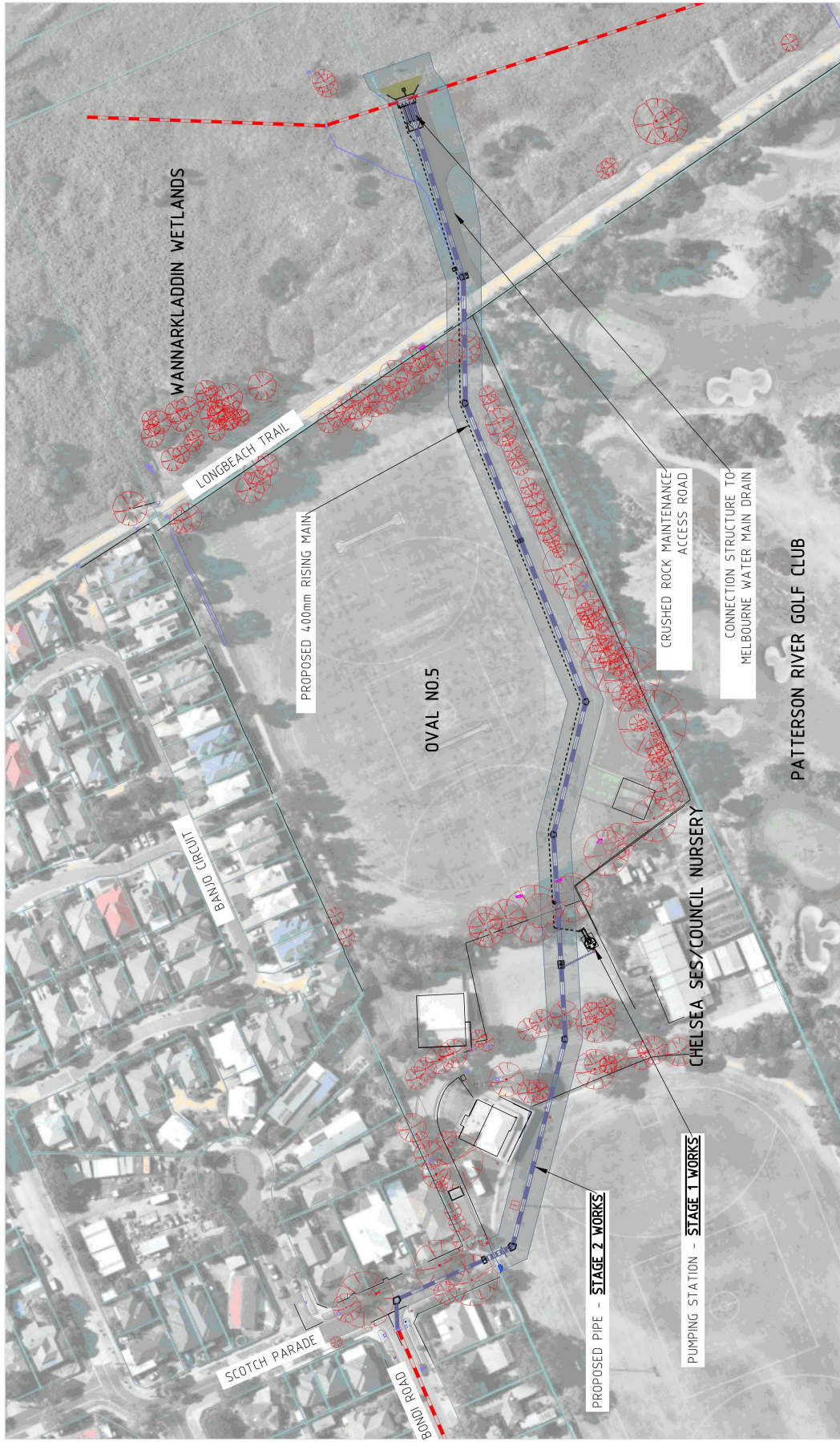
Consultant Botanist - Ecology and Heritage Partners Pty Ltd

CONFIDENTIAL

References

- Biosis 2023. Bondi Road Bonbeach outfall project ecological assessment. Report prepared by Biosis Pty Ltd. 13 February 2023.
- DELWP 2017a. *Guidelines for the removal, destruction or lopping of native vegetation*. The State of Victoria Department of Environment, Land, Water and Planning. Melbourne, Victoria. December 2017.
- DELWP 2017b. *Assessor's handbook. Applications to remove, destroy or lop native vegetation*. The State of Victoria Department of Environment, Land, Water and Planning. Melbourne, Victoria. Version 1.0. December 2017.
- City of Kingston 2023. Development Application – Planning permit for Stage 2 Bonbeach Sports Reserve Outfall Drain. Kingston City Council, Melbourne, Victoria.

CONFIDENTIAL



OVERVIEW OF WORKS

- APPROXIMATE LOCATION OF PROPOSED WORKS
- PROPOSED 150mm PIPE LOCATION - STAGE 2 WORKS
- PROPOSED 400mm RISING MAIN - STAGE 2 WORKS

LEGEND



City of KINGSTON

**BONBEACH SPORTS RESERVE OUTFALL DRAIN,
PROPOSED STORMWATER LAYOUT
CONSULTATION PLAN**

February 2023

Ordinary Council Meeting

25 September 2023

Agenda Item No: 8.3

URBAN FOREST STRATEGY - FOR ADOPTION

Contact Officer: Susannah Kenny, Climate & Ecological Emergency Response Officer

Purpose of Report

The purpose of this report is to provide a summary of the public consultation undertaken on the draft strategy, outline the changes to the Urban Forest Strategy as a result of the consultation feedback received, present the revised strategy and recommend adoption.

Disclosure of Officer / Contractor Conflict of Interest

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

RECOMMENDATION

That Council:

1. Note the results of the public consultation on the draft Urban Forest Strategy.
2. Note the changes to the Urban Forest Strategy as a result of the public consultation.
3. Adopt the final Kingston Urban Forest Strategy (Appendix 2).

1. Executive Summary

A draft version of Kingston's Urban Forest Strategy (the strategy) was presented at the Council meeting on 28 November 2022 where Councillors resolved to proceed with public consultation. Consultation occurred between 2 December 2022 and 5 March 2023, with the outcomes summarised in Appendix 1.

Community and stakeholders were engaged via *Your Kingston Your Say*, face-to-face pop-up community events and targeted presentations to Council committees, community groups and Councillors. Approximately 182 people provided feedback on the Strategy via the online survey, shorter paper-based surveys and written submissions. The consultation process indicated a strong level of support for the draft strategy and for Council and the broader community to take action to protect and enhance the urban forest in the City of Kingston.

To address concerns and recommendations raised in feedback, some structural changes to the final Urban Forest Strategy have been made (Appendix 2). This includes enhanced clarity on how our targets will be achieved, more detail on enhancing understory vegetation and improved use of tree protection tools.

Respondents recognised that the 20% canopy target by 2050 is considered challenging but achievable; nevertheless, they have suggested Council set a more aspirational canopy target. The strategy will therefore more clearly articulate that canopy targets will be reviewed in 2030 and potentially revised based on the evidence at the time.

The strategy recognises the unique geographical and land use mix of the City of Kingston and prioritises actions that can result in meaningful increases in tree canopy and understory vegetation across the life of the Strategy. The strategic objectives, goals and targets are focussed on:

1. Strengthened enforcement, controls and incentives
2. Improved strategic and operational decision making
3. Enhanced communication and engagement
4. Effective partnerships and advocacy
5. Improved data collection, analysis and monitoring

In 2022, Council officers completed an equality impact assessment to ensure all members of the Kingston community have equitable access to our urban forest. A range of actions were identified which have been included in the action plan detailed in the Strategy or will be addressed as part of other Council policies, programs and services.

2. Background

Kingston declared a climate and ecological emergency in January 2020 and adopted the Climate & Ecological Emergency Response Plan (CEERP) in July 2021. A key action in the CEERP was to “Scope, commission, finalise and implement Council’s Urban Forest Strategy”.

The following approach was taken to prepare Kingston’s draft Urban Forest Strategy:

- Analysis of Council’s current approaches to managing trees and vegetation, as well as gaps in knowledge, capability and policy.
- Extensive review of existing tree and vegetation data.
- Benchmarking best practice urban forest management both in Australia and overseas.
- Early community consultation to help shape the draft Strategy.
- Assessment of the capacity of Kingston’s parks to contribute to an increase in tree canopy.
- Liaison with DELWP (now DEECA) on proposed planning changes that will significantly impact the action Council can undertake to protect and enhance trees on private land via the planning scheme.
- Detailed analysis using LiDar¹ to establish baseline canopy and vegetation cover
- Analysis to understand what has influenced the change in tree canopy cover over time
- Modelling to develop an achievable canopy target for Kingston in the longer term, and how this may be achieved.

Throughout development of the draft Strategy Council has steadily increased the number of trees planted in parks and streets. In 2018-19, Council planted over 2,000 trees. This increased to 2,500 in 2019-20; 3,700 in 2020-21; 4,200 in 2021-22 and 4,500 in 2022-23. The current focus is on industrial areas and suburbs with low canopy cover to assist in reducing heat island effects in socially vulnerable areas. Tree planting in parks and reserves complements open space improvement works and capital projects. Through increases to its budget, Council is now investing approximately \$1.47M on tree planting and management annually.

¹ Light Detection and Ranging, or “LiDar”, is an active remote sensing method used to accurately measure the landscape in three dimensions. When combined with 2-D aerial imagery, LiDar is an extremely powerful tool for mapping vegetation in both natural and urban environments.

3. Discussion

The following changes were made to the draft Strategy as a result of community and stakeholder consultation:

3.1 Revised presentation of objectives, goals and actions and clarity on strategy timeline

In order to enhance clarity of what we aim to achieve, and how we will do that, the presentation of the Strategy objectives, goals and actions were simplified. Objectives and goals are provided as dot points in the Executive Summary for quick access. Some re-structuring of the content to align with these changes also occurred. The timeline of the strategy is more clearly stated as 2023 – 2030, with canopy targets reviewed in 2030.

3.2 Understorey vegetation

The health of trees in our urban forest depends to a high degree on the healthy ecosystem around them, including understorey vegetation. To reflect this, we expanded representation of understorey vegetation in the Strategy.

3.3 Tree protection tools

The section on Council's tree valuation method has been updated to better articulate the benefits and make clear that carbon benefits are included. In addition, the Green Factor Tool has been incorporated into the strategy.

3.4 Overall accountability

Figure 18 has been revised and accountability for each objective, and relationships with key delivery partners has been enhanced following feedback through the draft.

4. Consultation

4.1 Internal Consultation:

Extensive internal consultation across different functional areas was undertaken to develop the draft Strategy. Feedback on the draft Strategy was provided by the following Departments:

- Open Space
- Vegetation & Planning Compliance
- Business Applications
- Asset Management
- Active Kingston

Where feedback was relevant and material, changes to the strategy were made (see above). Where it was too detailed for the strategy but relevant to other, more specialised or technical council documents, the feedback was captured for inclusion in future updates.

4.2 Community Consultation:

External stakeholders that were consulted on the draft Strategy and the method of engagement are summarised below.

Group	Method
<p>Key Stakeholders</p> <ul style="list-style-type: none"> • Transition Kingston • Kington Residents Association • ZeroKingstson2030 	<p>Representatives from community groups attended presentations with an opportunity to provide feedback</p>
<p>General community</p>	<ul style="list-style-type: none"> • <i>Your Kingston, Your Say</i> from the 2 December 2022 to 5 March 2023. • 5 pop up events across the City of Kingston during December 2022, January and February 2023. • Written submissions, with 15 submissions received
<p>Committees</p> <ul style="list-style-type: none"> • Environment & Open Space Strategic Advisory Committee • Interfaith Network • Access & Equity Comm. 	<p>Presentations were given at committee meetings to discuss the draft strategy and gather feedback.</p>
<p>Targeted groups</p> <ul style="list-style-type: none"> • Seniors clubs • Probus clubs • Traditional Custodians 	<p>Presentations were given at meetings to discuss the draft strategy and gather feedback.</p>

4.3 Results/Findings:

The results of the consultation are provided in Appendix 1.

Your Kingston, Your Say attracted 741 views with 177 visitors downloading the strategy. 115 people completed the online survey and of these, 88 people provided additional detailed comments.

During the face-to-face pop-up consultation events, 55 people completed hard copy surveys.

Community members and key community groups also provided written submissions to the draft strategy, with 15 submissions received during the consultation period.

Overall, the consultation process has indicated a strong level of support for the draft Strategy and for Council and the broader Community to take action to protect and enhance the urban forest in the City of Kingston. Therefore the key targets of the draft strategy, increasing canopy coverage to 15% by 2023 and 20% by 2050 will be retained.

Feedback themes from comments received and the proposed response in the Strategy are presented in the table below:

Theme	Proposed response
Concern about tree removals due to development, support for enforcement actions to protect trees, and significant trees	No change proposed. There are a number of actions in the strategy to address these issues.
Support for incentives for private land	No change proposed.
Concern over tree removals on golf courses.	Proposed change: Inclusion of a golf courses as a separate land use type.
Presentation of alignment of objectives, goals and actions and data	Proposed change: Revised presentation of objectives, goals and actions
Private land	No change proposed. Both private and public land are important contributors to our urban forest, and achieving cooling and biodiversity improvements
Support for strategy to cover understory vegetation	Proposed change: Integrate understory expansion goal, and link to work in Biodiversity Strategy that will cover density and diversity
Street tree planting (and power lines)	No change proposed. The action to complete a street tree survey will address concerns.
Strategy targets – support for ambitious targets	No substantive change proposed. A commitment to review progress to the 2050 target (in 2030) and increase if possible.
Tree removals as part of Level Crossing projects	No change proposed. This is addressed by an action under Goal 4
Coordination across strategies and decisions (including foreshore tree planting decisions)	Connected strategies are noted in the Strategy, ongoing engagement through implementation will facilitate competing Council priorities. Articulation of overall accountability figure improved
Various inc. planting in Green Wedge, specific tree planting locations, species, community education, cross-council collaboration opportunities, removal of overhead powerlines, general support for Strategy, tree maintenance, tree valuation, WSUD	The section on Council's tree valuation method has been updated to better articulate the benefits and make clear that carbon benefits are included. Includes mandated use of the Green Factor Tool.

5. Compliance Checklist

5.1 Council Plan Alignment

Strategic Direction: Sustainable - We prioritise our environment and reduce our impact on the earth.

Strategy: Recognise climate change and actively address our climate and ecological emergency

This strategy specifically addresses the climate and ecological emergency by drawing down and sequestering carbon from the atmosphere, increasing biodiversity and mitigating urban heat.

5.2 Governance Principles Alignment

Principle (c) - the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

The strategy is seeking to mitigate urban heat and draw down emissions by protecting and enhancing trees and vegetation across Kingston.

5.3 Financial Considerations

Please note, there are no material changes to the budget beyond what was reported in earlier Council briefings.

Projected costings (this is the same table as presented in November 2022)

	Yr1 (2023-24)	Yr2 (2024-25)	Yr3 (2025-26)	Yr4 (2026-27)	Y5 (2027-28)	Total 5 Yr Cost
Operational	Increased compliance monitoring \$50K ¹ Field-based tree surveys \$550K ² Research into community attitudes, perceived risks and benefits of trees \$50K	Increased compliance monitoring \$50K ¹ Increased incentives \$100K ¹	Increased compliance monitoring \$50K ¹ Increased incentives \$100K ¹ Investigation into the expansion of in-home care /tree maintenance services \$100K ¹	Increased compliance monitoring \$50K ¹ Increased incentives \$100K ¹ Investigation into the viability of expanding Bush Kinder within Kingston \$50K ⁴	Ongoing LiDAR capture \$160K ² Increased compliance monitoring \$50K ¹ Increased incentives \$100K ¹	\$1.56M
Capital		Passive tree irrigation and other engineering solutions & maintenance \$100K ³	Passive tree irrigation and other engineering solutions & maintenance \$100K ³	Passive tree irrigation and other engineering solutions & maintenance \$100K ³	Passive tree irrigation and other engineering solutions & maintenance \$100K ³	\$0.4M
TOTAL						\$1.96M



1. Ongoing if successful. 2. Every 5 years minimum 3. Ongoing from commencement year 4. Additional budget required if viability is demonstrated

Note – this is in addition to additional funding already allocated for plant vouchers and street and park tree planting.

5.4 Risk considerations

No legal risks have been identified. The Urban Forest Strategy demonstrates Council's commitment to addressing the risks associated with declining urban canopy and biodiversity associated with urbanisation and climate change.

Appendices

Appendix 1 - Consultation summary (Ref 23/203204)  

Appendix 2 - Final Urban Forest Strategy (Ref 23/204911)  

Author/s: Susannah Kenny, Climate & Ecological Emergency Response Officer

Reviewed and Approved By: Paul Marsden, A/ General Manger Planning and Place

8.3

URBAN FOREST STRATEGY - FOR ADOPTION

1	Consultation summary.....	87
2	Final Urban Forest Strategy.....	131

Have your say on Kingston's Draft Urban Forest Strategy

SURVEY RESPONSE REPORT

01 March 2021 - 03 March 2023

PROJECT NAME:

Protecting and expanding our Urban Forest



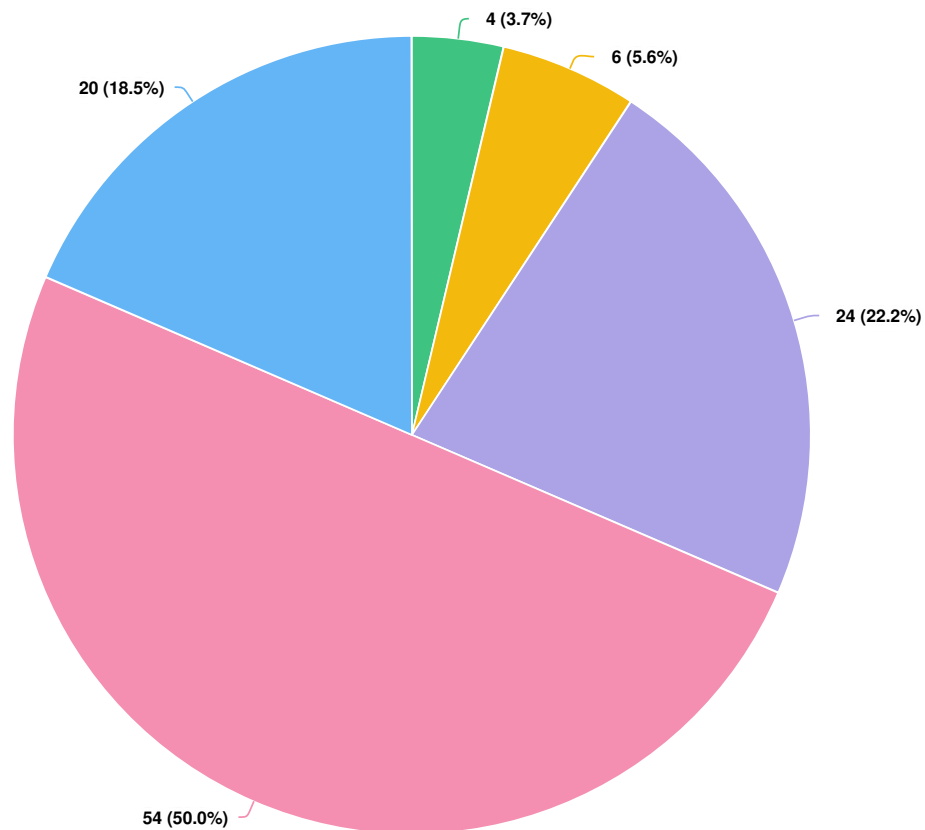
Have your say on Kingston's Draft Urban Forest Strategy : Survey Report for 01 March 2021 to 03 March 2023



SURVEY QUESTIONS

Have your say on Kingston's Draft Urban Forest Strategy : Survey Report for 01 March 2021 to 03 March 2023

Q1 | To what extent do you agree this Draft Urban Forest Strategy will help protect and expand Kingston's urban forest?



Question options

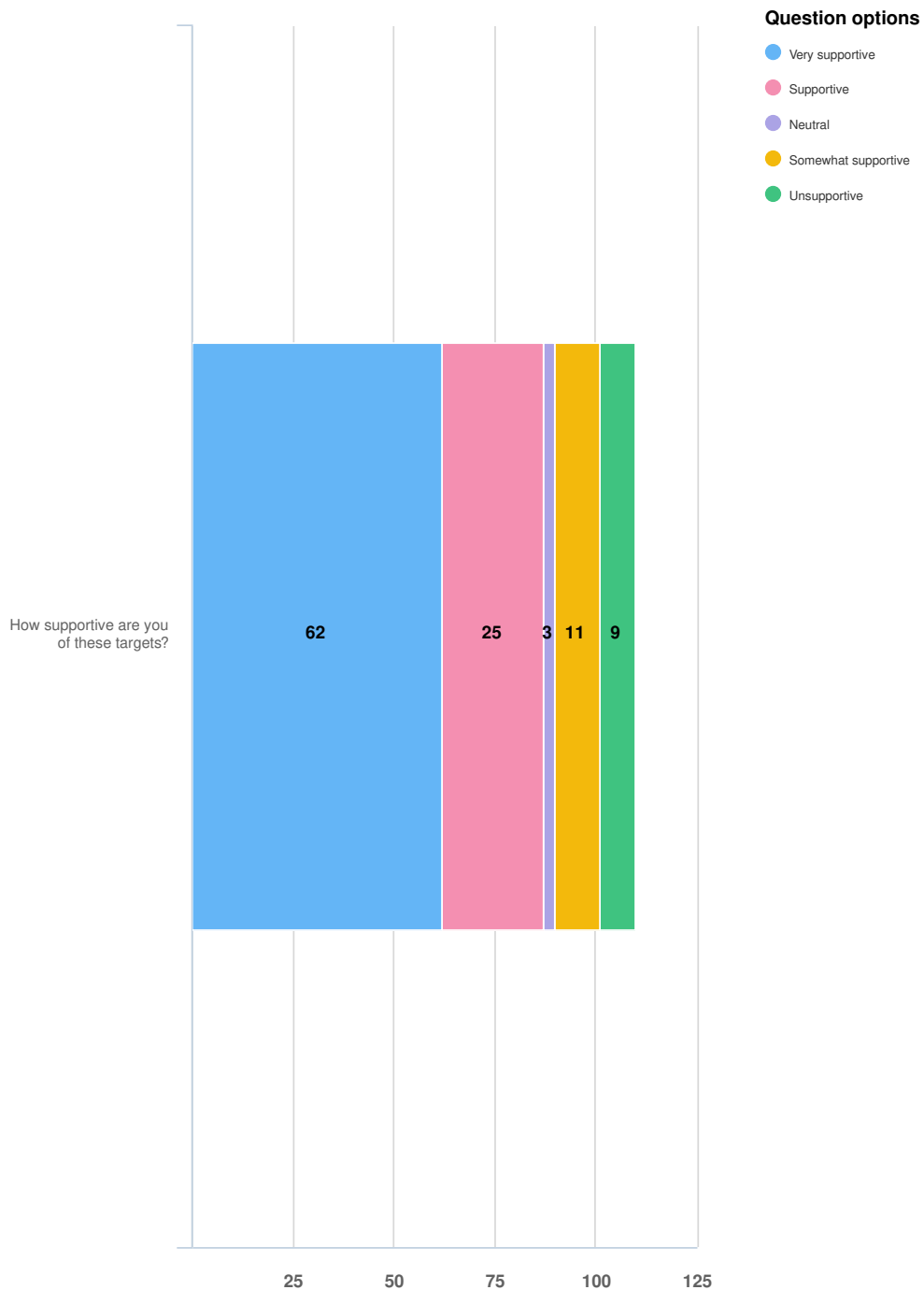
● Strongly disagree ● Disagree ● Neutral ● Agree ● Strongly agree

Optional question (108 response(s), 3 skipped)

Question type: Emoji Question

Have your say on Kingston's Draft Urban Forest Strategy : Survey Report for 01 March 2021 to 03 March 2023

Q2 | The fastest rate of urban forest decline is on private, residential land. In order to protect and grow Kingston's urban forest, we need to: Halve tree removals on private, residential land. Double new plantings on private land. Continue high quality, wel...



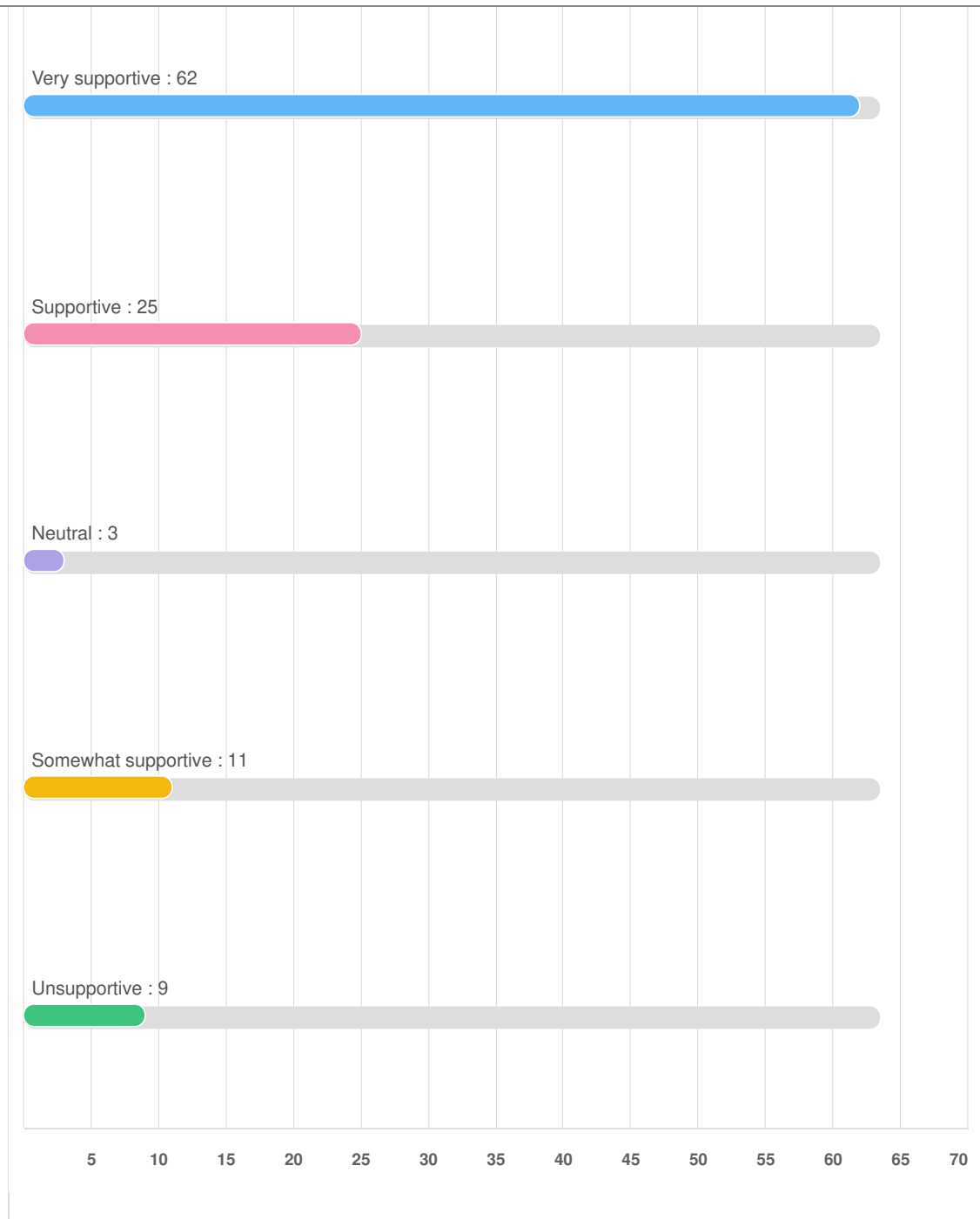
Optional question (110 response(s), 1 skipped)
Question type: Likert Question

Have your say on Kingston's Draft Urban Forest Strategy : Survey Report for 01 March 2021 to 03 March 2023

Q2 | The fastest rate of urban forest decline is on private, residential land. In order to protect and grow Kingston's urban forest, we need to: Halve tree removals on private, residential land Double new plantings on private land Continue high quality, wel...

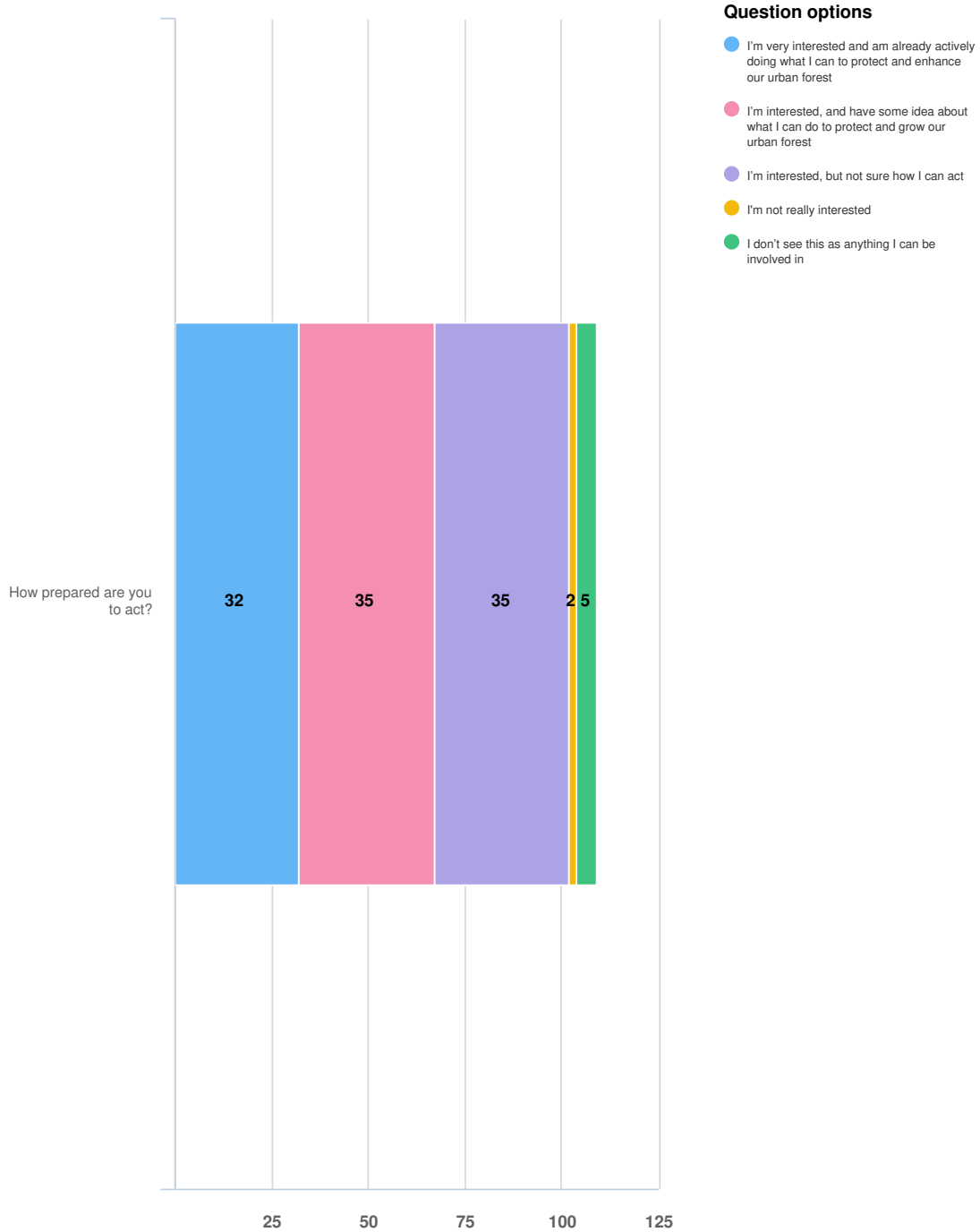
How supportive are you of these targets?

Have your say on Kingston's Draft Urban Forest Strategy : Survey Report for 01 March 2021 to 03 March 2023



Have your say on Kingston's Draft Urban Forest Strategy : Survey Report for 01 March 2021 to 03 March 2023

Q3 | We know that protecting and growing our urban forest needs action from the community, as well as Council.

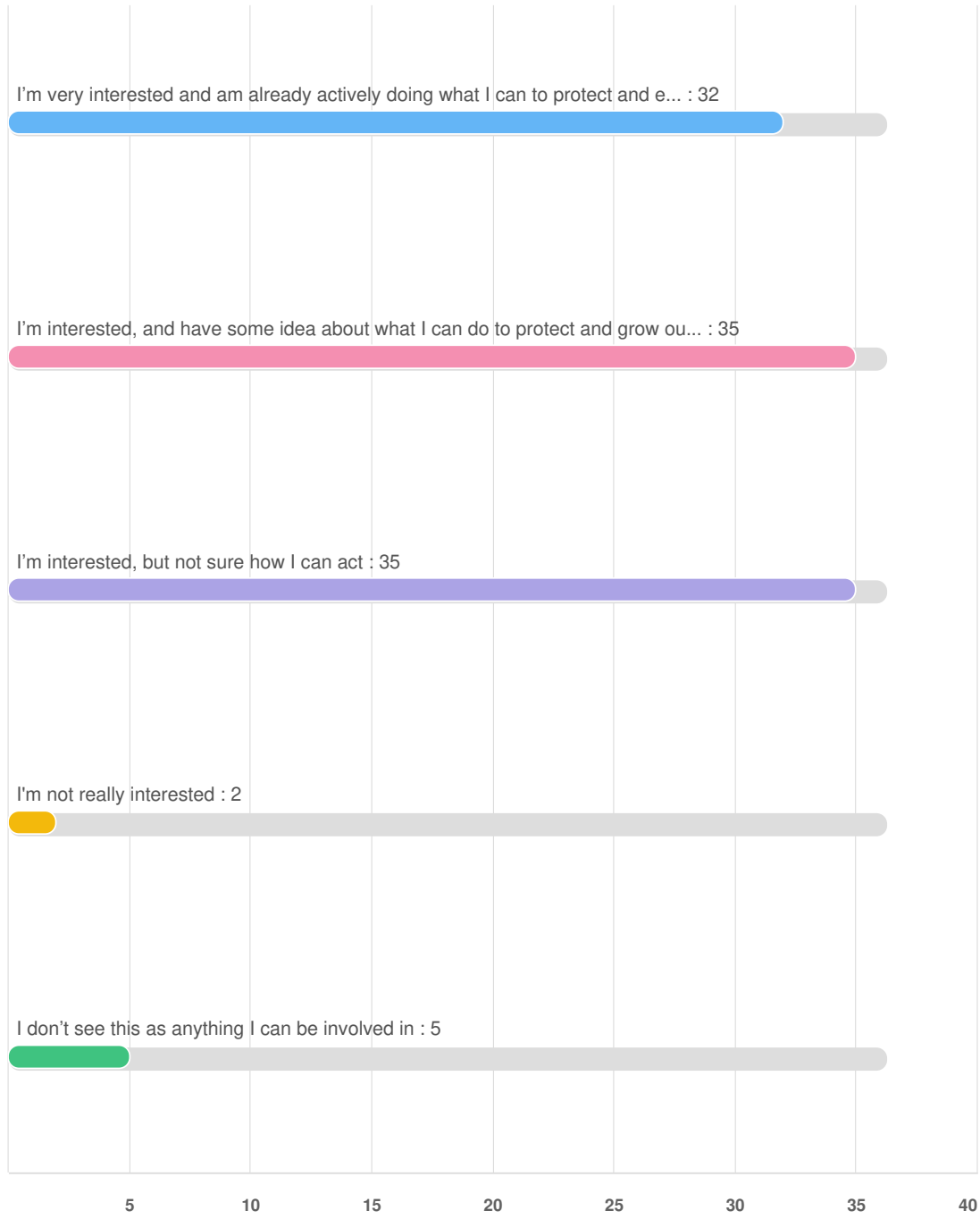


Optional question (109 response(s), 2 skipped)
Question type: Likert Question

Have your say on Kingston's Draft Urban Forest Strategy : Survey Report for 01 March 2021 to 03 March 2023

Q3 | We know that protecting and growing our urban forest needs action from the community, as well as Council.

How prepared are you to act?



Have your say on Kingston's Draft Urban Forest Strategy : Survey Report for 01 March 2021 to 03 March 2023

Q4 | If you could do more to protect and enhance Kingston's urban forest, how would you prefer to be involved?

Anonymous

12/03/2022 08:42 AM

Your own plantings

Anonymous

12/03/2022 09:14 AM

Planting day

Anonymous

12/03/2022 09:30 AM

Tree planting days

Anonymous

12/03/2022 09:42 AM

Writing to minister, own garden

Anonymous

12/05/2022 03:26 PM

Help plant trees.

 Have your say on Kingston's Draft Urban Forest Strategy : Survey Report for 01 March 2021 to 03 March 2023

Anonymous 12/05/2022 04:06 PM	Tree Planting
Anonymous 12/05/2022 04:48 PM	I am not sure. Would need further information on the process .
Anonymous 12/05/2022 05:17 PM	Plant she oaks where they used to grow at the Chelsea train station precinct.
Anonymous 12/05/2022 05:29 PM	Be involved in what trees are to be planted.
Anonymous 12/05/2022 06:36 PM	participate in community tree planting events
Anonymous 12/05/2022 06:49 PM	assist with plantings
Anonymous 12/05/2022 09:50 PM	Uncertain at this point.
Anonymous 12/06/2022 10:35 AM	volunteer
Anonymous 12/06/2022 12:35 PM	Volunteer planting
Anonymous 12/07/2022 12:13 PM	I am very happy to plant - and assist in fighting unnecessary tree removal
Anonymous 12/08/2022 09:31 AM	Not sure how I can, not able to physically help or plant trees in my garden - too small.
Anonymous 12/08/2022 12:54 PM	Being involved in planting out a corridor on the vacant council land at 104 Springs Rd Clarinda to Clayton Rd. There is already remnant vegetation there. There is a tall pine tree and a dead one.
Anonymous 12/08/2022 03:30 PM	educate the community

Anonymous
12/08/2022 08:39 PM

Community could be advised when developers want to level blocks of land from all vegetation to give opinions and suggestions on what trees should be retained.

Anonymous
12/09/2022 09:22 AM

See what I can do in my own garden. Maybe participate in community tree planting events.

Anonymous
12/10/2022 07:08 AM

Plant more trees/plants in my small front & small backyard

Anonymous
12/10/2022 09:10 AM

Volunteer at tree planting events. Notify council of trees that are at risk of damage and/or dying.

Anonymous
12/11/2022 09:02 AM

Newsletters Free trees

Anonymous
12/11/2022 12:18 PM

Making sure we're managing our own property

Anonymous
12/12/2022 01:19 PM

volunteer at a project

Anonymous
12/12/2022 08:17 PM

Tree planting

Anonymous
12/13/2022 05:11 PM

Trees are very personal. What one likes someone else does not. Neighbor's also do not always like what you plant. Eg. Take their sun away. drop leaves and bark. Overhang on their homes. Some of our natives are lovely when young then become big and dirty. Its a big decision to tell resident what they can plant and what they can remove. If removal is to hard no-one will plant a tree.

Anonymous
12/17/2022 06:58 PM

Planting under Council supervision in my local area. Help Identify opportunities where trees can be planted along active transport corridors.


12/20/2022 03:26 PM

I'd like to know what opportunities there are to be involved and then I could express a preference

 Have your say on Kingston's Draft Urban Forest Strategy : Survey Report for 01 March 2021 to 03 March 2023

Anonymous
1/12/2023 10:09 AM

Tree planting days

Anonymous
1/12/2023 11:36 AM

Tree planting days in the local community. As a teacher working with schools to get kids involved in planting in local parks

Anonymous
1/12/2023 07:03 PM

Email Maxinerofe@gmail.com

Anonymous
1/13/2023 01:23 PM

Planting more native food and functional trees, shrubs and grasses (dual purpose, encourages use of natives in a productive garden)

Anonymous
1/14/2023 05:38 PM

I currently rent and the owner has plastic grass in the backyard. I would ask that Kingston ban all use of plastic grass within the municipality.

Anonymous
1/15/2023 07:40 PM

Chosing my own plants for the garden

Anonymous
1/16/2023 05:47 PM

I am a keen gardener and would be happy to help plant trees at home and other community locations

Anonymous
1/17/2023 11:48 AM

Bayside City Council would be interested in partnering on data sharing and joint advocacy for the topics raised within the Strategy.

Anonymous
1/17/2023 03:51 PM

Happy to do whatever I can. I have lived in Kingston for five years and planted seven trees on my property in this time, in addition to the five that were already there.

Anonymous
1/17/2023 04:26 PM

stop overhead powerlines being replaced all the time.

Anonymous
1/17/2023 06:03 PM

By having voices and not just greens. Common sense required. Plenty of open space in Kingston.

Anonymous
1/17/2023 06:26 PM

planting trees

Anonymous

I would be happy to assist Council on an advisory body to plan and

 Have your say on Kingston's Draft Urban Forest Strategy : Survey Report for 01 March 2021 to 03 March 2023

1/17/2023 06:48 PM

expedite enhancement of the urban forest.

Anonymous

1/17/2023 08:16 PM

You state "the fastest rate of urban forest decline is on private, residential land". Not surprising. Perhaps time to rethink the high density - dual occupancy housing policy in Kingston. Most new developments in the last couple of decades end up being mostly house and concrete driveways. No room for substantial trees. And the houses built are often not really environmentally sensitive or energy efficient. Sure, 7-stars on paper, but so often not aligned for good solar performane and no summer shading of windows! As a result, their aircons are often on all the time! Crazy.

Anonymous

1/17/2023 08:56 PM

I don't believe the council will address the root cause of tree removal

Anonymous

1/17/2023 08:58 PM

Every new commercial building has very limited low lying grass like bushes out the front and that is about it. Make it a requirement that commercial buildings have native tree plantings, green walls etc. Whilst the dual occupancy builds are a problem with lack of vegetation especially trees, I consider the lack of native tree plantings by commercial buildings to be far more problematic - they are significantly bigger in size and create a huge heat island effect. The new development at the Cheltenham Train station is a feature of concrete. The village already had a heat island effect prior to the new development and this has strengthened it. A few palm trees does not take away from so much concrete. The opportunity to have to have significant tree planting be part of this was sadly lost.

Anonymous

1/17/2023 09:14 PM

Alert the council when developers are planning to clear whole sites, removing all vegetation, including large canopy trees

Anonymous

1/17/2023 10:36 PM

More surveillance to stop visitors to the area during summer damaging our plants

Anonymous

1/18/2023 08:14 AM

Tree planting

Anonymous

1/18/2023 08:28 AM

Receive personal emails as I sometimes miss website updates and information.

Anonymous

I heartily agree with all this - however, with regard to our beautiful

1/18/2023 08:31 AM

Long Beach Suburbs I personally, and many others believe that our Port Phillip Bay is in many ways equal to or better than Sydney Harbour. As much as I absolutely love trees, is there some way that we can enable more of our beautiful bay to be seen by all of us, and visitors/tourists and commuters. The glorious view of our bay from Carrum railway station is sort of kind of part of what I am trying to say. Also as with our glorious trees at Mordialloc and some other places the lower parts can be cleared to see more if that beautiful blue. There is so much more I would like to add but perhaps this is not the place?

Anonymous

1/18/2023 01:37 PM

surveys and feedback forums

Anonymous

1/18/2023 01:46 PM

Feedback and actual work

[REDACTED]

1/18/2023 02:31 PM

Happy to be involved in tree planting or in any other way I can be of value

Anonymous

1/19/2023 09:04 PM

assist in getting IPT's hold on the kingswood golf course, relaxed whilst returning it to a golf course, leased by council

Anonymous

1/19/2023 09:50 PM

I could assist with community education activities.. I could assist with implementation reviews and assessments

Anonymous

1/19/2023 10:59 PM

Help find out where the best big trees are on private land some way

[REDACTED]

1/20/2023 07:32 AM

Perhaps assisting with community planting

Anonymous

1/21/2023 08:00 PM

1. I would like to know who to call when a tree is being demolished (on private, Melbourne water, streets or school grounds). 2 I would like to know who to call to organise plantings

Anonymous

1/22/2023 08:25 PM

Helping nurture new/trial tree species for planting along shade hungry streets and park play areas. and growing just one medium sized tree in my own yard

Anonymous

1/24/2023 11:57 AM

I think there should be an incentive based policy towards this goal.
How about a rate discount or bonus scheme to promote the implementation of this program.



1/30/2023 11:30 AM

The Waterways community has been actively highlighting areas that need more trees and arranging for them to be planted. Perhaps a Snap, Send, Solve program could be adopted by Kingston Council to identify areas that need revegetation.

Anonymous

1/30/2023 04:45 PM

Adding my knowledge base to your project

Anonymous

2/02/2023 12:25 PM

Tree planting, nurturing seeds and seedlings. I grwo for the Tree Project and it is a good model for community engagement. It might work for our local community

Anonymous

2/02/2023 10:02 PM

Donation or anything simple that the council can guide me to do such as organised planting of trees etc

Anonymous

2/14/2023 10:23 AM

receive emails, continuing the free tree scheme

Anonymous

2/17/2023 01:43 PM

responsible planting on Council Land

Anonymous

2/17/2023 02:14 PM

Not sure what the options are

Anonymous

2/17/2023 04:19 PM

not sure , there is the will but not the skill

Anonymous

2/18/2023 08:41 AM

I would like to plant more trees on my property & help maintain trees on nature strips. I also feel we need to plant more trees in shopping areas and green those strips as well as any open areas.

Anonymous

2/18/2023 10:09 PM

Planting trees on my own property and community tree planting.

Anonymous

2/20/2023 01:29 PM

Continue to suggest improvements, report transgressions, be or keep informed and comment upon strategies and actions such as this.

Anonymous

2/20/2023 03:20 PM

Planting more trees and vegetation on my property should there be an incentive to do so

Anonymous

2/20/2023 03:37 PM

I have volunteered in the past to protect Bradshaw Park, Mordialloc, I have indigenous trees and others in my own garden and would be happy to help look after trees within my local area, HOWEVER why has the Council recently supported the motions from Cr Davies regarding changes to the Indigenous foreshore trees when an expert consultant briefed Councillors prior to the 30 January meeting to confirm there was no scientific or environmental basis to change policy. What is the point of PRETENDING to care about enhancing the urban forest when you decide to satisfy a small group of residents and disregard the advice of people who know and care for the environment? Frankly, you are not to be trusted.

Anonymous

2/20/2023 06:29 PM

Community Tree Planting

Anonymous

2/20/2023 10:28 PM

Work with others in my community to identify strategies that best suit our local area to enhance and expand urban forest and to implement these with council support

[REDACTED]

2/22/2023 07:14 AM

I'm already reasonably active in identifying and reporting any damage, rubbish removal, overhanging and dangerous trees affecting access along laneways, suburban roads on both public and private land. Our trees need to be kept healthy and grown in a controlled way so their growth pattern and extension is kept supported and not subject to damage from passing vehicle and foot traffic.

Anonymous

2/22/2023 08:42 AM

with replantings

Anonymous

2/23/2023 07:39 AM

Support less removal of mature trees in Kingston

Anonymous

2/23/2023 09:41 AM

Volunteer to tree planting

Anonymous

2/24/2023 09:33 PM

Planting plenty of fruit trees with a neighbours and do not let to cut trees in Green wage for train projects

[REDACTED]
2/28/2023 12:39 PM

Council's purchase of Tarella Rd was highly important both for its original vegetation and as a contribution to the urban forest. For the same reasons retain existing native vegetation along the foreshore. Advocate for planting of larger shrubs and trees in private gardens. Tighten requirements for trees/shrubs in new developments and monitor that this happens. Permit suitable fruit trees on nature strip. Introduce pocket areas for neighbourhood vegetable growing.

[REDACTED]
3/02/2023 12:17 PM

By having most nature strips filled with shrubs.

Anonymous
3/03/2023 09:18 PM

By being allowed to create urban gardens withing local communities and have permits to plant trees ourselves or have a quick response from the council representative regarding tree planting proposals based on where we see fit as residents who know their area intimately. For example: 1. A list of appropriate types of trees could be created for the community to consider when wanting to plant trees in the neighborhood. (exclude private property) 2. Plant trees on every nature strip lawn in front of the houses or allow households to plant that themselves. (if a resident prefers)

Optional question (83 response(s), 28 skipped)

Question type: Essay Question

Q5 | What would stop you from helping to protect and grow our urban forest?

Anonymous
12/03/2022 08:42 AM

Expense

Anonymous
12/03/2022 09:14 AM

Time

Anonymous
12/03/2022 09:30 AM

Not applicable

Anonymous
12/03/2022 09:42 AM

Nothing

Anonymous
12/03/2022 11:32 AM

Ensure Rossdale is not lost to development

 Have your say on Kingston's Draft Urban Forest Strategy : Survey Report for 01 March 2021 to 03 March 2023

<p>Anonymous 12/05/2022 03:26 PM</p>	<p>Time and awareness of program to help do this.</p>
<p>Anonymous 12/05/2022 04:06 PM</p>	<p>High density housing developments</p>
<p>Anonymous 12/05/2022 04:48 PM</p>	<p>My health</p>
<p>Anonymous 12/05/2022 05:17 PM</p>	<p>Power lines over Nature strips. Non power lined nature strips need to be more heavily planted.</p>
<p>Anonymous 12/05/2022 05:29 PM</p>	<p>Our street has VERY unsuitable street trees. I would wish to be party to unsuitable trees in our area.</p>
<p>Anonymous 12/05/2022 06:36 PM</p>	<p>if a tree needed to be cut down to allow for extra residential dwellings, as homelessness is also a very pressing issue</p>
<p>Anonymous 12/05/2022 06:49 PM</p>	<p>Death</p>
<p>Anonymous 12/05/2022 09:50 PM</p>	<p>Only time and health issues.</p>
<p>Anonymous 12/06/2022 10:35 AM</p>	<p>Not stop me but I hate it when we keep acknowledging we have a problem but keep losing open space. Moorabbin Golf Course, Epsom, Dingley Bypass, the freeway through the wetlands, the new concrete bike path from Mentone to Mordialloc, maybe kingswood golf club. i'm sure you guys know a lot more places as well. increasing the population seems to be the biggest problem</p>
<p>Anonymous 12/06/2022 12:35 PM</p>	<p>Nothing</p>
<p>Anonymous 12/07/2022 12:13 PM</p>	<p>Nothing</p>
<p>Anonymous 12/08/2022 09:29 AM</p>	<p>Cost</p>

Anonymous
12/08/2022 09:31 AM

Physical limitations.

Anonymous
12/08/2022 12:54 PM

Nothing. Not even red tape.

Anonymous
12/08/2022 03:30 PM

Nothing

Anonymous
12/08/2022 08:39 PM

If Council allow unnecessary tree removal from private property.

Anonymous
12/09/2022 09:22 AM

Time and effort needed

Anonymous
12/10/2022 07:08 AM

I can't think of anything

Anonymous
12/10/2022 09:10 AM

Nothing.

Anonymous
12/11/2022 09:02 AM

Apartment living

Anonymous
12/11/2022 12:18 PM

Nothing

Anonymous
12/12/2022 01:19 PM

Nothing, except a change in personal health

Anonymous
12/12/2022 08:17 PM

Nothing

Anonymous
12/13/2022 05:11 PM

refer above.

Anonymous
12/17/2022 06:58 PM

I work full time: my free time is limited.


12/20/2022 03:26 PM

The usual - other commitments and priorities and (hypothetically) if I felt that the opportunities to be involved weren't the most effective use

Have your say on Kingston's Draft Urban Forest Strategy : Survey Report for **01 March 2021** to **03 March 2023**

	of my time - ie if I felt implementation of the strategy was not effective.
Anonymous 1/12/2023 11:36 AM	Costs
Anonymous 1/12/2023 07:03 PM	My availability - During the school holidays, I'm available.
Anonymous 1/13/2023 01:23 PM	nothing
Anonymous 1/14/2023 05:38 PM	Unfortunately, I do not own a property.
Anonymous 1/15/2023 07:40 PM	Outside interferences
Anonymous 1/16/2023 05:47 PM	Community opposition, other commitments (full time work, etc)
Anonymous 1/17/2023 11:48 AM	n/a
Anonymous 1/17/2023 03:37 PM	Interference on prover land
Anonymous 1/17/2023 04:26 PM	n/a
Anonymous 1/17/2023 04:46 PM	Physically unable
Anonymous 1/17/2023 06:03 PM	Nothing
Anonymous 1/17/2023 06:26 PM	i would protect urban forest
Anonymous 1/17/2023 06:48 PM	Small vision from the Councillors and Council staff.

Anonymous

1/17/2023 07:26 PM

Not having a lot of time to offer between working and raising a family.

Anonymous

1/17/2023 08:16 PM

Some trees in private land are inappropriate for the block. Grown far too big. Planted too close to building structures. So protecting ALL trees on private land is not a good general policy. Give carrots to those willing to plant more trees, but dont make it difficult to remove inappropriate trees on private land.

Anonymous

1/17/2023 08:56 PM

Nothing I can do, I have already planted out my lawns and gardens to the max

Anonymous

1/17/2023 08:58 PM

It is very difficult for a single person to make much difference. Kingston council and Bayside council should unite to develop a strategy to forest the area.

Anonymous

1/17/2023 09:14 PM

I would lose interest if council allow developers to clear land removing established large canopy trees.

Anonymous

1/17/2023 10:36 PM

Nothing

Anonymous

1/18/2023 08:14 AM

Can't think of anything

Anonymous

1/18/2023 08:28 AM

Physical impairment.

Anonymous

1/18/2023 08:31 AM

Probably too old

Anonymous

1/18/2023 01:37 PM

Councils do not listen to public and do their own thing anyway.

Anonymous

1/18/2023 01:46 PM

Nothing



1/18/2023 02:31 PM

Government regulations and restrictions

Anonymous
1/19/2023 09:04 PM

time, the wrong state govt decision on kingswood

Anonymous
1/19/2023 09:50 PM

Nothing

Anonymous
1/19/2023 10:59 PM

Poor health


1/20/2023 07:32 AM

Probably need more information on options to be involved

Anonymous
1/21/2023 08:00 PM

Other commitments and health

Anonymous
1/22/2023 08:25 PM

Finding space to plant larger trees

Anonymous
1/24/2023 11:57 AM

From experience, large trees have a detrimental effect on your property. Foundation problems, cracking driveways and a very large cleanup every Autumn are just some of the issues we've experienced in our 20 + years living with them. Council assistance with pruning would also help immensely as it is very expensive to pay someone to do it! (We did get help once from Council which was great!)


1/30/2023 11:30 AM

I would like to be involved if possible in the Waterways and Mordialloc Creek areas. Removal of trees on private land is contentious as there is some troublesome and dangerous trees that cause issues for residents. A giant Iron Bark tree in a neighbouring property to mine has caused all sorts of issues. IMO Iron Bark trees are not suitable for residential land.

Anonymous
1/30/2023 04:45 PM

Council's policies

Anonymous
2/02/2023 12:25 PM

Lack of time in between wok and family responsibilities

Anonymous
2/02/2023 10:02 PM

Lack of knowledge and too much effort

 Have your say on Kingston's Draft Urban Forest Strategy : Survey Report for 01 March 2021 to 03 March 2023

Anonymous 2/14/2023 10:23 AM	time commitment
Anonymous 2/17/2023 01:39 PM	Drive along Como parade and see our Kingston urban forest already destroyed by the Dan Andrews skyrail project. So sad to see trees already destroyed.
Anonymous 2/17/2023 01:43 PM	Council interference on property owners own land management
Anonymous 2/17/2023 02:14 PM	Not sure what work would be involved and if I'm capable
Anonymous 2/17/2023 04:19 PM	nothing
Anonymous 2/18/2023 08:41 AM	Money needed to purchase trees
Anonymous 2/18/2023 07:37 PM	It doesn't include Shrubs & bushes which are habitat for small local birds. I cannot support your policy of removing diverse plantings and replacing them with only trees and grasses that are more "economic" to maintain.
Anonymous 2/18/2023 10:09 PM	Time
Anonymous 2/20/2023 01:29 PM	Natural and built heritage commitment overload!
Anonymous 2/20/2023 03:20 PM	Cost and time
Anonymous 2/20/2023 03:37 PM	If climate change accelerates and water becomes a scarce or super-expensive commodity it will be increasingly hard to prioritise what gets watered. Also unless there is going to be a concerted effort to help people trim and look after trees (gardeners are charging \$60 an hour to cut lawns, and tree loppers are into triple figures) many people will be unable to afford to look after the trees. They will be reluctant to plant trees on their private land. Many older people are finding even if they are eligible for help through MY Aged Care etc, there is no help for garden maintenance unless life-threatening, not

even a list of trustworthy responsible gardeners recommended.

[REDACTED]
2/21/2023 02:52 PM

Should not be able to dictate what plants/trees are on private property
Work on improving trees and shade in Public spaces

[REDACTED]
2/22/2023 07:14 AM

Physical capability to offer regular manual working effort other than
my local residential precinct.

Anonymous
2/22/2023 08:42 AM

unrealistic approach to tree removal from Council.

Anonymous
2/23/2023 07:39 AM

Good advice. The removal of so many trees recently (and suddenly)
in Parkdale for the Level Crossing Removal Project is heartbreaking.
The Govt has not listened to community concerns and now the trees
are gone forever.

Anonymous
2/23/2023 09:41 AM

Injury

Anonymous
2/24/2023 09:33 PM

Councils rules and regulations

[REDACTED]
3/02/2023 12:17 PM

The council building regulations and developers

Anonymous
3/03/2023 09:18 PM

not being on the same page with the proposal outlined by the City
council 's evaluation.

Optional question (86 response(s), 25 skipped)
Question type: Essay Question

Q6 | Do you have any other feedback on our Draft Urban Forest Strategy?

Anonymous
12/02/2022 08:07 AM

Rossdale golf club is talking about rezoning and have formally
advised Council . Council could purchase the land and grow the
urban forest rather than allowing rezoning to reduce it.

[REDACTED]
12/02/2022 08:21 AM

Requiring to double the planting of trees on all private land is a totally
arbitrary target, and should not be applied across the board. Very

 Have your say on Kingston's Draft Urban Forest Strategy : Survey Report for 01 March 2021 to 03 March 2023

many properties have more than adequate tree coverage and in our area (Patterson Lakes - especially around the lake we live on) the level of tree coverage has not significantly altered over the past several decades. The discussion should not be limited to trees. The widespread planting of shrubs has an important impact on aesthetics, particularly, of course, at ground level. What you need to do is DISCONTINUE medium-rise and density developments that do not allow adequate space for trees. Also, my concern is the Council's excessive use of native gum/eucalypt trees which eventually become dangerous by dropping large limbs in high winds. This is especially a concern in crowded suburban spaces. Two weeks ago one was planted by the council on our nature strip (we do not have a footpath in front of our home) here in Patterson Lakes. We have a small front yard and once this tree grows to its natural height it will overshadow our lawn and garden. We also have had huge problems, and endured a large cost, with removing gum tree roots interfering with our stormwater pipes. Another problem is the leaf litter, especially clogging the roof guttering. I might add that upon building our home here we retained 4 mature gum/eucalypt trees which have dropped large limbs over the years. We were not allowed to remove these trees by council decree when we built our home 15 years ago.

Anonymous

12/02/2022 09:14 AM

Large Private land that is being developed needs council to protect the trees. Such as Rossdale Golf Course. If developed incorrect I think our tree canopy % will decrease significantly

Anonymous

12/03/2022 08:42 AM

We need State govt, with cash to support this

Anonymous

12/03/2022 09:14 AM

You're on the right track

Anonymous

12/03/2022 09:30 AM

It is very important work

Anonymous

12/03/2022 09:42 AM

We like natives, more natives, more things like Cheltenham Park. They've done a good job there

Anonymous

12/05/2022 04:06 PM

Council's tree planting targets are not ambitious enough. High density housing is a threat to trees and also to public parking spaces on streets.

Anonymous

Need to plant more on non power lined nature strips. Whenever new

Have your say on Kingston's Draft Urban Forest Strategy : Survey Report for 01 March 2021 to 03 March 2023

12/05/2022 05:17 PM

development are being built you need to stop them clearing the block into a blank canvas.

Anonymous

12/05/2022 05:29 PM

I have contacted the council over the problem street trees in our area. The response I got was disgusting and the problem still exists. I think the council needs to correct many of the current problems before it starts on another strategy.

Anonymous

12/05/2022 06:36 PM

If people have to cut down trees on their private property, rather than just fining people or telling them they can't, you should provide an option where they can plant or pay for the planting of twice as many trees on some other land in their suburb. Some people may be hesitant to plant trees if they know they can't cut them down if they get too big and look like they might drop branches on their roof in a storm.

Anonymous

12/05/2022 06:49 PM

stop putting so many dual occupancy developments on small blocks. You cant have trees if its covered with a building

Anonymous

12/05/2022 09:50 PM

I think it is ambitious and very encouraging. Very supportive.

Anonymous

12/06/2022 10:35 AM

keep things simple in public spaces. trees, grass, native plants.

Anonymous

12/06/2022 12:35 PM

Can Kingston manage the planting of a new forest bushland of that treeless area the size of a large sports ground between Yarabah School, Mordi Ck Browns Sports Reserve and the pumping station? It may be in Edithvale Wetlands

Anonymous

12/07/2022 12:13 PM

We must protect the existing urban forest of Kingswood (Dingley Village). The owners want to destroy it.

Anonymous

12/08/2022 09:31 AM

no

Anonymous

12/08/2022 12:54 PM

Would like to see some locations of planned community sites for canopy planting. We have enough sports fields.

Anonymous

no

Have your say on Kingston's Draft Urban Forest Strategy : Survey Report for **01 March 2021** to **03 March 2023**

12/08/2022 03:30 PM

Anonymous

12/08/2022 08:39 PM

Plant smaller trees on nature strips with electric poles, and larger trees on the other side. Look at streets between Canterbury Rd and Beaconsfield Pde StKilda.

Anonymous

12/09/2022 08:21 AM

I think putting a value on a tree so the council receives a financial payment is self defeating. Your reports indicate a tree takes 8 plus years to be mature. A mature tree provides shade, habitat, natural beauty, and many more benefits which can not be compensated by money. Brisbane recently changed their planning laws to require more land on new developments for deep plantings. This is something that should be considered for all new industrial estates to reduce the heat of these areas. Also green corridors should be implemented in all new estates where houses are built from fence to fence. This survey didn't open correctly for me so I was unable to answer many of the questions.

Anonymous

12/09/2022 09:22 AM

There are such large nature strips in kingston. However, they seem to be very underutilised. Plant multiple native trees along the nature strip that provide canopy as well as attract birds. More trees need to be planted in the public areas. These can be done fairly soon and does not need years and years of waiting to be implemented. I understand being strict with removal of private trees is needed, however, the damage some of these trees causes and can cause to property and life should also be considered a bit more seriously.

Anonymous

12/10/2022 07:08 AM

Free & appropriate trees/plants for even our small backyard/front yards provided by council would be a great incentive for everyone. Educate the community on appropriate planting that won't adversely affect plumbing, sewage etc. There should be generous planting following the railway line (Station Street, Bonbeach & other suburbs)

Anonymous

12/10/2022 09:10 AM

n/a

Anonymous

12/11/2022 09:02 AM

More shady trees in public places Lxrp could do more Bigger trees and better condition. Skeletal trees. Wrong type. Planted in December. Better if council planted and maintained them Very hot along the bike path at bonbeach

Anonymous

12/11/2022 12:18 PM

Improving the response to issues where we have flooding, trees down or general maintenance to landcare

Anonymous

12/12/2022 01:19 PM

I wholeheartedly support your draft and strategy.



12/20/2022 03:26 PM

Not as such. I don't doubt the commentary about the limits on opportunities to plant more on public land, but going around the area I'm kind of surprised as there still seem to be lots of places that trees could be planted without affecting other public uses. Just an impression though. I'm also wondering if part of the solution is about buying up private land - even on a spot basis, eg individual house blocks - and creating more pockets of forest. I'm really impressed by the amount of tree planting council has done in the last year or so in suburban streets.

Anonymous

12/28/2022 10:13 AM

Develop strategic planting strategies for each suburb. In Parkdale (where I live), it is interesting to see that we have the second highest rate of canopy coverage, yet the suburb is the fourth highest in canopy change. It is extremely evident in areas with new developments (especially dual-occupancies), and in streets between Como Parade West and Beach Road, where there are small numbers of trees, specifically species (although native and indigenous to the area; mostly Coastal Banksia) that do not provide great canopy coverage and take a long time to grow to maturity and their greatest extent. This is also true along Beach Road, where greater penalties for tree destruction/removal/poisoning need to be instituted and enforced. Possibly the introduction of planning overlays, such as the Vegetation Protection Overlay (VPO) could improve the situation. In Beaumaris (Bayside), a large chunk of the suburb is subject to a VPO which does protect tree coverage (although it not perfect, and needs to be improved). Heritage listing significant gardens (with tree controls were applicable) would also provide certainty for established gardens (both public and private) and establish an anchor for any given local area to allow for new plantings and garden treatments.

Anonymous

1/12/2023 10:09 AM

I've raised this many times before. In Bonbeach we have old disused laneways (York Lane and Maple Lane) that I think should be planted out as an easement. I've had no response by Kingston.

Anonymous

1/12/2023 07:03 PM

The more trees & urban forests we have the better, in our urban environment.

Have your say on Kingston's Draft Urban Forest Strategy : Survey Report for 01 March 2021 to 03 March 2023

Anonymous

1/13/2023 01:23 PM

The main goals seem focussed on controls, rather than community involved (reading your goals 1 through 5). While this is important in the initial evaluation phase, it is not moving forward with community involvement in plantings, but rather puts a regulation/punitive approach in place (or gives the appearance of doing so).

Anonymous

1/13/2023 01:45 PM

Some very powerful data which tells a great story about why Council has commissioned this. It's a great document.

Anonymous

1/14/2023 05:38 PM

If the State Government and Kingston Council are moving to maximise land usage for high density housing (almost total land is used for development leaving little permeable land) then this Strategy is flawed.

Anonymous

1/17/2023 11:48 AM

Bayside City Council commends Kingston for being proactive in seeking to protect and enhance the urban forest that will positively impact other neighbouring municipalities.

Anonymous

1/17/2023 03:37 PM

Respect people's property

Anonymous

1/17/2023 03:42 PM

Would be good to have more green community (breathing) spaces due to the increasing density of the suburbs

Anonymous

1/17/2023 03:51 PM

Many trees in my area have been cut down on private residential land without permits. Council needs to do more to punish this action. Looking at how councils such as Whitehorse prioritise tree protection and the root structures surrounding them, Kingston needs to take this approach on board. Permeability and non-porous site coverage needs to be considered. Also plenty of opportunities for more number and more appropriate street trees.

Anonymous

1/17/2023 04:26 PM

The level crossing replacement project has added a huge amount of naked concrete to our environment. Please take urgent action to add plants and landscape this hideous sight.

Anonymous

1/17/2023 04:26 PM

Buy Rosedale Golf club and make it a forest park. And retain its existing trees

Anonymous

Common sense

Have your say on Kingston's Draft Urban Forest Strategy : Survey Report for **01 March 2021** to **03 March 2023**

1/17/2023 06:03 PM

Anonymous

no

1/17/2023 06:26 PM

Anonymous

We need to be much more ambitious in improving our urban forest. 20% by 2050 is an unacceptable weak target. Councils such as Bayside and Booroondara are way ahead now already. The difference is notable by merely driving around. Mentone which is adjacent to Beaumaris feels like a poor cousin. Let's get serious. The quality of street trees planted is also important. We currently have far too many polluting trees.

1/17/2023 06:48 PM

Anonymous

Kingston has very little public green space. Most green space seems to be private golf club land, which looks good on a map but the public is largely excluded!! If somehow more space can be clawed back for public use (and become a new green space), that would be wonderful.

1/17/2023 08:16 PM

Anonymous

In all the streets near me, we have large blocks. In my street, multiple large blocks have been redeveloped into apartments and town houses. Blocks that were 65% plus green cover are replaced with every square centimetre covered with concrete. Look at the recent development on the cnr of Antibes and Beach Road A decent sized suburban block with lots of lawn and trees replaced with 5 or 6 dwellings and a few square metres of garden with no sunshine. When you plan to allow developments that remove 65% green cover and replace it with just a few % of green space, the problem starts at the planning process. All the fancy titles won't fix the problem: if 20% of land area is not availability for planting, this process is just winding dressing. **. Make changes at the root cause

1/17/2023 08:56 PM

Anonymous

as above

1/17/2023 08:58 PM

Anonymous

Only that I hope it doesn't take too long to implement it. We have already been horrified by the removal of all vegetation and large trees from blocks around the Mentone area. Large houses and multiple town houses built on blocks that used to have a modest home and established large trees and gardens.

1/17/2023 09:14 PM

Anonymous

I'm glad this is being addressed.

1/18/2023 08:14 AM

Anonymous

1/18/2023 08:28 AM

I support the increase in tree cover in Kingston as I think it is vital to healthy living. As a Dingley resident I hope the wholesale destruction of the trees on the former Kingswood golf course is not allowed to go ahead as this would create massive problems.

Anonymous

1/18/2023 01:37 PM

Plant in parks, nature strips, roadsides, beach side and schools rather than private property. We need to stop urban sprawl and create homes that are no more than 30 sqs.

Anonymous

1/18/2023 01:46 PM

More feedback and detail on what you propose in the Moorabbin area especially Moorabbin reserve as I cannot locate details or plans for the proposed future. Every tree on private land should have a value, we have 50 year Golden Elm, but there is little or no information on tree registers or the value of this tree to the community but I spend a lot of money protecting it. Same with street trees we have some large gum trees as street trees and people want them removed. What is the plan for Moorabbin reserve and trees that are removed or die is there a overall plan.

 1/18/2023 02:31 PM

I would like to see the strategy go even further. If people are required to plant on their own land, there is nothing stopping them from removing those plants after any 'inspection', however I do not believe there is any 'inspection' done by Council to enforce these requirements in any case. Inspection needs to be a part of Council's strategy to ensure plantings are not removed by people, and that plants and trees are maintained. Additionally, I believe our street trees are unnecessarily over-pruned by contractors, who remove branches that simply do not need to be removed. Contractors don't seem to have any clue about a tree's 'balance', aesthetics, and shade value. What can we do about this? It is soul destroying to see perfectly sound trees unnecessarily hard pruned.

Anonymous

1/19/2023 09:50 PM

Congratulations, the draft is very good. It's well-researched and sets out a strong argument for immediate and urgent action to restore vegetation to our urban environment. The draft is honest. It says its targets are ambitious and will be difficult to achieve but shows that lesser targets will support outcomes of little value. The draft's proposed actions are comprehensive and appear to be logical responses to the problems of urban vegetation loss in Kingston Here are 6 recommendations to make a very good draft into a strong Strategy with a chance to succeed 1. Write the UFS so it doesn't depend on the planning system and amenity/significance valuations. Instead make it direct everyone responsible for approvals and permit

 Have your say on Kingston's Draft Urban Forest Strategy : Survey Report for 01 March 2021 to 03 March 2023

conditions to ask only one question, "Will this development or action help or hinder the attainment of UFS targets and outcomes"? Don't rely on the planning system and individual site/tree value assessments to reduce tree loss on development sites. The planning system and value assessments facilitate permit decisions by arguing why conservation SHOULD NOT be pursued for any given development. DELWP's proposed vegetation protection measures will emerge weak and ineffective from whole-of-government consultations. Considerations of landscape and amenity significance, habitat value and corridor potential will be a technical minefield. Experience with 'NaturePrint' shows that the science and detail needed for implementation will be complex and create loopholes and cost-objections that developers will exploit to undermine conservation objectives. 2. Make a table for the Executive Summary that lists all the strategy's targets and supporting outcomes so everyone can easily see what is needed to help attainment. 3. Make explicit links between the Strategy's targets and Key Outcomes and the Monitoring and Evaluation system. The draft's directions in this area are not leading progress reports that answer the question, "Are we succeeding"? 4. Rewrite the subheading for Goal 1 on page 56: "32% of Kingston's canopy cover is on residential land, the largest land use type. So the protection of trees on private land is critical, and expansion of the urban forest in residential areas must be the highest priority". This argument cuts both ways - "If residential land holds the largest part of urban forest, then it can afford to lose some; especially on MY property"! The relatively small area of public land and limited space on it for more vegetation is the critical argument for protecting and expanding vegetation cover on private land. 5. Recheck the whole draft to make sure its arguments for change and investment, and most importantly, for the impositions of new costs and constraints on private landholders, are unambiguous and spell out the risks and the costs of failure for all of Kingston's residents. These are the arguments that will be used to support implementation. 6. Key Task 1 of the draft proposes, "(pursuit of) all non-compliances and publicise success stories to encourage compliance and discourage breaches". What is meant by 'success stories'? Is thwarted destruction deemed success? If so how can that be made into a compelling story? I recommend the strategy needs to emphasize publicity about the the financial, intergenerational and environmental costs of illegal destruction and poor compliance. This strategy is up against enormous and embedded economic and private property interests and a society that has become blind to its dependence on nature. The Strategy needs to be fearless in advancing actions that help remake urban trees and gardens as a social 'norm' and destruction a disgrace. Ian Morgans 0400 872 193

 Anonymous

 It's important to stop the removal of large trees during infill

1/19/2023 10:59 PM

development. Especially in Edithvale where I have seen the removal of so many lovely trees over the years. The trees always come second to development. There needs to be an adjustment to Planning rules so that the design of any new housing fits around the tree, not this current total clearing of a block then built form to virtually all boundaries . The penalty for removing a large tree needs to be reflective of its true worth and hence often too expensive to remove. Making redesign a better option

Anonymous

1/21/2023 08:00 PM

Yes. It is well intentioned but non-specific and wordy and repetitive in places. The target at the start of the document(20% by 2050) is best removed and replaced with a 5 year target. I suspect a target by 2050 may be interpreted by some council management as something so far off it can be ignored and be underfunded.

Anonymous

1/22/2023 08:25 PM

Love the measures and deep dive into where and what is changing across our tree cover ? Amazed at the really low % tree cover on residential land.

Anonymous

1/24/2023 11:57 AM

Having large trees on your property has issues which shouldn't be ignored.



1/30/2023 11:30 AM

Mordialloc Creek needs special attention as it is essentially a barren, open drain East of Wells/Boundary Road.

Anonymous

1/30/2023 04:45 PM

You need to cover understory linkages and use trees for habitat. Plant trees that are indigenous to the area. The amount of vegetation that is denuded (good and bad) from properties that have been knocked down is disturbing. If you want to talk urban cooling take a thermometer out to a bare block and see the difference. Please stop using trees as amenity and assets and concentrate on habitat, with habitat will come urban cooling

Anonymous

2/02/2023 12:25 PM

Excellent research and I hope there is a high level of commitment to the strategy

Anonymous

2/02/2023 10:02 PM

Not specific enough. Would like to hear of some more immediate and targeted actions.

Anonymous

can not understand how a permit was granted to remove a tree that

Have your say on Kingston's Draft Urban Forest Strategy : Survey Report for 01 March 2021 to 03 March 2023

2/04/2023 02:05 PM

was planted 40 years ago when there was nothing wrong with it. Contacted the council on many occasions and no one has bothered to respond.

Anonymous

2/06/2023 12:55 PM

I think the strategy document could be improved by having less information on the background and graphs/data and more details on how the actions will be achieved/timelines /targets etc. For example, Goal 1 has no details as to how Council will increase checks and pursue non-compliance. There is a lot of actions that are tagged as 'Investigate/Review' with no details of what happens next/outcomes. I also suggest a lot of data/graphs can be moved to the back of the document as appendices.

Anonymous

2/14/2023 10:23 AM

No

Anonymous

2/17/2023 01:39 PM

Stop cutting down the trees and Protect our environment.

Anonymous

2/17/2023 01:43 PM

Whats with the acknowledgement of country on everything, it belongs to all of us stop the divide

Anonymous

2/17/2023 02:14 PM

Stop developers cutting down all trees on a development site . Stop developers from building boundary to boundary with no room left to plant shade trees

Anonymous

2/18/2023 08:41 AM

Our streets need more trees planted on nature strips & our shopping strips need more greenery. We always look to streets in the leafy suburbs for inspiration but we need to act on that and plant trees to mimic such an effect. The shopping strip in Edithvale & Chelsea look bare and need to have more plants along them. Compared to neighbouring suburbs like Brighton we're not doing enough to green our streets. It's all very well to plant in areas of new development I'm all for that but what about the existing streets.

Anonymous

2/18/2023 07:37 PM

Your tree planting program is incompatible with your "Improving Sightlines" program where you remove trees & large shrubs. Your planning templates that promote higher density development in areas such as Carrum are incompatible with increased tree cover. Increasing housing density while halving tree removal and doubling new plantings will require nothing short of magic. Or perhaps these aims only apply to areas where development is already restricted eg

 Have your say on Kingston's Draft Urban Forest Strategy : Survey Report for 01 March 2021 to 03 March 2023

Patterson Lakes? Proposing roof top plantings to combat this (as in one of your videos) are fanciful at best. I have been unable to find out why you removed the small trees in the Patterson Lakes Community Centre car park, and then planted saplings in the same locations. It is hardly a case of "well-maintained new plantings on Council land".

Anonymous

2/18/2023 10:09 PM

Stop developers clearing blocks of established trees when building new houses and units. Limit the coverage of land by new buildings. No more fence-to-fence developments with no space for greenery.

Anonymous

2/19/2023 10:15 AM

The fine for illegal tree removal needs to be more than the legal fee for the removal of the tree, otherwise the draft plan has no value because people will always go for the least costly option . This fine needs to be widely publicised to have any effect. I also believe that new trees should be indigenous for best results and to improve wildlife' However I have little confidence in the implementation of this plan given what has been happening in the open spaces around my area. A lot of trees were removed unnecessarily along the pathway from Emma St. Carrum behind the houses to the dog park and along the fences there back to Emma St. The result is that it is all now infested with weeds. Also healthy trees were removed from the carpark at Patterson lakes community Centre and replaced with new saplings. A complete waste of money and the destruction of healthy trees that by your own admission should not have been removed. I would like to know that these types of actions will no longer happen.

Anonymous

2/20/2023 01:29 PM

Happy to support in general the aims, goals and actions of this important draft strategy. Otherwise:

- Ensure canopy cover in any development project of residential, commercial, industrial, Council - with setbacks, courtyards etc, even for apartments - to avoid built islands of heat banks.
- Ensure this Strategy applies to Kingston Green Wedge land and supports retaining it's green landscapes and agriculture rather than buildings and parking lots.
- Ensure predominantly local native species and protective local native understorey vegetation, and non-invasive species.
- Ensure permeable paving and holding water in the landscape wherever possible in any development.
- Disallow environmentally unfriendly plastic grass on any land in Kingston—Council owned or managed, private, commercial, industrial, other—it breaks down to particles that enter, soil, waterways and is ingested by animals.
- Please advise replacement of or no landscaping with Plane Trees—they shed fine hairs that cause asthma or sinusitis in some people.
- Reconsider/limit the number of crossovers for lots to retain nature strips for trees.
- 'Removal' of street trees does occur by slow intentional poisoning—several incidences in Mordialloc over years, a

Have your say on Kingston's Draft Urban Forest Strategy : Survey Report for 01 March 2021 to 03 March 2023

tree in my street is mysteriously dying. 2-3 years ago, I reported mysterious decline of a mature Lemon-scented Gum in Gipps Ave. A compliance officer from Local Laws deemed it secure, bless them, and the tree appears to be recovering. • Slow decline over 5-10 years of mature trees can occur after an event/development from root severing/disturbance/toxic materials/soil compaction. The Gipps Ave Gum may be an example of this after a townhouse development. • Please consider for this Strategy conversion of concrete/barrelled drains to natural vegetated creeks, consistent with Melbourne Water's/Council's WSUD initiatives. People may be more inclined to respect what ends up in a natural creek and hence the Bay than a concrete channel or stormwater pipe. • Suggest state what a review of Kingston's significant tree register would achieve—more/less/species of trees. Thank you so much for this excellent draft Strategy, and acknowledgement of and inclusion of the Bunurong. It's packed with information all sectors of the community need to know now and for a liveable future. Kind regards Nina Earl, 9587 9448, 8 Bertram Street, Mordialloc Recipient 2021 Best Friend Award from VEFN President Friends of Bradshaw Bushland Reserve Friend of Mordialloc Catchment (Mordialloc Creek, Yammerbook Nature Reserve, Epsom Conservation Reserve) Member Mordialloc-Beaumaris Conservation League, Kingston Residents Association

Anonymous

2/20/2023 03:20 PM

Yes. Consideration of the effects on urban stormwater need to be investigated in further detail. Trees should be able to be planted through Council easements across private land where practical and engineers given more opportunity to be a part of the discussion, given the overlap with blue green infrastructure.

Anonymous

2/20/2023 03:37 PM

Reread point 7 and tell me honestly the decision made regarding the foreshore trees was a sensible one and not one to satisfy a group of privileged residents.

Anonymous

2/20/2023 06:29 PM

Good to see that Council is addressing this important issue for our Municipality's future environmental ecosystem and liveability. Positive that the strategy recognises: • that Kingston has low canopy cover of 12.3% • the importance of protecting trees on private land and has placed the highest priority to the protection of trees on private land. • the challenges of urban development, population growth and current planning policy • the need for canopy cover to be increased to 15.3% by 2030 and to 20% by 2050 With the key means of achieving this being identified as: 1. increasing parks tree canopy to 30% 2. ongoing street tree planting 3. doubling tree planting on private residential land 4. halving tree removal on private residential land However Section 4.2 of the Strategy, Priority Goals and Actions, fails

Have your say on Kingston's Draft Urban Forest Strategy : Survey Report for 01 March 2021 to 03 March 2023

to adequately address: "The largest contributing factor to Kingston's canopy cover decline is tree removals on private residential land. p.28" What we see happening now in Kingston is the systematic removal of existing tree canopy occurring, with the loss of suburban backyards, as single dwellings in Kingston's residential areas are redeveloped. Suburbs that were designed for the traditional single dwelling with garden and trees, are losing significant tree canopy, as developers systematically clear the entire site to build multi-units. As stated, with 1/3 of Kingston's tree canopy cover located on residential land, it is vital that existing residential trees are protected or provision of alternative compensating green open space with equivalent tree canopy replacement is made. The Priority Actions and Key Tasks listed in the draft Strategy do not provide sufficient residential tree protection, thus preventing achievement of the desired canopy cover targets for Kingston.

Anonymous

2/20/2023 10:28 PM

The Draft Urban Forest Strategy is a well-written document with well-researched discussion on ways to enhance Kingston's urban forest. It clearly explains the benefits of an urban forest, particularly how trees and other vegetation are necessary in responding to the stresses and future shocks that the community will face due largely to the growing impacts of climate change. The community already says that it loves trees and wants them protected. The document includes a comprehensive analysis of Kingston's current tree canopy and opportunities for incremental increases to this to achieve a canopy cover of 20 per cent of land use in Kingston. The 20 % target is a significant increase on the current canopy coverage but falls significantly below the quoted recommended target of 30 % across metropolitan areas. Reading the document, it is clear that there is no easy way to get to 30 %. The analysis, however, appears to assume that many other elements of Kingston's infrastructure and societal functions will remain the same. Under its climate emergency plan, Kingston is aiming for many changes that will positively impact the ability for planting of increased numbers of trees, in particular through Kingston's aim to become a 20 minute city. A 20 minute city will reduce the land area needed for cars, subsequently allowing our city to be structured in a way that is no longer based on cars and their movements. It is staggering to realise just how large the proportion of our city that the footprint of car infrastructure (roads, carparks, driveways) consumes. The draft strategy lists 17.5% of Kingston's land is for roads alone, without including driveways and parking space. If we create a 20-minute city, we can think now about how we can restructure our city in ways that reduces the size of that footprint and allows safe and effective movement of people, and use of the land, in ways that benefit people's wellbeing – including through the planting of trees. As the draft strategy highlights, a key impetus for creating an urban forest is to save lives through reduction of heat

Have your say on Kingston's Draft Urban Forest Strategy : Survey Report for 01 March 2021 to 03 March 2023

stress and heat stroke on days of extreme heat. Under a higher emissions scenario, the frequency of days of extreme heat will increase. Failing to meet the optimum tree canopy target of 30% will be likely to put lives at risk. This requires thinking beyond business-as-usual, particularly in order to meet the goals of Kingston's CEERP. It will also require the community to understand, support and, indeed, play a part in enacting these changes. We propose that engaging people through 'kitchen table' discussions and community conversations would be the most effective way of achieving those aims. Specific Comments

Choosing a Canopy Target Section 3.1

Choosing a Canopy Target, recognises the emerging expert consensus that in excess of 30% of tree canopy cover is the target needed, but then proceeds to explain why 20% is an ambitious target. This strategy needs to define a vision, with a higher target, that will meet the needs and challenges of a changing climate and the health risks associated with the predicted frequency and extent of extreme heat. The challenges are large and so must be the response. It needs to be in line with the expert advice and we need to be committed to find a way to get there – even if that means saying that we don't have all the answers yet. Community Communications and Engagement Goal 3 discusses Enhanced Communications and Community Engagement. This needs to be real engagement where people are not only educated but are given the opportunity to come up with solutions – and given time to develop these solutions. One way to do this could be through localised community conversations (or kitchen table meetings), at a very local level where people are given the opportunity to deeply understand the needs, possible solutions and come up with ideas and plans for their own very localised area. Such conversations could address the fears and hesitations people may have around trees within their neighbourhoods and homes relating to fire, falling limbs, roots damaging foundations etc. These are real and valid issues but each can be overcome through informed selection of tree and plant species appropriate for each location. These conversations will need time and it may be a few years before plans are implemented, but inspiring community to consider and demand the best solutions requires Council's vision to be clear and ambitious, consistent with the aim to create a climate-safe city and showing an eagerness to work with and empower community to help make it happen. The best vehicle through which to conduct this form of engagement will be the partnership body that Council has signalled its intention to form with ZeroKingston2030. It will be a clear signal of community ownership and responsibility for preserving and creating tree cover across Kingston. Enabling the community to take ownership of increasing canopy cover in their neighbourhoods, and especially supporting neighbours to support neighbours to increase canopy cover on their private property, may well have a more positive outcome than relying on increased enforcement. Rewarding and celebrating private canopies may be more effective compliance

Have your say on Kingston's Draft Urban Forest Strategy : Survey Report for 01 March 2021 to 03 March 2023

monitoring alone. Interlink Urban Forest Strategy with the 20 Minute City plans The vision and target needs to relate to other targets and visions that are being created to meet current climate challenges. This includes the response of a '20 minute' or 'walkable city'. A 'walkable city' enables, and indeed requires us, to rethink the basis of the way Kingston has been planned and in doing this we can create the opportunity to incorporate an expanded urban forest. These 2 strategies are closely interlinked, both responding to the threats of climate change. One reduces emissions to contribute to decreasing the amount of global warming, the other enables our city to create shaded spaces and cooler air where people are living and moving about. Both enable us to create beautiful, safe spaces where people feel comfortable walking or riding – because others are, because it is cooler, and because it is well planned. Expansion of Goal 2: Improved Strategic & Operational Decision Making The following point on page 62 of the draft strategy has the potential to significantly increase the ambition of the urban forest targets: 'Improved strategic decision-making, including land use and master planning processes' and in particular: 'Via strategic land use and integrated transport planning, free up areas of urban space for living infrastructure' Adding the following point to this goal will provide potential for vast improvements to the Urban Forest: Changed focus of planning strategies from car-based suburbs and industrial spaces to a focus of a liveable, green and walkable city. The City of Kingston has stated that it aims to create a 20-minute city. According to the Urban Forest draft strategy, roads comprise 17.5 % of land in Kingston. If the amount of land dedicated to car-parking and driveways (including in homes, retail, recreation facilities, parks, train station and businesses) is added, this percentage of land dedicated to cars would significantly increase. It is staggering to think that perhaps a fifth or even a quarter of land is covered in concrete or asphalt to cater for cars. A 20-minute city provides the opportunity to decrease this, allowing planting of 'living infrastructure' ie trees and plants, that would create a more liveable transport system relying on active (and public) transport in a safer, cooler, and more attractive environment. A 20-minute city provides the opportunity to change the focus of planning for future housing developments by eliminating the need for cars to access every home unit. We could design areas of housing with no car parking with alternative safe and effective transport options easily accessible. Not everyone will need to own a car. (Car sharing options could be available and accessible for occasional the times that a more expansive public transport system is not able to get people where they need to go.) Just last week, a woman from Afghanistan who had lived for some time in Dubai before coming to Australia, said to me in frustration, 'everything in Australia is so hard because you have to drive everywhere'. In her previous home, she lived in an apartment and was able to walk to shops, medical centres and everything she needed. Our car-centric design and planning forgets the barriers that

many in our community face in being able to drive and own a car and the benefits that can arise from a planning system that is centred on people and their wellbeing. In a time of emergency and with so many of Australia's population having directly experienced emergencies over the last few years, more and more people are ready to rethink how we structure our societies and accept the changes we need to make for everyone's safety. As well as reducing serious health impacts from heat stress by replacing hard surfaces with vegetation, a non-car centric planning system will bring a range of benefits including decreased pollution, reduced flood risk, increased community connectivity within neighbourhoods (people saying hello instead of car rage abuse), and increased safety through more people being in, and transiting through, public places and paths. This will take time, but again, organised kitchen table conversations, that allow people to consider risks and alternatives, and to explore solutions will be needed to bring the community on this journey of change.


2/21/2023 02:52 PM

Council needs to improve overall shade in parks and rather than shade sails consider planting more trees

Anonymous
2/22/2023 08:42 AM

its a great idea, but we need to be able to remove trees that have been planted in poor positions in the past or have been the wrong species planted, and then replant more appropriate trees in better locations. managing a forest is all about careful removal and smart replanting.

Anonymous
2/23/2023 07:39 AM

Please do everything you can to prevent the removal of trees. It must be prioritised.

Anonymous
2/23/2023 09:41 AM

Serious thought needs to be given to prioritise planting of considerably more trees on the nature strips to form a shade canopy. Adjoins councils have done this for years and reap the benefits.

Anonymous
2/24/2023 09:33 PM

Don't make trees to be more important than people

Anonymous
2/27/2023 08:08 PM

Rate payers have rights over their own land. Council should not be targeting private land to impose tree quotas. Trees should be planted onto public land.


2/28/2023 12:39 PM

It is a well thought through document identifying many of the challenges. Unfortunately the rail projects have resulted in the loss of

countless large trees and shrubs whose replacements will take generations to grow to similar size.


3/02/2023 12:17 PM

Unfortunately the council can produce worthy strategies that are largely ignored in the general practice of various council departments , contractors , developers and many members of the community.

Anonymous
3/03/2023 09:18 PM

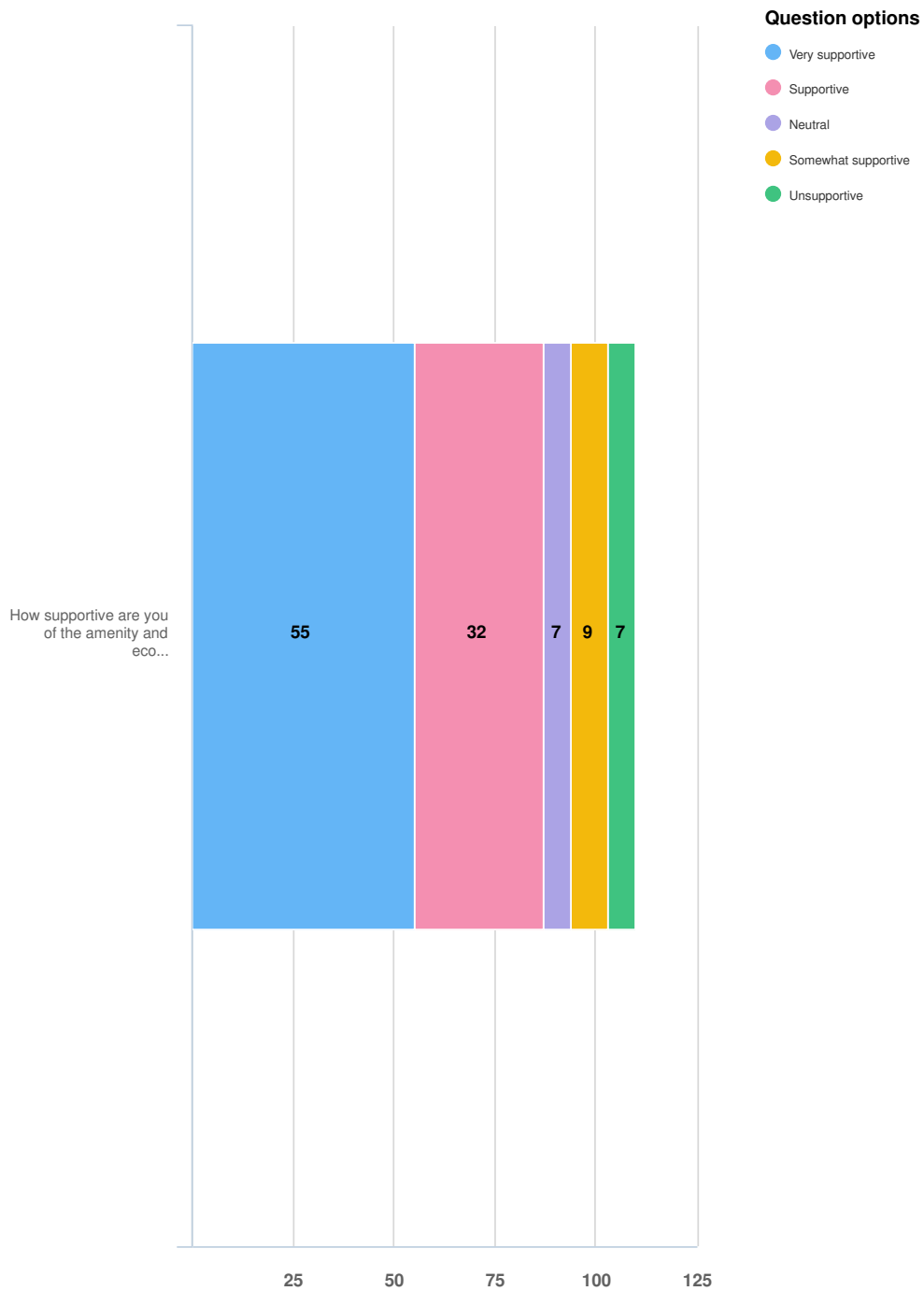
Any tree valuation methods could be interpreted in the way that promote a particular bias that might exist in a group/organisation and therefore needs to be independently reviews by a number of experts and be done in consultation with the community.

Optional question (85 response(s), 26 skipped)

Question type: Essay Question

Have your say on Kingston's Draft Urban Forest Strategy : Survey Report for 01 March 2021 to 03 March 2023

Q7 To support delivery of actions in the Strategy, Kingston is improving its tree valuation method. It recognises that the value of trees includes the amenity provided, as well as the ecological value of the tree in the landscape. Kingston's tree valu...



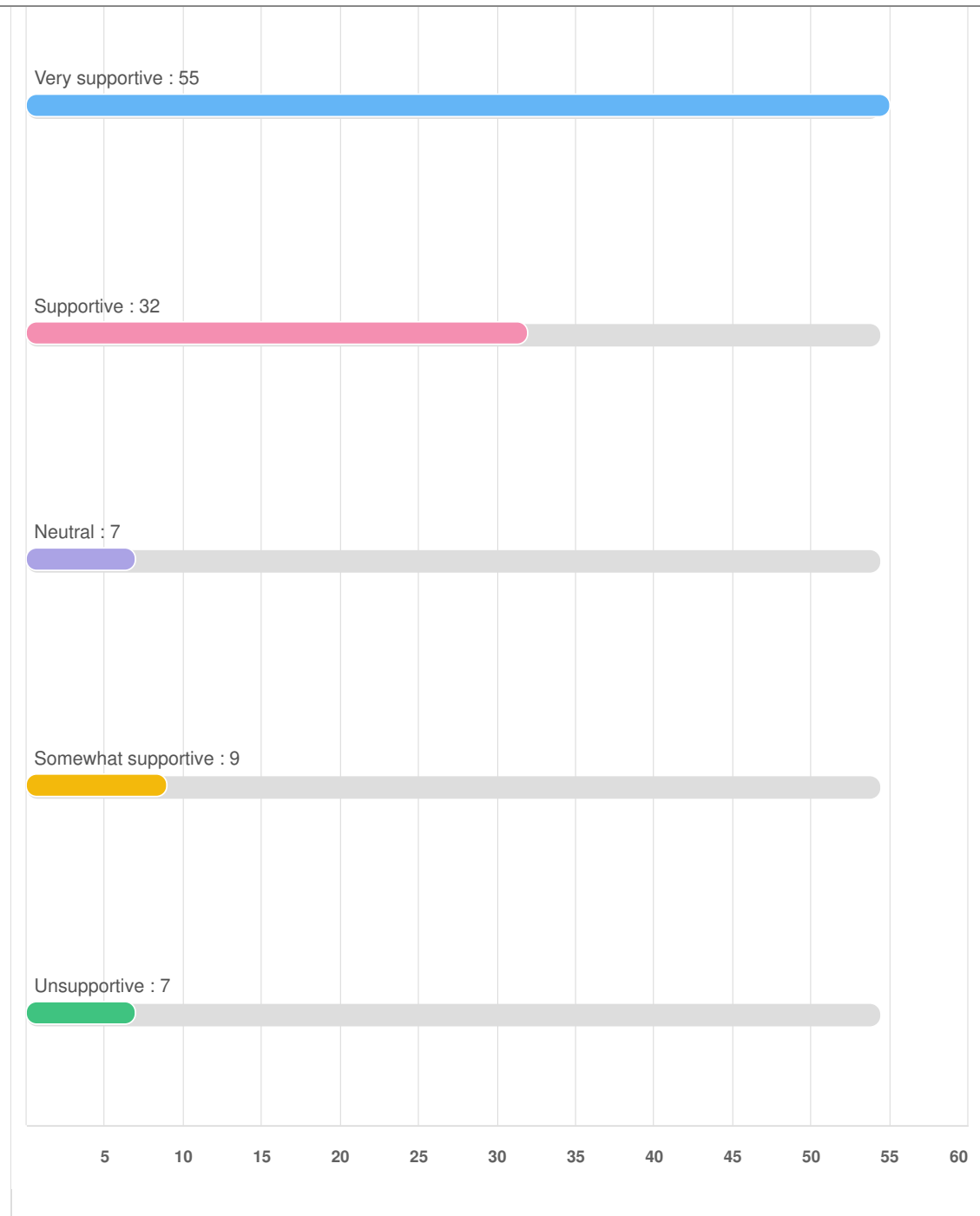
Optional question (110 response(s), 1 skipped)
Question type: Likert Question

Have your say on Kingston's Draft Urban Forest Strategy : Survey Report for 01 March 2021 to 03 March 2023

Q7 To support delivery of actions in the Strategy, Kingston is improving its tree valuation method. It recognises that the value of trees includes the amenity provided, as well as the ecological value of the tree in the landscape. Kingston's tree valu...

How supportive are you of the amenity and ecological value of trees being included in an overall assessment of tree value?

Have your say on Kingston's Draft Urban Forest Strategy : Survey Report for 01 March 2021 to 03 March 2023





AUGUST 2023

URBAN FOREST STRATEGY 2023–30

A framework for protecting and enhancing Kingston's urban forest



Acknowledgement of Country

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

Council acknowledges the Bunurong's continuing relationship to the land and waterways and respects that their connection and spiritual identity are maintained through ancient ceremonies, songlines, dance, art and living culture. We recognise that the knowledge and wisdom of Country have always been here, and it is our vital responsibility to listen, learn and stand in solidarity.

Council will seek to support and enable current and future generations of Traditional Owners to care for and respect Country and will seek out Bunurong Land Council perspectives and continue to shape Council action accordingly.

Other Acknowledgements

Greener Places, Better Spaces & Living Melbourne, The Greener Neighbourhood Guide, the Department of Environment, Land, Water and Planning.

Consultancies: Xylem Trees, Lyndal Plant Urban Forester, Mosaic Insights, Player Piano, Meg Caffin and Lachlan Hughes.

Bayside City Council, Moreland City Council, Manningham City Council, Melbourne City Council and Frankston City Council.

Cover image: Hannah Lin.



Photo courtesy of Yanni Creative

Table of Contents

	Acknowledgement of Country	2
	Executive Summary	4
1	Background	8
1.1	What Is an Urban Forest?	8
1.2	Urban Forest Benefits	9
1.3	Our Urban Forest	10
1.4	Who Manages the Urban Forest?	14
1.5	Tree Canopy Cover	15
1.5.1	Land Ownership and Use	18
1.6	Tree Canopy Cover Change	20
1.6.1	Tree Canopy Cover Change Factors	24
1.6.2	Private Residential Land	24
1.6.3	Open Space	25
1.6.4	Golf Courses	26
1.6.5	Parks & Reserves	27
1.6.6	Conservation areas	27
1.7	Council-Managed Trees	27
1.7.1	Diversity	28
1.8	How Do We Compare?	30
2	Why Now?	33
2.1	Kingston's Community Vision	33
2.2	Issues & Challenges	33
2.3	What We've Heard	36
2.4	Related Council Plans & Strategies	38
3	Our Approach	42
3.1	Choosing a Canopy Cover Target	42
3.1.1	Achieving Kingston's Target	45
3.2	Aims	46
3.3	Objectives	46
4	Action Plan	48
4.1	Timeframes	48
4.2	Governance	48
	Objective 1. Strengthen Enforcement, Controls & Incentives	50
	Objective 2. Improve Strategic & Operational Decision Making	54
	Objective 3. Enhance Communication & Engagement	59
	Objective 4. Effective Partnerships & Advocacy	63
	Objective 5. Improve Data Collection, Analysis & Monitoring	66
4.3	Equity & Accessibility	68
4.4	Resourcing & Investment	68
5	Ongoing Monitoring & Evaluation	69
	Glossary	70
	References	71
	Appendix	72

Executive Summary

This is the City of Kingston's first Urban Forest Strategy.

It aims to protect and enhance our urban forest, increasing our tree canopy cover from 12.3% to 15.3% by 2030 and to 20% by 2050.

This is ambitious but achievable based on Kingston's history, dominant land use types, scientific modelling, and technical feasibility.

In developing this Strategy, we have drawn on Kingston City Council and the Kingston community's many strengths, including a widespread appreciation of nature and a willingness to embrace change when opportunities arise. We have identified opportunities that exist due to our unique position in Melbourne's southeast, recognised gaps in our current knowledge and organisational capability, and we are planning for immediate and long-term threats as the impacts of climate change intensify.

The Kingston community loves trees.

Our urban forest is made up of all the trees, vegetation, soil and water on both public and private land across the city. Our community values our urban forest highly. But there is work to be done to shift the way we think about, value, protect and enhance our urban forest.

The Kingston community loves trees. Feedback on our Climate & Ecological Emergency Response Plan and our Urban Cooling Strategy highlighted how important Kingston's natural environment is to our community for amenity, biodiversity, pollution prevention and climate resilience. Community feedback on our approach to developing our Urban Forest Strategy reinforced these attitudes and told us where our community wants action.

Our urban forest is in decline – but we can reverse this trend.

Kingston's tree canopy cover is currently low – just 12.3% – and is in decline. To successfully protect and enhance Kingston's urban forest, it is crucial that Council and the community work together, seek advice from Traditional Owners, and focus on understanding a range of views. Through listening, sharing knowledge and delivering change, the benefits provided by the urban forest can be maximised, in turn benefiting the entire Kingston community.

OUR OBJECTIVES AND OUTCOMES

Objective 1: Strengthen enforcement, controls and incentives

- Increased tree and vegetation cover on private land.
- Stronger protection of trees and vegetation on private land.
- Increased use of green infrastructure in private developments.

Objective 2: Improve strategic and operational decision making

- Increased tree canopy cover across Council-managed land, with an average 30% tree canopy cover in parks and reserves.
- Increased diversity and resilience of Council-managed trees.
- More equitable distribution of tree canopy cover across our suburbs, including increased links between areas with recognised biodiversity value.
- Blue-green infrastructure integrated into all capital works projects.

Objective 3: Enhance communication and engagement

- Improved community understanding of the benefits of trees, and stewardship of our urban forest.
- Increased community participation in greening and biodiversity programs.
- Council's progress in achieving the aims of the Urban Forest Strategy publicly communicated in a timely and accessible manner.

Objective 4: Effective partnerships and advocacy

- Council has clear policy positions for the future of our urban forest and demonstrates consistent advocacy in this area.
- Traditional Owners' views are embedded into the management of our urban forest.
- Council has effective partnerships and can demonstrate project successes.

Objective 5: Improve data collection, analysis and monitoring

- Council's tree data is accessible, up-to-date and informs strategic and operational decision making.

ACHIEVING OUR TARGETS

To achieve our targets, tree removals on private, residential land must be halved; new plantings on private land must double; and high quality, well-maintained new plantings on Council land must continue.

At the same time, we need to prepare for the impacts of climate change that will create stress for our urban forest. This means integrating blue-green infrastructure into landscapes, selecting climate-resilient species and planting canopy shade trees in urban hot spots.

CRITICAL AND HIGH-PRIORITY ACTIONS

Given the immediacy of the challenges, Kingston's Urban Forest Strategy prioritises actions that can result in meaningful increases in tree canopy cover in the shortest amount of time.

The most critical actions seek to immediately address avoidable and illegal tree removals, audits to identify gaps in our street tree plantings, and the development of a community focused engagement and communications program.

High-priority actions are focused on ensuring that replacement trees are planted and maintained at a rate that will compensate for approved removals.

Modelling predicts these actions will contribute 3% to Kingston's tree canopy cover by 2030.

In addition to these critical and high-priority actions, support for community-led initiatives, school-based programs, and community education will aim to increase the value community members place on trees and their sense of stewardship of these amazing assets. Targeted advocacy will ensure other major land holders within the municipality are equally focused on protecting and enhancing our urban forest.

Kingston's Urban Forest Strategy is a key deliverable of our Climate and Ecological Emergency Response Plan. Council understands that significant, additional, urgent action is fundamental to addressing our ecological emergency.

CURRENT ACTIONS PROTECTING AND ENHANCING OUR URBAN FOREST

Significant work is already underway to protect and grow trees and vegetation across Kingston:

- **Free plant giveaways**
 - » Each Autumn, thousands of native plants are given to residents. Over 17,000 plants have been distributed since the program was established in 2019.
- **Increased spending on tree planting and management**
 - » Over 12,000 semi-advanced trees were planted between 2018 and 2022, contributing 1% to Council's tree canopy. In 2023, Council has increased their street tree planting program a further 70% to approximately 4,500 street trees, in addition to planting approximately 45,000 native and indigenous plants.
- **Partnering with Traditional Owners and the community**
 - » Council is working alongside the Bunurong Land Council, Friends Groups and volunteer working bees to protect and enhance biodiversity through weed management and revegetation programs.
 - » The Gardens for Wildlife is a free program helping residents, businesses, kindergartens, and schools to create more wildlife friendly habitats in their gardens and learn about growing indigenous plants. Over 500 properties have participated in the highly popular program since it was established in 2020.

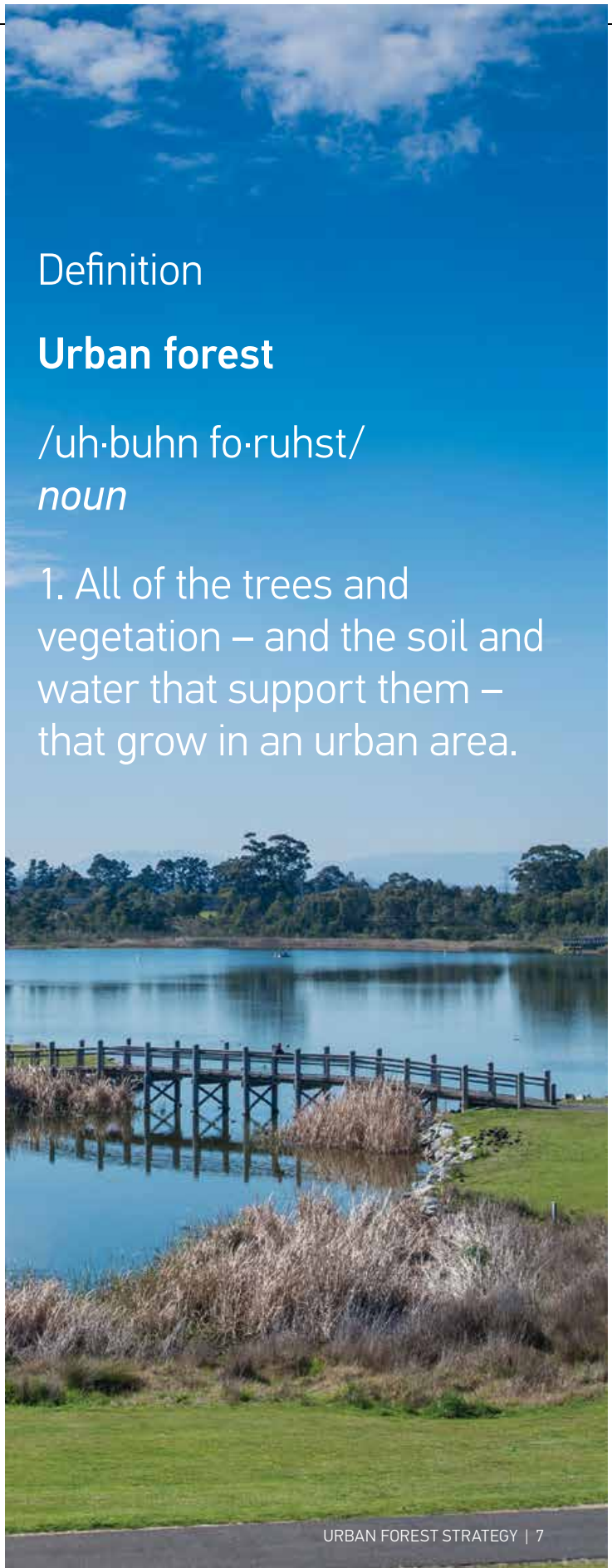
- **Tree protection and planning controls**
 - » Applications for permission to remove one or more protected trees have increased in recent years. Kingston's Community Local Law and Significant Tree Register are important tools to protect trees and ensure replacement plantings occur, while stronger statutory controls are developed and approved.
 - » Council has been working with the community to develop new residential planning controls. These changes will strengthen landscaping requirements for new residential developments, including specific requirements for the planting of canopy trees and the use of green infrastructure.
- **Strong advocacy**
 - » Kingston Council strongly advocates for 3:1 replacement of all removed trees for major state government transport projects, and significant residential and industrial redevelopments.
 - » Where golf courses seek to cease operations, Council advocates for the land to be used for public or private open space purposes that allow the land to retain its green and open vistas.

Definition

Urban forest

/uh·buhn fo·ruhst/
noun

1. All of the trees and vegetation – and the soil and water that support them – that grow in an urban area.



1 Background

1.1 WHAT IS AN URBAN FOREST?

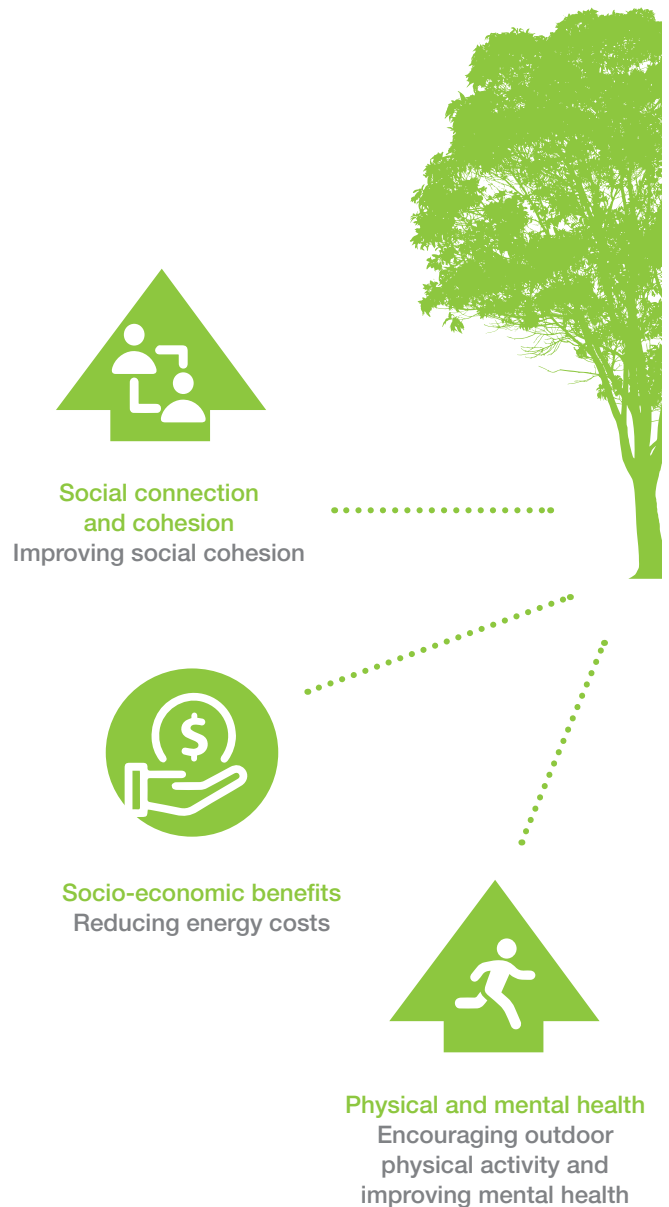
Kingston's urban forest is all the trees and other vegetation – and the soil and water that supports it – within the city. It incorporates vegetation in streets, parks, gardens, boulevards, car parks, wetlands, railway corridors, community gardens, green walls, balconies, roofs and front and back yards.

Urban forests provide critical ecosystem services, such as air and water filtration, shade, habitat, oxygen, carbon sequestration and nutrient cycling. The urban forest also provides a connection to nature that is highly valued in urban areas.

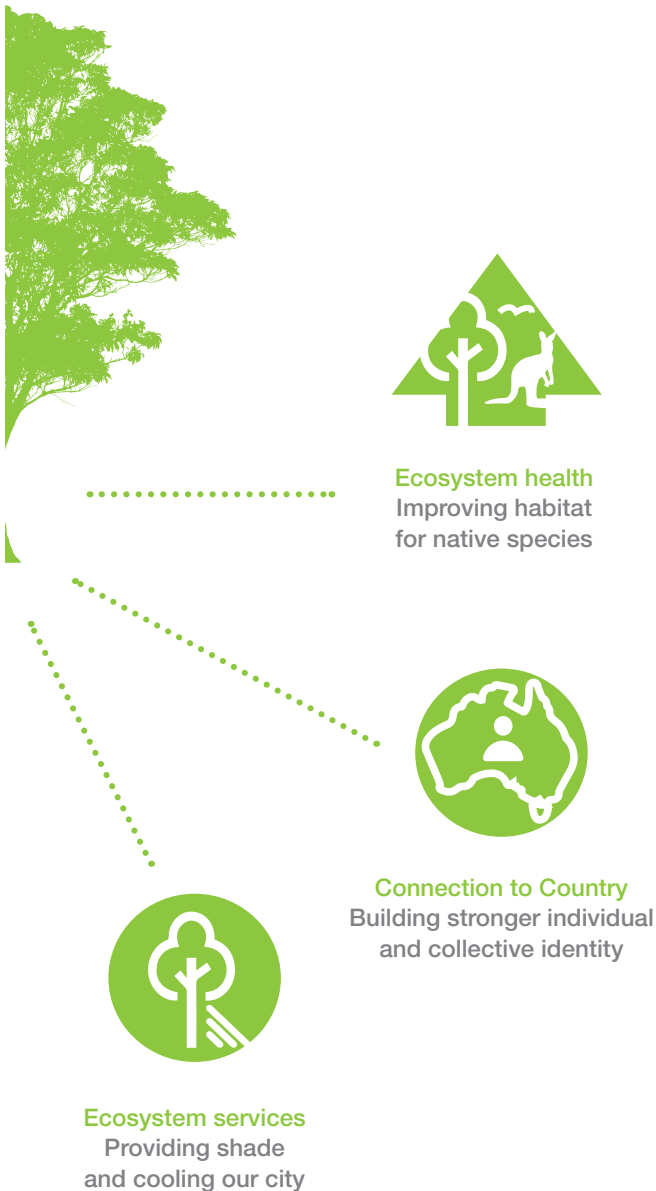
Urban forestry considers the cumulative benefits of trees and vegetation across a town or city. Looking holistically at the urban forest and its associated ecosystem services helps us consider the broader issues of climate change, urban heat, biodiversity loss and population growth that can be influenced by and can affect the urban forest¹.

Management of the urban forest extends well beyond local government. Residents, schools, community groups, developers, business, industry and state and federal government agencies all have important roles to play.

The City of Kingston is responsible for managing the urban forest on Council land, local roads, footpaths, and infrastructure such as drainage. However, Council's influence extends beyond that to trees and vegetation within the private realm, and what it asks of other levels of government. These responsibilities are key focus areas of this Strategy.



Pictured centre: Benefits of nature and the urban forest – extracted from *Living Melbourne: Our Metropolitan Urban Forest* (2019), The Nature Conservancy and Resilient Melbourne.



1.2

URBAN FOREST BENEFITS

The Kingston community loves trees and vegetation. Feedback on other strategies and plans has highlighted how important Kingston's natural environment is to our community in terms of amenity, biodiversity, pollution prevention and climate resilience. Trees and vegetation provide a range of social, economic and environmental benefits, including:

- Increased connection to nature
- Reduced urban heat and hot spots
- Increased amenity
- Improved liveability, mental health and wellbeing
- Greater use of active transport (via shaded walking and cycle paths)
- Increased habitat and biodiversity corridors
- Improved human thermal comfort
- Reduced mechanical cooling requirements, energy use and bills
- Reduced carbon in the atmosphere
- Reduced air pollutants
- Increased storage of carbon for the longer term
- Reduced local impacts of flooding
- Increased property value.

More people are choosing to live in cities. This presents a series of challenges that reduce and threaten the liveability of our cities.

Kingston's Community Vision includes building the most liveable and sustainable city in Victoria. Nature is increasingly recognised as one of our most valuable, resilient assets for maintaining and improving liveability. To unlock the economic health and social dividends that strengthen our ability to thrive, we must protect and enhance our urban forest².



1.3
OUR URBAN FOREST

Trees and vegetation are a part of Kingston's character. The story of Kingston's Sandbelt began almost 80,000 years ago³.



Kingston Urban Forest Timeline

80,000 to 6,000
years ago

120
years ago

Year
2000

Year
2001

Year
2007

Year
2008

Council initiates
protection of
neighbourhood trees

Kingston's Biodiversity Strategy

Council amends Local Law No. 5 (Environment) to include protection of significant trees and vegetation

Urban development and densification alters the urban forest. It is believed that less than 2% of the areas originally covered by forest remain.

European settlers arrive. Sand mining commences. Dune areas become dominated by introduced grasses. European plants and animals are widely introduced. Some remaining native communities can be found in parks and reserves, along creeks and railway lines and

Over thousands of years sea levels rise and fall, progressively forming the sandbelt region characterised by its parallel sand dunes. The original custodians of the land, the tribes of the Kulin Nation, use fire to alter the species composition in favour of fire adapted plants. Ten vegetation communities develop across the sandbelt, including heathland, wet heathland, swamp scrub, wetlands, coastal and grassy woodland. The Carrum Carrum Swamp, covering 5,000 acres is rich in terms of plant and animal numbers and diversity. Coastal scrub and Coastal banksia woodland extend 500m inland in places.

Year 2010	Year 2012	Year 2014	Year 2019	Year 2020	Year 2021	Year 2022
						Kingston's tree canopy cover is 12.3%. Climate change, urban heat and loss of biodiversity continue to be identified as key issues by the Kingston community via a range of consultations.
					Kingston's Climate and Ecological Emergency Response Plan is endorsed with a priority to develop an Urban Forest Strategy.	
				Kingston declares a Climate & Ecological Emergency and resolves to ensure a 3:1 replacement of all removed trees and 2:1 replacement of native vegetation.		
			Kingston's Street and Park Tree Management Strategy is adopted.			
			Kingston joins with 40 other organisations and formally endorses <i>Living Melbourne: Our Metropolitan Urban Forest – a strategy for a greener, more liveable Melbourne.</i>			
		Kingston's tree canopy cover is 13.1%.				
	Kingston's Green Wedge Plan is published.					
Kingston's Tree Management and Technical Guidelines are developed.						

introduces the Significant Tree Register and associated planning overlay (ES03) to trees identified as significant, with the aim of preserving the municipality's leafy urban character, cultural heritage, history, and biological diversity.

Urban Forest Strategy is adopted.

Environment and Amenity) to include the protection of trees requiring a permit for their removal.

natural landscape to such an extent that natural plant communities remain intact.

removal of weeds and unwanted vegetation on some golf courses.



14 | URBAN FOREST STRATEGY

1.4

WHO MANAGES THE URBAN FOREST?

It's important to understand who has responsibility for planting, maintaining, and replacing trees and other vegetation across the city.

PUBLIC**Kingston City Council:**

Trees and vegetation located in Council parks and reserves, around community buildings, and street trees.

Council also has agreements with other state agencies such as VicRoads, Melbourne Water and Parks Victoria for maintaining some of the trees and vegetation on or around state/crown land.

In the coming years, Council will also be handed responsibility for maintaining the trees and vegetation established as part of Level Crossing Removal Projects (LXRP).

Other Public Land Managers:

Trees and vegetation on public land owned and managed by other state government departments and agencies responsible for education and health, roads, rail, airport infrastructure and other services and utilities.

PRIVATE

Trees and vegetation across residential, industrial and commercial areas, in private schools, large parts of the green wedge, and on privately owned roads and golf courses.

Kingston City Council retains an important regulatory role in relation to protecting and enhancing trees and vegetation on private land through the planning scheme and Community Local Law.

1.5

TREE CANOPY COVER

Tree canopy cover is the area of tree canopy that covers a specific area of land – for example, municipality, suburb, street, land type or block. This important measure of urban forest represents many of its benefits, such as the amount of shade provision, stormwater interception, carbon storage and sequestration, and amenity. Tree canopy is an important starting point for understanding the extent of the urban forest.

In 2022, Council commissioned a detailed analysis of the city's urban forest using LiDAR, aerial imagery and machine learning. Results from this analysis describe Kingston's urban forest via a range of metrics including baseline canopy cover and vegetation condition. This method of analysis will allow Council to track these metrics accurately and cost-efficiently over the lifespan of this strategy.

WHAT IS LiDAR?

Light Detection and Ranging, or LiDAR, is an active remote sensing method used to accurately measure the landscape in three dimensions. When combined with 2-D aerial imagery, LiDAR is an extremely powerful tool for mapping vegetation in both natural and urban environments.

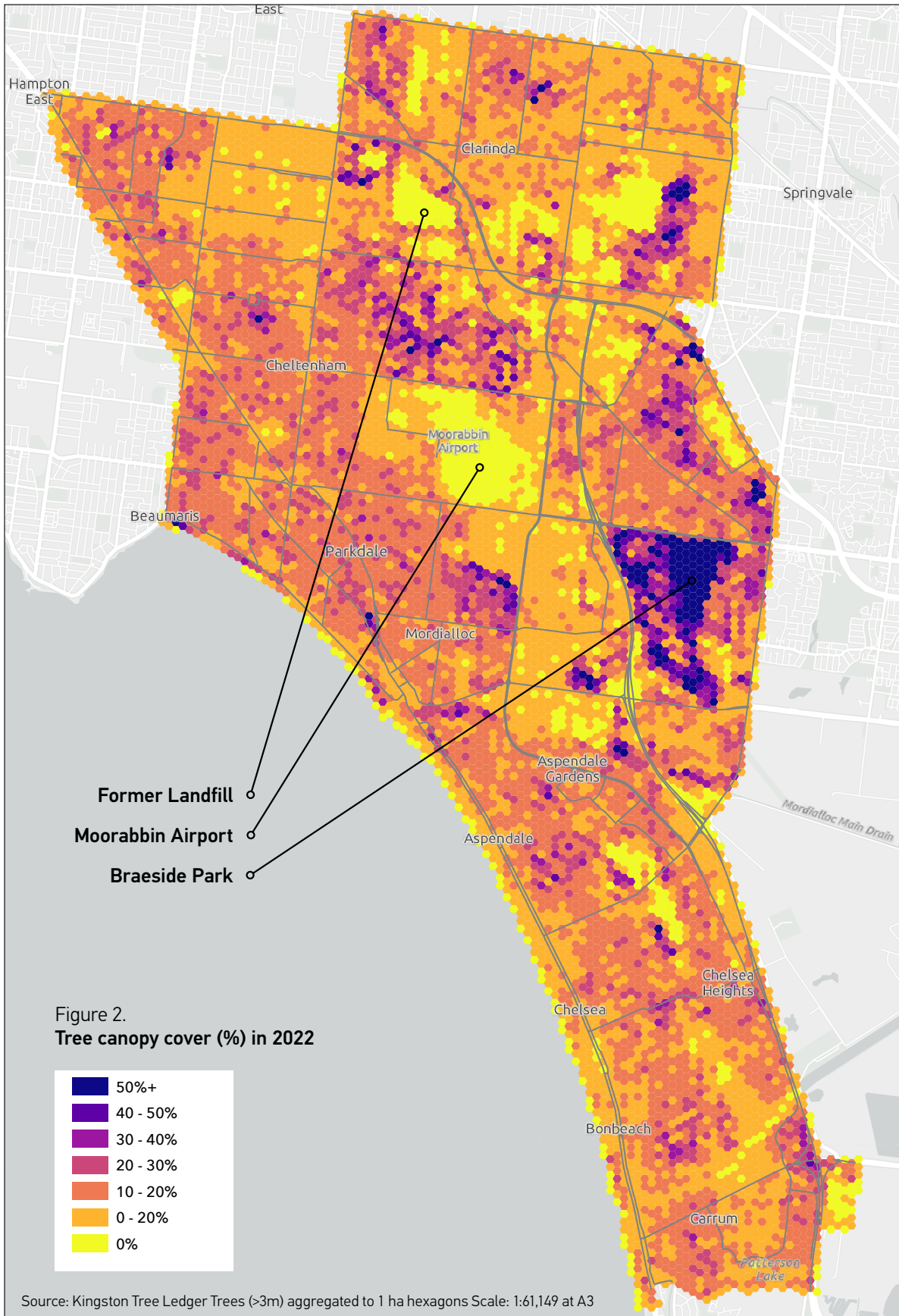
LiDAR is forecast to be an increasingly useful tool for monitoring compliance and assessing the success of developed programs aimed at tree protection and enhancement⁴.

The analysis showed Kingston's tree canopy cover is 12.3%.



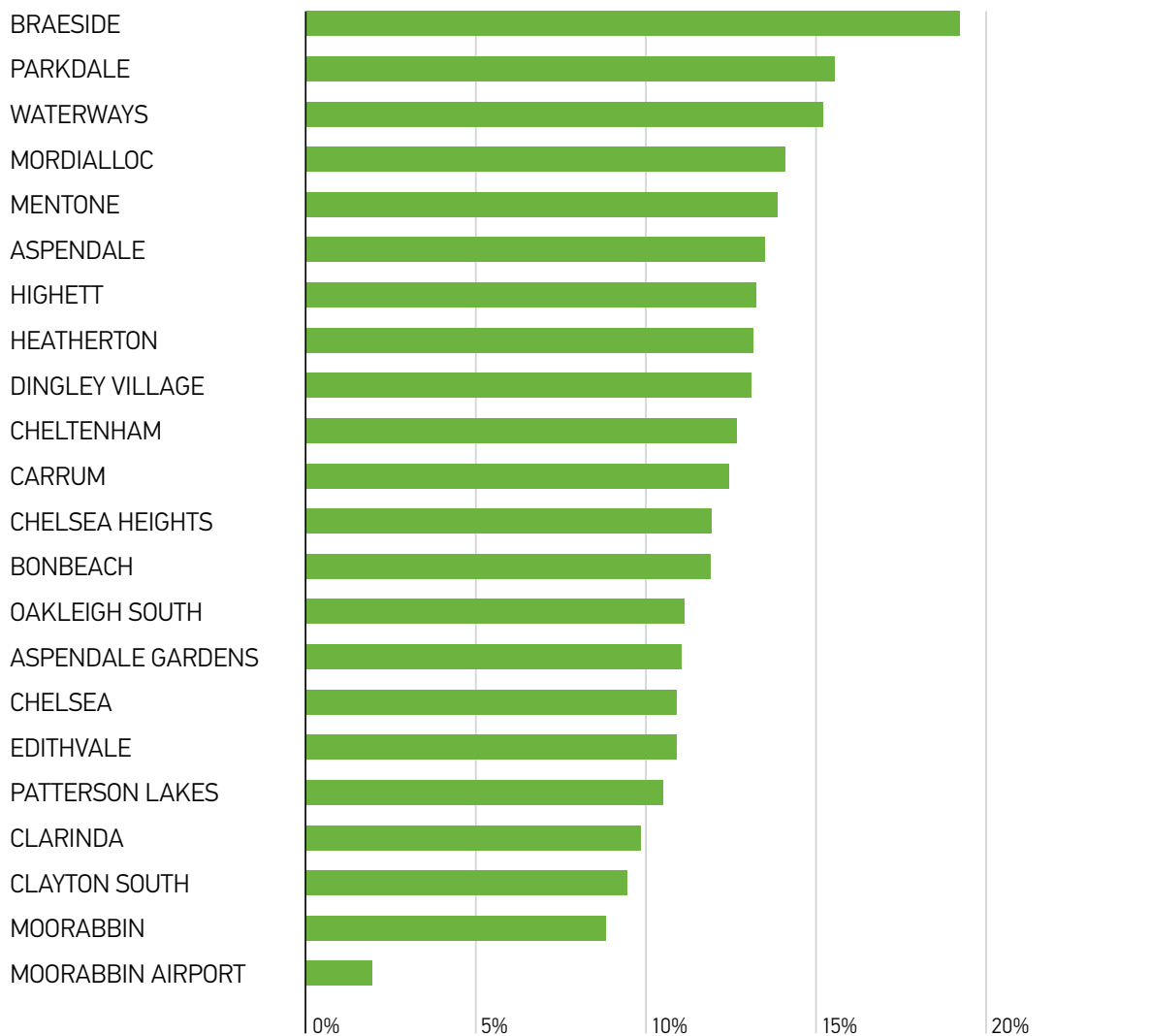
Figure 1.

An aerial photograph of a residential area in Kingston showing tree canopy outlines as measured by LiDAR and AI. Like tree growth rings, each outline represents one year across the study period (2014 to 2022).



Kingston's canopy is not uniform and varies across suburbs.

Figure 3.
Tree canopy cover (%) by suburb in 2022



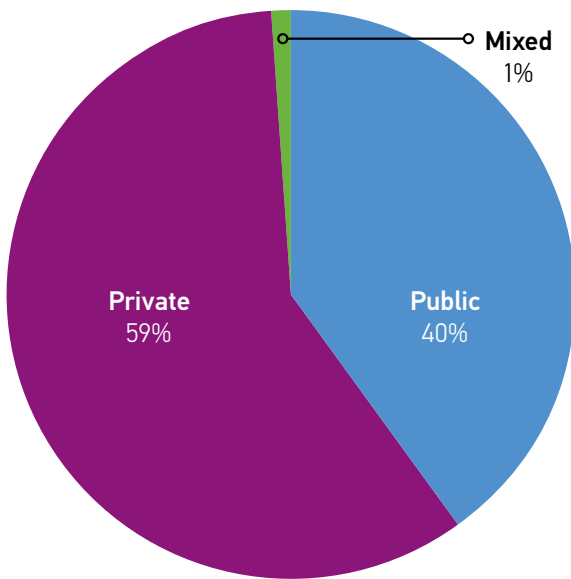
Note: Slight differences between the data presented above and that cited in Kingston's Urban Cooling Strategy are attributable to updated LiDAR data.

1.5.1

LAND OWNERSHIP AND USE

At a land ownership and land use level, there is variation in canopy cover as well. This reflects Kingston’s unique geology, land typology and history, including extensive areas of former landfill, significant industrial precincts, an aviation precinct (Moorabbin Airport) and large public and private golf courses. Of the 1,127 ha of Kingston’s canopy cover, it is estimated that 40% is on publicly owned land, 59% is in private ownership, with the rest classified as mixed use.

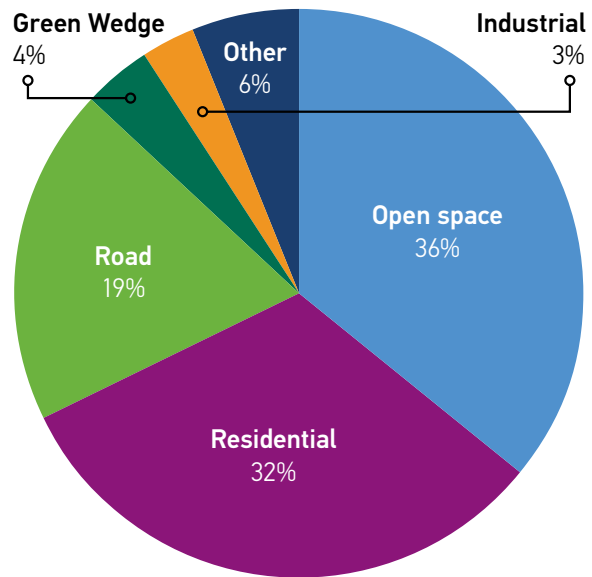
Figure 4.
Tree canopy cover by ownership
(as % of total LGA) in 2022



The majority (86.8%) of Kingston’s canopy cover is in open space, residential land and roads. Nearly one-third (32%) of Kingston’s canopy cover is on residential land – which comprises nearly one-third (32.9%) of land within the municipality. While residential land contributes to a significant portion Kingston’s canopy cover, only 3.9% of residential land is covered by tree canopy.

In comparison, over one-third (36.2%) of Kingston’s canopy cover is in open space – which comprises less than one-fifth (18.3%) of land within the municipality. Yet, 24.3% of open space is covered by tree canopy.

Figure 5.
Tree canopy cover by land use breakdown
(as % canopy cover that is land use) in 2022



Note: Open Space includes all parks and reserves (including those managed by Parks Victoria and Melbourne Water), conservation areas, foreshore areas and golf courses across Kingston.

The majority (86.8%) of Kingston's tree canopy cover is in open space, residential land and roads.

Table 1.
Tree canopy cover and land use breakdown for 2022

Land Use Classification	Canopy as % of total LGA	Land use as % of total LGA	% of land use that is canopy	% of canopy that is land use
Open space	4.5	18.3	24.3	36.2
– Golf courses	1.5	6.3	23.2	11.9
– Council-managed parks and reserves	1.2	7.2	16.2	9.4
– Council-managed natural resource areas	0.4	1.6	22.2	2.82
Residential	3.9	32.9	3.9	32
Road	2.3	17.5	13	18.6
Green Wedge	0.5	6.6	0.5	4.1
Industrial	0.4	11.4	0.4	3.3
Other (water bodies, utilities & services)	0.3	5.8	0.3	2.7
Education & Medical	0.2	1.4	11.3	1.3
Transport (airport & rail), commercial and mixed use	0.2	6.2	0.2	1.8
Total	12.3	100	NA	100

Note: Conservation areas include foreshore areas. Many conservation areas are also within Council-managed parks and reserves.

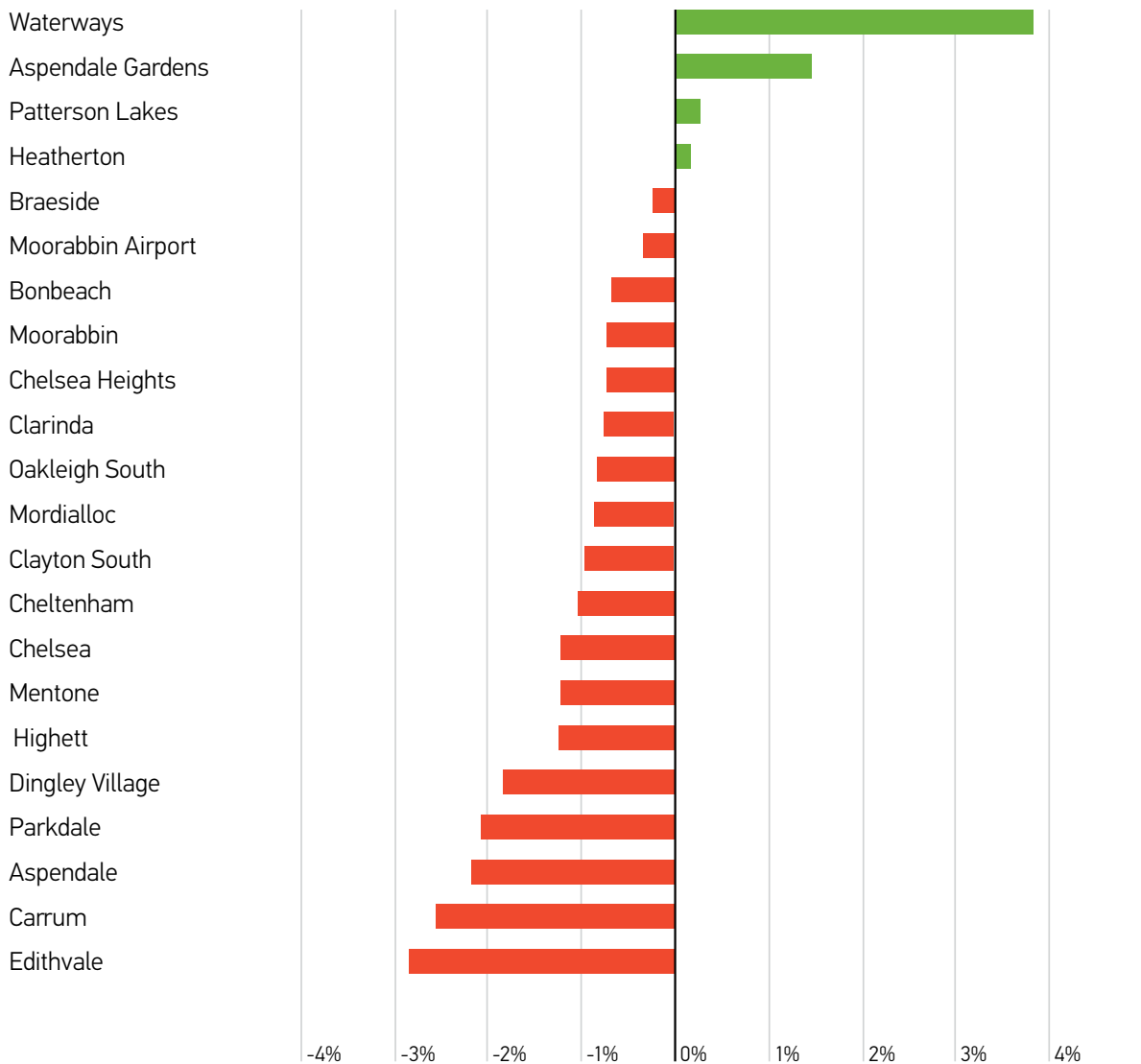
Golf courses within Kingston provide almost as much tree canopy cover as all Council-managed parks, reserves and conservation areas combined.

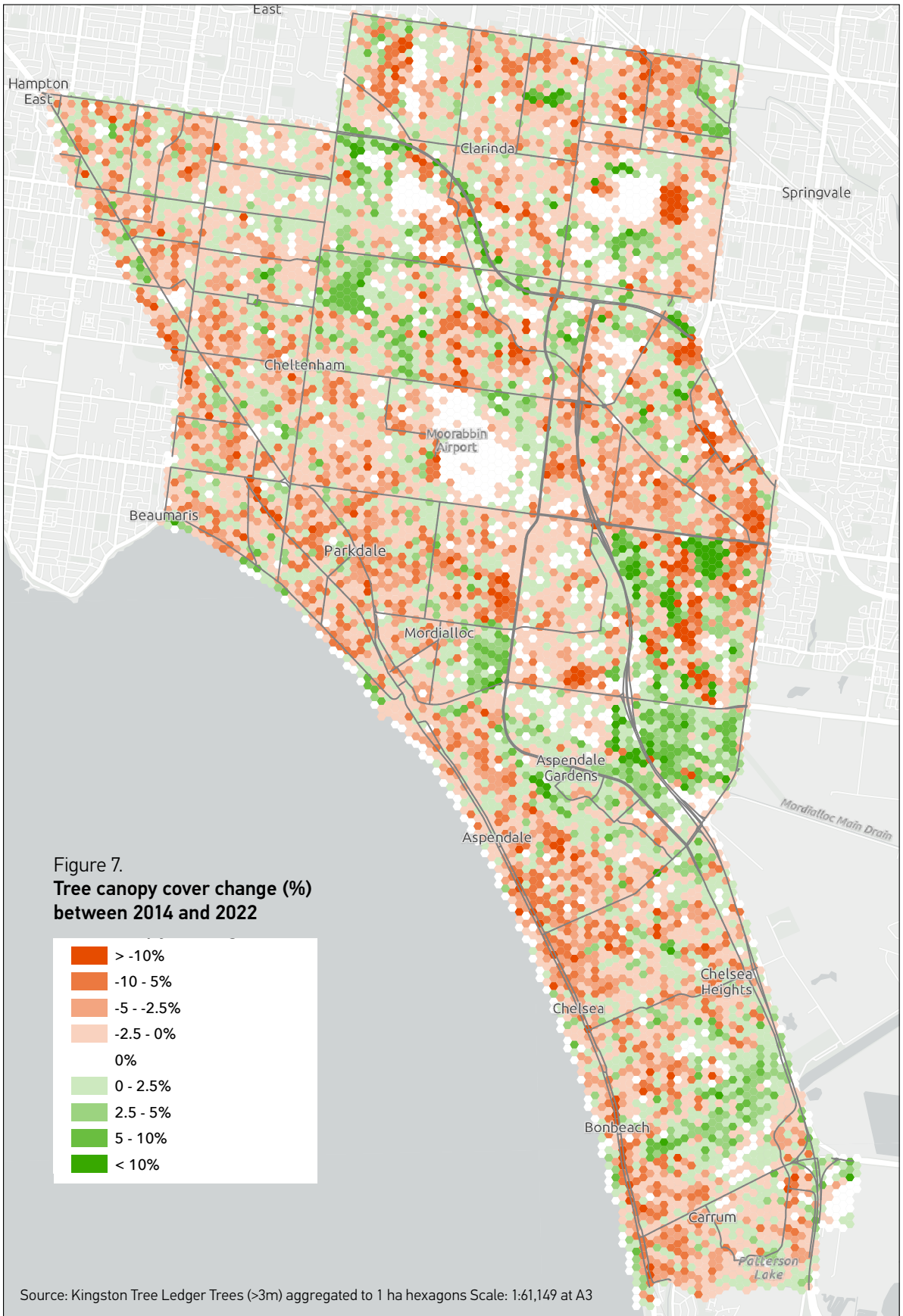
1.6

TREE CANOPY COVER CHANGE

Kingston's canopy has changed over time and this change varies across suburbs. The greatest loss is in Edithvale and Carrum, with the greatest gain in Waterways and Aspendale Gardens.

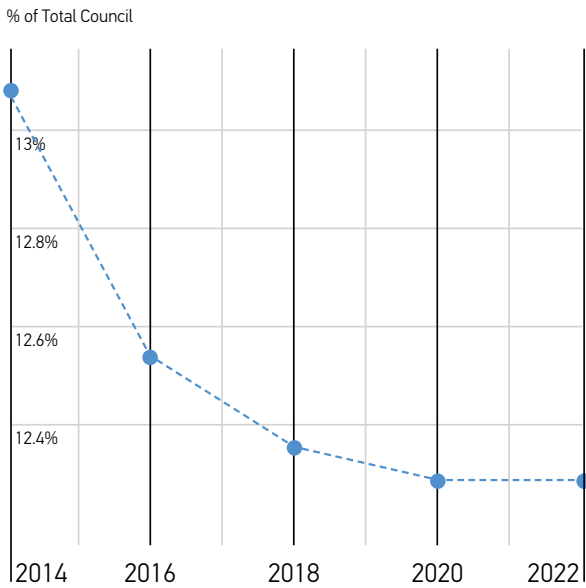
Figure 6.
Tree canopy cover change (%) by suburb between 2014 and 2022





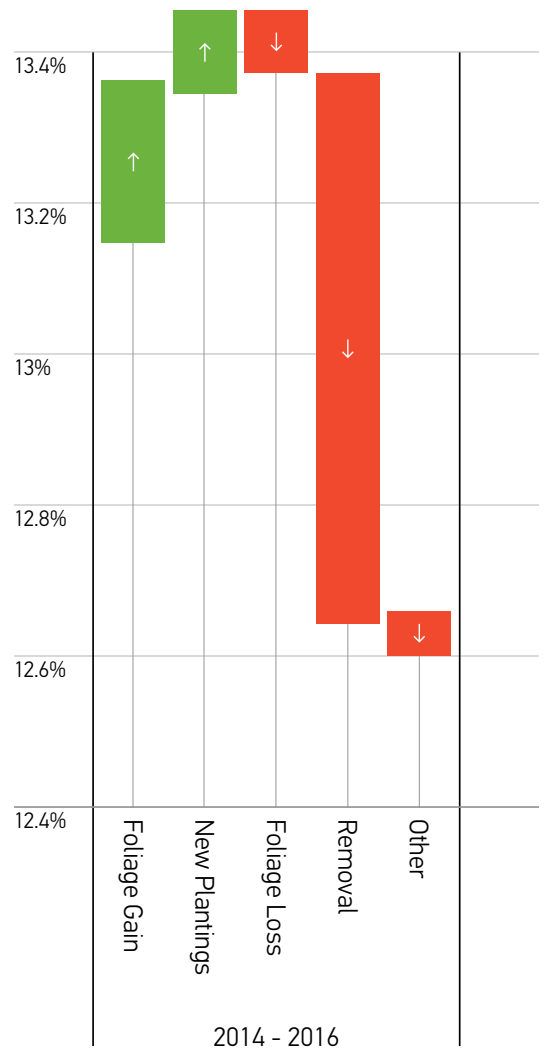
Kingston's canopy can be further analysed to understand what has influenced this change over time.

Figure 8.
Overall tree canopy cover change (%) between 2014 and 2022

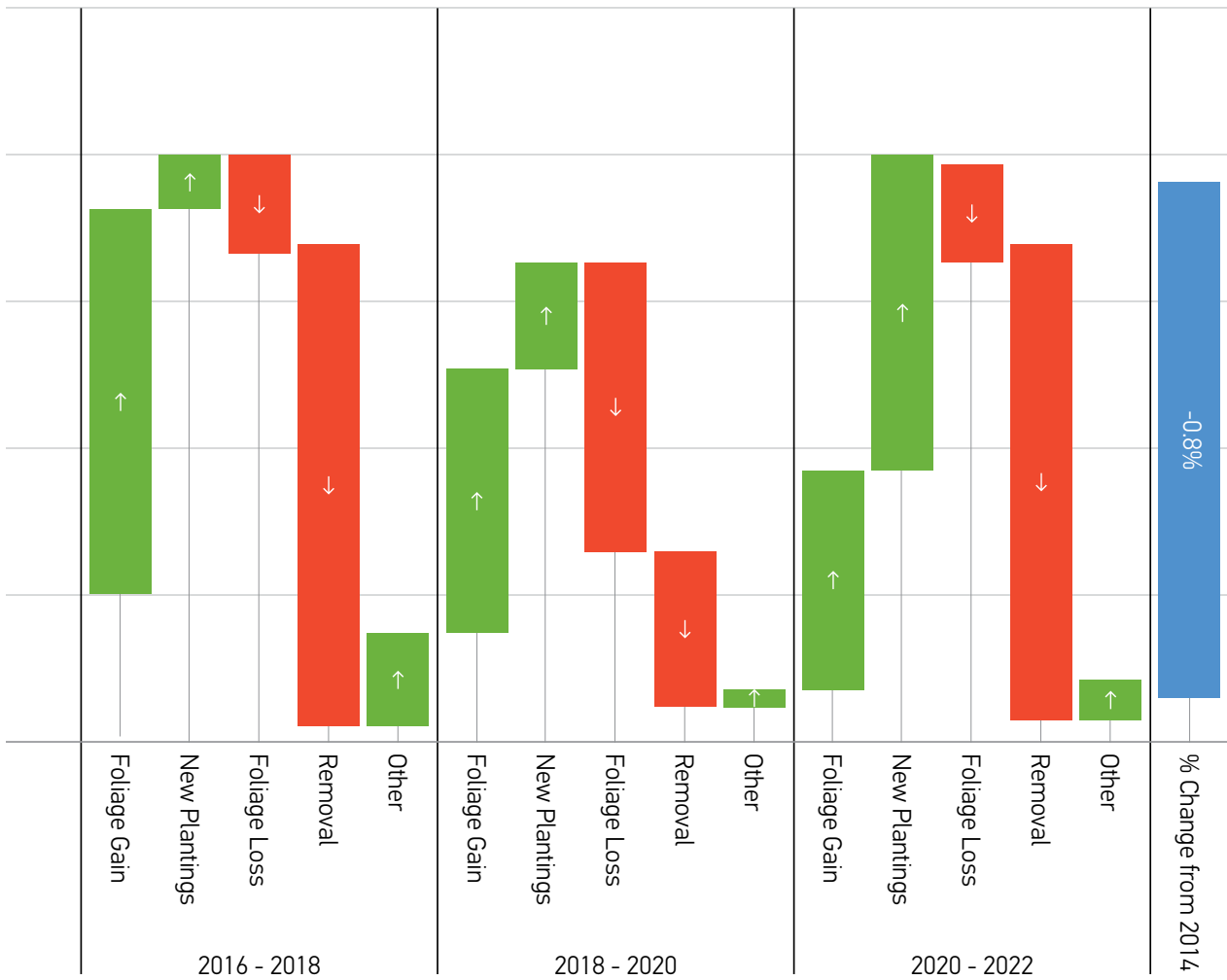


The LiDAR data enables us to analyse data over four consecutive periods between 2014 and 2022, enabling change in tree canopy cover over time to be measured. The data shows a 0.8 percentage point decline (from 13.1% to 12.3%) in canopy cover between 2014 and 2022.

Figure 9.
Overall tree canopy cover change (%) broken down by factor, between 2014 and 2022



Since 2014, despite significant established tree foliage gain and growth in new plantings, Kingston's canopy cover has declined as a result of tree removal.



1.6.1

TREE CANOPY COVER CHANGE FACTORS

Our analysis has identified four main factors that influence to canopy cover change:

- **Tree removals:** Trees that have been removed during the study period (e.g. 2020 to 2022).
- **New plantings:** Woody plants that have grown >3m tall during the study period. There are typically a few years delay between when a tree is planted and when it is classified as a ‘new tree’.
- **Foliage loss and gain:** Tree crown growth/loss, this is primarily influenced by environmental conditions, tree health and maintenance (e.g. pruning).

Kingston’s focus on planting trees is beginning to be seen in the data. However, ongoing tree removals are continuing to offset the gains from plantings. Foliage gain during recent La Niña climatic conditions has also contributed positively.

Refer to the Appendix for detailed maps for each canopy change factor – foliage growth, new trees and tree removals – across the municipality between 2014 and 2022.

1.6.2

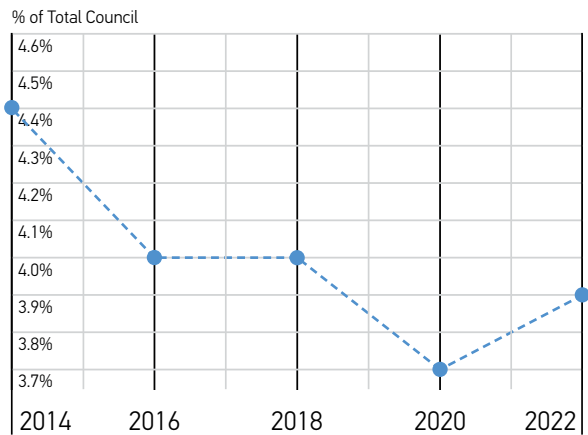
PRIVATE RESIDENTIAL LAND

Tree removals on private residential land are the largest contributing factor to Kingston’s canopy cover decline. This has resulted in a 0.5 percentage point loss (from 4.4% to 3.9%) in overall canopy cover between 2014 and 2022. This is despite foliage gain, and a recent increase in new plantings.

Refer to the Appendix for a detailed breakdown of tree canopy cover change factors on private residential land.

Figure 10.

Tree canopy cover change (%) on private residential land between 2014 and 2022



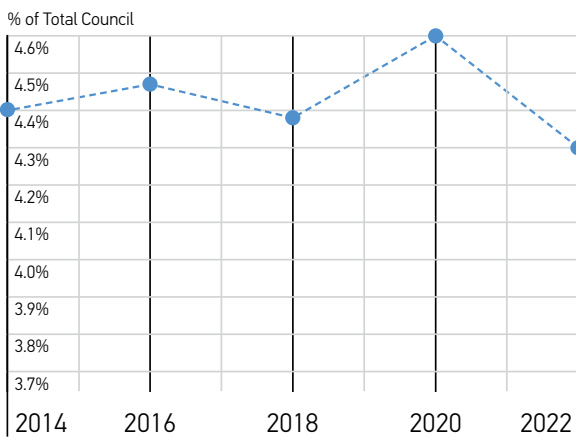
Tree removals on private residential land are the largest contributing factor to Kingston’s canopy cover decline.

1.6.3
OPEN SPACE

Canopy cover change in open space is mostly stable but with variability in the canopy change factors. This is due to the underlying land uses– golf courses, parks and reserves, and conservation areas – each with different management priorities. Tree removals in open space are largely compensated for by new plantings resulting in a 0.06 percentage point loss (from 4.4% to 4.34%) in overall canopy cover between 2014 and 2022.

Refer to the Appendix for a breakdown of tree canopy cover change factors in open space.

Figure 11.
Tree canopy cover change (%) in open space between 2014 and 2022



Tree canopy cover change in open space is mostly stable.





1.6.4

GOLF COURSES

Canopy cover on golf courses is 23.2% and contributes 1.47% to overall canopy cover. Between 2014 and 2022, the canopy cover on golf courses declined, resulting in a 0.11 percentage point loss (1.58% to 1.47%) in overall canopy cover.

Golf course out-of-play areas often include significant areas of trees and vegetation. Studies of urban green spaces in the greater Melbourne have shown golf courses to be important for urban biodiversity conservation.⁵

However, golf in Victoria is in transition as it responds to changing demographic and participation trends. Due to these trends and increasing operating costs one club in Kingston has closed and the landowner is seeking to transition this site into other uses. These changes foreshadow potentially significant impacts to our urban forest.

1.6.5

PARKS & RESERVES

Canopy cover in Council-managed parks and reserves is 16.2% and contributes 1.16% to overall canopy cover. Between 2014 and 2022, the canopy cover in these areas declined, resulting in a 0.06 percentage point loss (1.22% to 1.16%) in overall canopy cover.

It is increasingly recognised that parks and reserves offer multiple, concurrent uses; active and passive recreation, social and leisure opportunities and connection to nature. Council recognises the need to balance these uses with the needs of the community. Once adopted, Kingston's Open Space Strategy (currently under review) will provide additional information on this issue.

Council estimates that Council-managed parks and reserves have the capacity to contribute an additional 22.2 ha of tree canopy cover by 2030. This would increase canopy cover across Kingston by less than 1%. Refer to Section 3.1 for further information.

1.6.6

CONSERVATION AREAS

Kingston's conservation areas are an important component of Kingston's urban forest and include a diverse range of ecosystems including wetlands, woodlands, heathlands and grasslands. Council's overall objective for the management of conservation areas is to improve biodiversity by restoring ecological functions, reducing weed cover and strengthening habitat linkages.

Canopy cover in Council-managed conservation areas is 22.2% and contributes 0.35% to overall canopy cover. Between 2014 and 2022, the canopy cover in these areas remained stable.

It's important to appreciate that canopy trees are not a dominant feature of some vegetation communities in Kingston. Council's key measure for the success of its conservation area management programs is vegetation quality. For more information, please refer to Kingston's Biodiversity Strategy (currently under review).

1.7
COUNCIL-MANAGED TREES

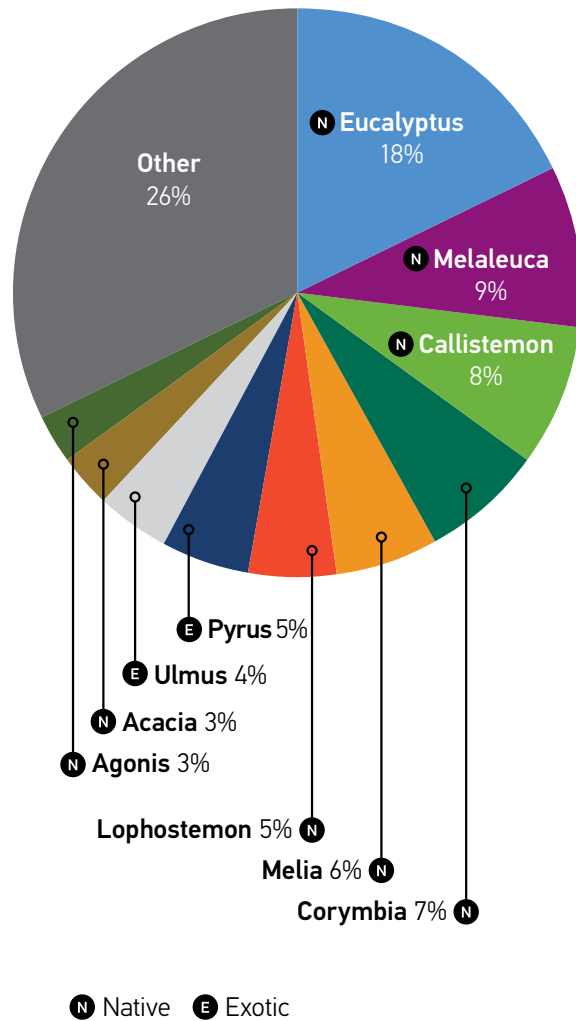
Kingston's Tree Asset Register (part of Kingston's asset management system) contains data on more

than 81,000 Council-managed trees in parks and streets. Although the data is only partially complete it still gives us a general picture of the diversity of Council-managed trees.

1.7.1
DIVERSITY

Over two-thirds (68%) of Council-managed trees come from just 10 different genera, of which 8 are Australian native. Council is continually reviewing species diversity to ensure it remains appropriate in terms of overall health, vigour and habitat potential in the context of climate change. Industry standards recommend that no one family dominates by more than 30–40%, no genus by more than 20% and no species by more than 10%.⁶

Figure 12.
Top 10 genus of Council-managed trees



Council's trees are dominated by mature and semi-mature trees, and align with industry standards, which recommend 15%–30% Juvenile; 30%–45% Semi-mature; 25%–30% Mature; and less than 5% Senescent. This demonstrates Council's management approach of replacing trees that have reached the end of their useful life expectancy.

Almost one-quarter (23%) of Council-managed trees are less than 3 metres tall. Over two-thirds (68%) are 3 to 10 metre. With less than one-tenth (8%) more than 11 metres tall or taller. Council plants tree species selected for their suitability to the site and considers a range of factors including aesthetics, function, future-climate suitability and the presence of overhead powerlines.

Figure 13.
Life stage classes of Council-managed trees

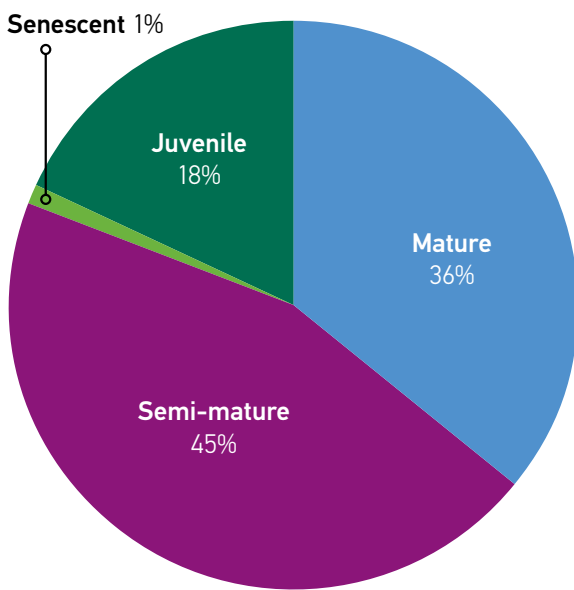
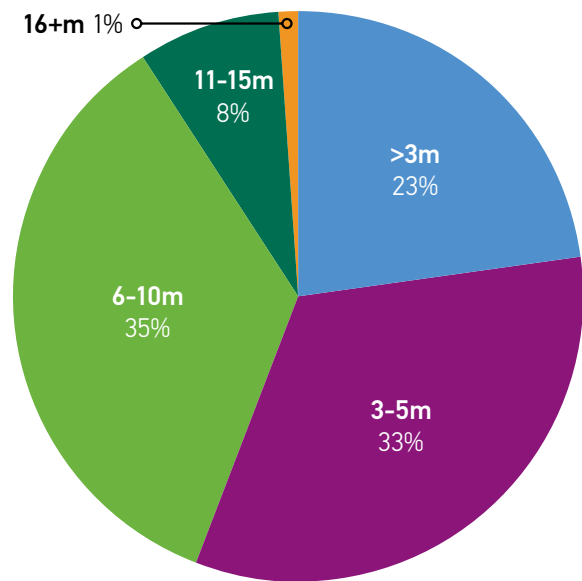


Figure 14.
Height classes of Council-managed trees





1.8

HOW DO WE COMPARE?

Kingston's tree canopy cover is 12.3% and is considered low relative to other metropolitan municipalities. This reflects our unique geology, land typology and history, including a range of land uses not typically found in middle-ring metropolitan areas. This includes the Moorabbin Airport, extensive areas of former landfill in Kingston's Green Wedge and state-significant industrial precincts that have historically restricted the ability to expand canopy cover.

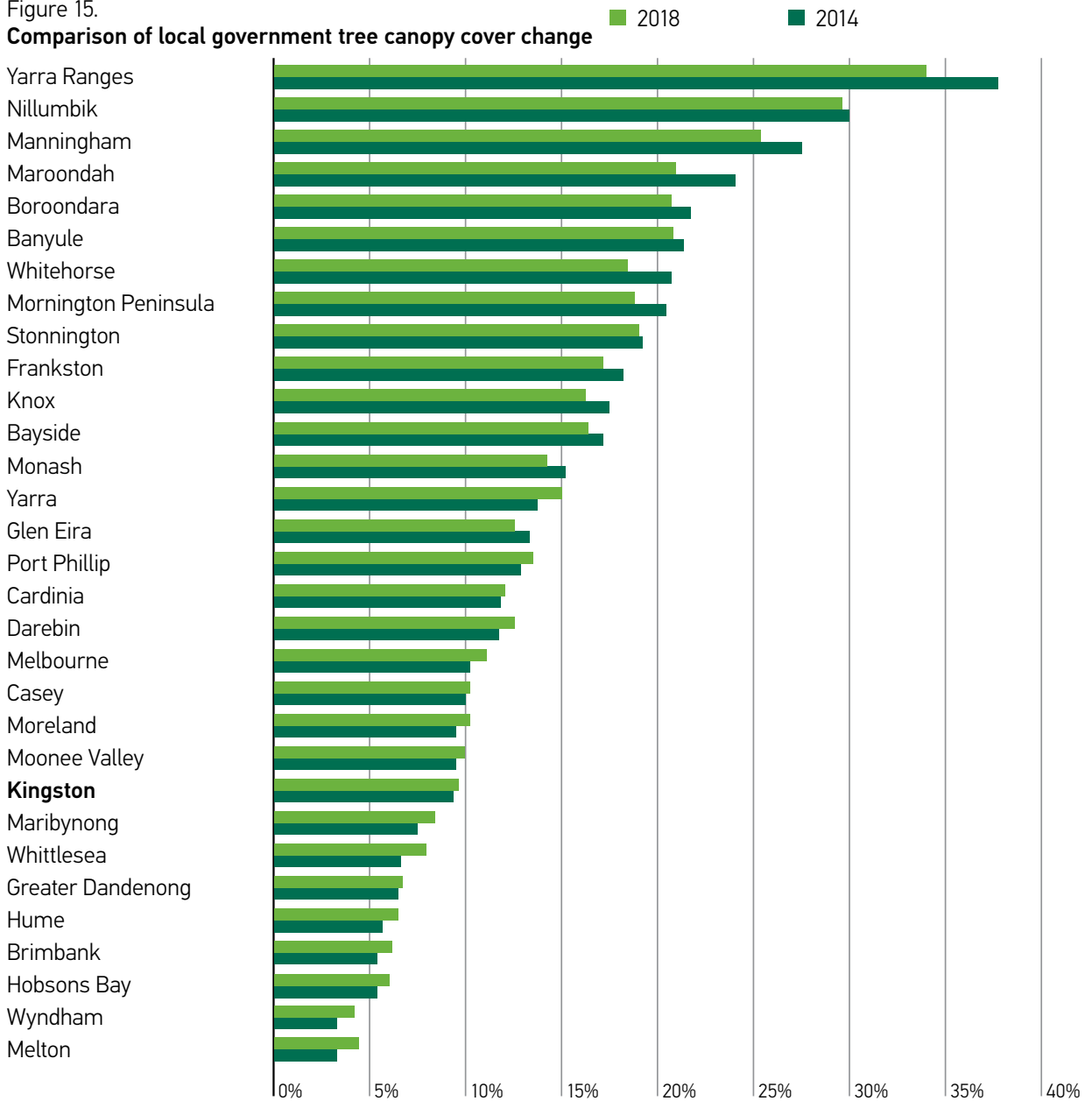
As detailed earlier, the change in tree canopy cover between 2014 and 2022 is likely the result of Council's tree planting programs and replanting requirements on private land via local laws and the planning scheme, coupled with favourable growing conditions since 2016. To some extent, these have 'offset' the loss of canopy trees on private residential land.

Trees being removed are generally 8 to 10 meters in height that have taken many years to mature.

Should this business-as-usual trajectory continue, Kingston's tree canopy cover will continue to decline.

Based on state government supplied data, tree cover change can be compared against other metropolitan municipalities.

Figure 15. **Comparison of local government tree canopy cover change**



Source: Local Government Comparison of tree cover change 2014–2018 (ABS urban centres and localities)⁷



2 Why Now?

2.1 KINGSTON'S COMMUNITY VISION

Kingston is a resilient, inclusive and diverse community. We are building the most liveable and sustainable city in Victoria.

We champion and nurture our green and open spaces creating a safe, healthy environment.

Our shared legacy connects our community, embracing innovation, and making Kingston the place to live.

A whole of community response is required to realise this vision, and Council recognises that the status quo in tree and vegetation management, community attitudes and investment will have to change.

In 2020, Kingston declared a climate and ecological emergency. It is recognised that trees and vegetation draw down and sequester carbon from the atmosphere. Development of Kingston's Urban Forest Strategy is a priority action of Council's *Climate and Ecological Emergency Response Plan*.

2.2 ISSUES & CHALLENGES

Climate change

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. Climate change will lead to increased urban temperatures and more variable rainfall⁸. This will pose a challenge for urban trees and vegetation, exacerbating existing threats including pests and diseases, extreme heat and drought, and severe storm events.⁹

Extreme heat

As climate change occurs over the next 30 years, heat exposure will continue to cause greater impacts on individual and community wellbeing. Increasing canopy cover, is recognised as an effective approach for reducing urban heat through transpiration and shading.

Urban development

Urban densification through infill development (94% of planning applications over the last 5 years) and population growth (forecast to grow 19% by 2036¹⁰) are placing pressure on our urban forest. Current, planning controls are insufficient to protect and enhance trees and vegetation on development sites. Council requires robust planning controls to protect existing vegetation and require replacement canopy tree planting and the use of green infrastructure.

Biodiversity loss

After the Black Summer fires of 2020, the Threatened Species Commission identified 810 priority species (flora and fauna) and ecological communities for urgent management intervention to avoid their extinction¹¹. Climate change is expected to increase the risk of extinctions. Kingston's Biodiversity Strategy (currently under review) seeks to address specific threats within Kingston including urbanisation, fragmentation and invasive species.

Competition for space

The importance and value of public open spaces have noticeably increased in the last few years (this is particularly apparent since the pandemic). Balancing the growing demand for recreational facilities that accommodate local and regional sports with Council's vision for greening and open spaces will intensify as the population of Kingston and surrounding areas grow.

An aging population

By 2036 more people aged 75+ will be living in Kingston. Without help, older people may be unable to manage private trees effectively.

Land use and availability

Kingston has a unique land use typology with significant areas of the Green Wedge (former landfill sites), golf courses, established industrial areas, Moorabbin Airport, and wetlands.

Low canopy cover in many of these areas is a result of their historic or current land use, which also limit opportunities for increased canopy cover. However, these areas may still contribute to our urban forest using green infrastructure.

Conversely, potential changes in land use in areas of higher canopy cover, such as the development of golf courses, threaten the important contribution these areas make to our urban forest.

State infrastructure projects

Major infrastructure projects such as road and rail upgrades are required to accommodate the needs of Melbourne's growing population. These projects often result in a net loss of canopy cover in the short-to-medium term, until replacement plantings establish and mature.

For example, The Level Crossing Removal Project (LXRP) has so far resulted in a net loss of overall canopy across Kingston of 0.4%. LXRP report that over 1,500 trees and over 200,000 shrubs, groundcovers and grasses will be planted along the rail corridor and new station precincts to replace removed vegetation. LXRP also predict a net gain in native vegetation, though these gains will be achieved outside impacted areas of Kingston.

Additional level crossing removals and future infrastructure projects are expected to further impact our urban forest.

Water for greening

Water is vital for the health of the trees and vegetation in our open spaces, and their proper functioning as cool refuges for the community. With climate change and population growth, Melbourne's drinking water supplies are in high demand. Water sensitive urban design (WSUD) and alternative water sources such as recycled water or treated stormwater will be crucial for irrigating our open spaces into the future.

Budget constraints

The Council budget provides for a full range of Council services. Providing these services costs more than the total rates collected, and cost pressures are predicted to increase.



2.3

WHAT WE'VE HEARD

In March 2022, Council asked for feedback from the community on our approach to Urban Forest Strategy development, particularly:

- What needs to happen to protect Kingston's urban forest?
- How can we expand Kingston's urban forest in a way that benefits our whole community?
- Concerns about Kingston's urban forest.

The community was also asked to provide information on the best trees in Kingston and where there should be more. In summary:

- The Kingston community highly values the biodiversity, shade and aesthetic benefits of trees.
- Planning controls and improved maintenance are key to effectively managing Kingston's urban forest.
- To protect and enhance our urban forest, the community supports better use of nature strips, preventing major projects from removing vegetation and the planting out of public spaces.
- Some in the community fear large trees close to houses and workplaces.
- Community education is vital.
- A number of specific public locations should be targeted for increased planting.
- Financial penalties and incentives to protect significant trees and encourage appropriate native plantings make sense to the community.

Following this, the draft Urban Forest Strategy was prepared and presented to the community for feedback between December 2022 and March 2023.

The consultation process indicated a strong level of support for the draft Strategy, and for Council and the broader community to take action to protect and enhance the urban forest in the City of Kingston.

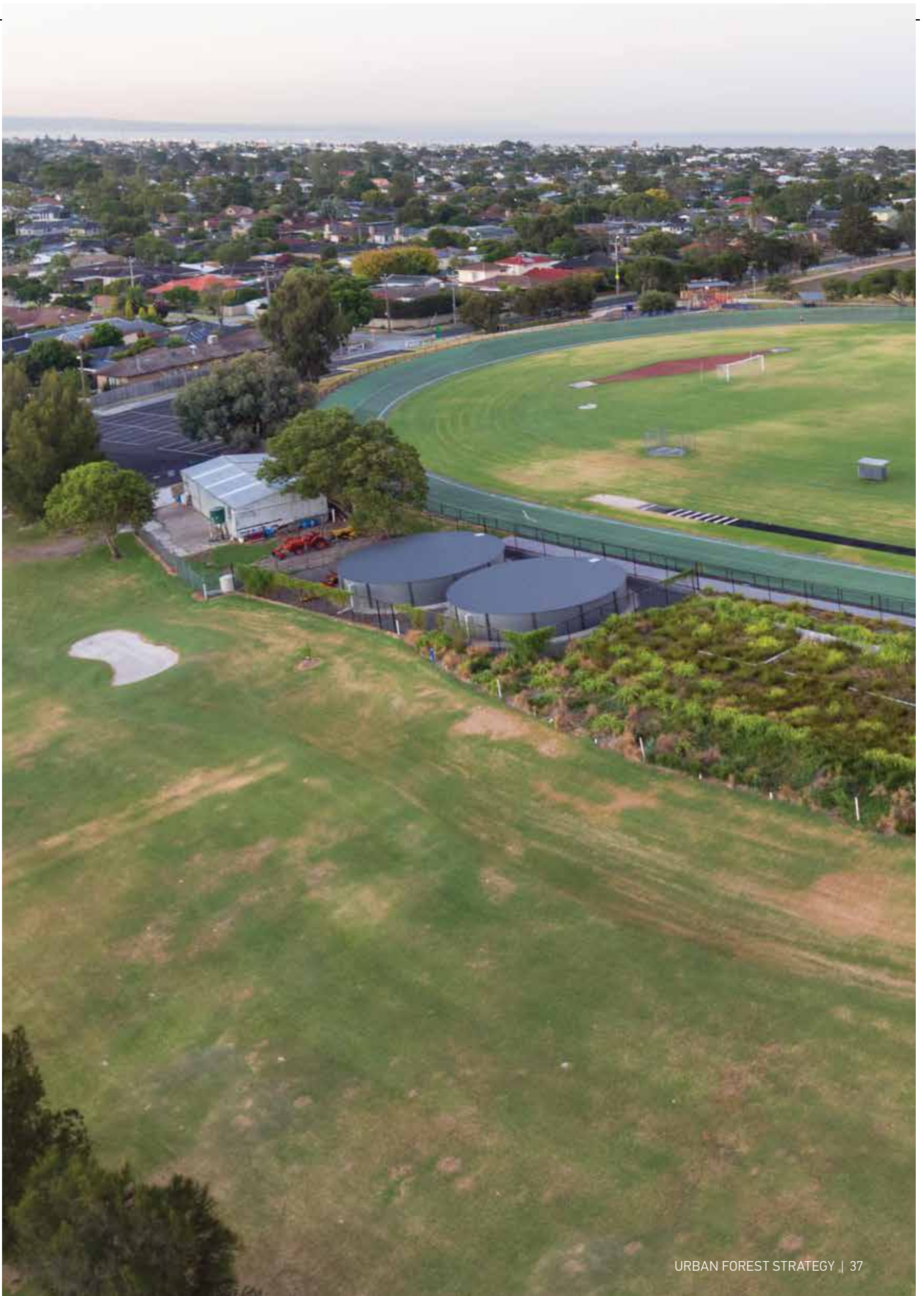
The draft strategy was subsequently edited to address concerns and recommendations raised in feedback.

Consultation on other recently developed Council strategies (Urban Cooling Strategy, Climate & Ecological Emergency Response Plan, Health and Wellbeing Plan, Housing Strategy and Neighbourhood Character Assessment, Open Space Strategy), Council resolutions, community petitions and letters to Council all highlight the high level of community interest in Kingston's urban forest.

As part of Kingston's declaration of a climate and ecological emergency, Council resolved to:

'ensure there is a net gain of trees and of native vegetation in Kingston by ensuring that every tree removed is replaced by at least three trees, that other native vegetation that is removed is replaced twofold as close as possible to where it has been removed from, with the costs borne by whatever developer or infrastructure authority has required the removal'.

In line with our community vision, Council is determined to enhance Kingston's urban forest. This Strategy sets out a range of actions aimed at realising that vision in a measurable and achievable way within this Strategy's life.





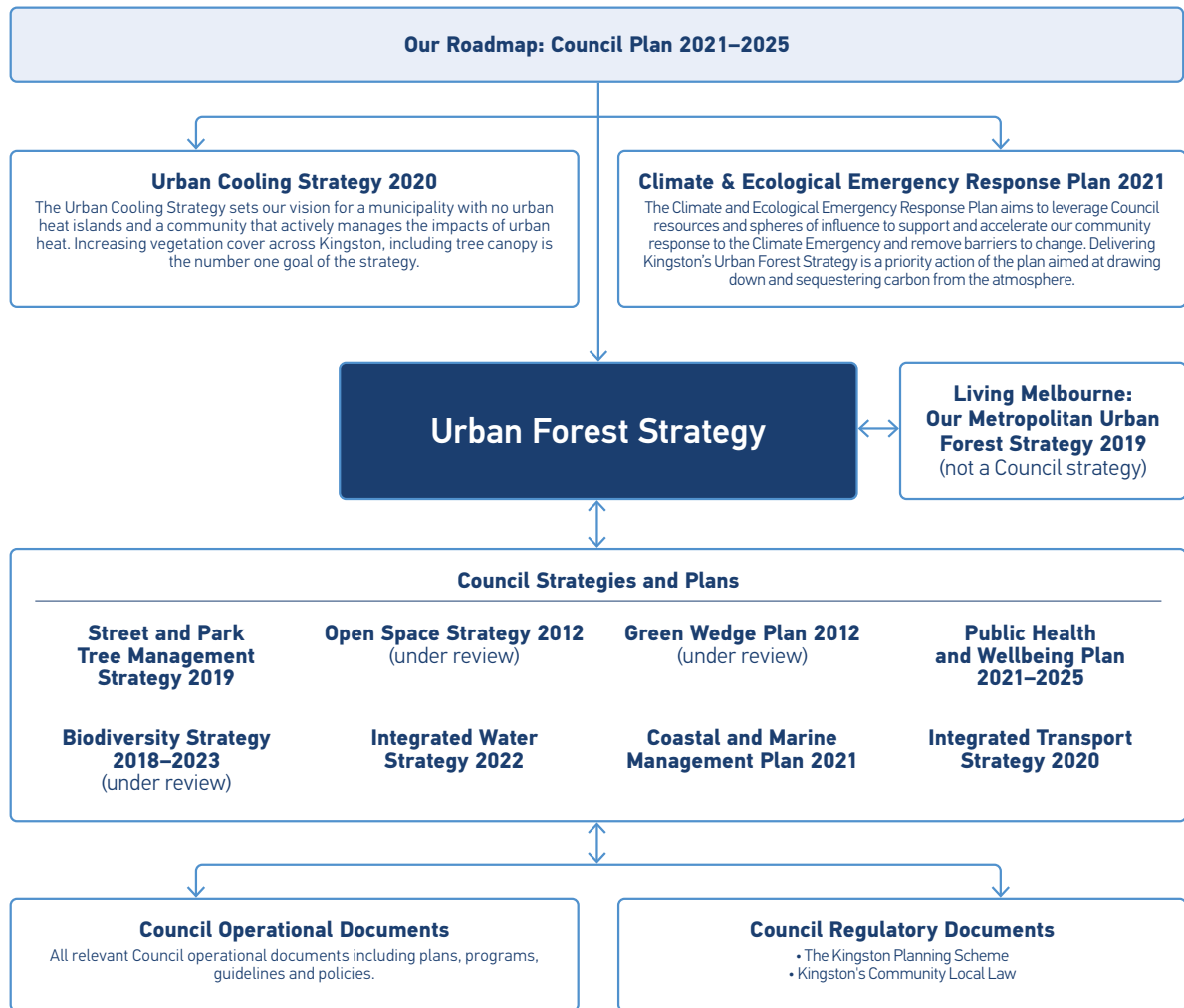
2.4

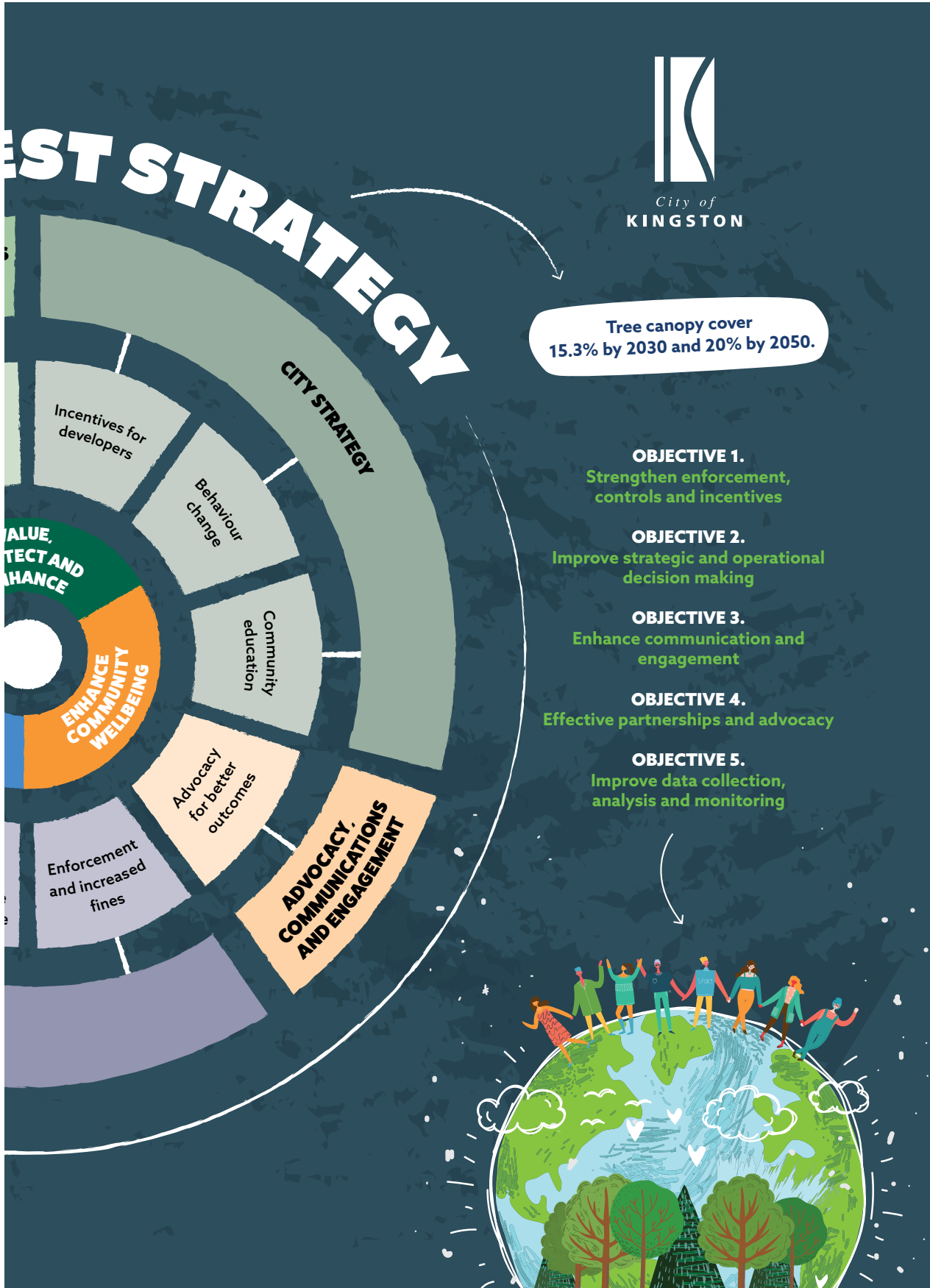
RELATED COUNCIL PLANS & STRATEGIES

Council has a range of documents that support the protection and enhancement of trees and vegetation across the city. The relationship between these documents is illustrated in Figure 16.

Important Council strategies and plans, that have a strong alignment with the Urban Forest Strategy are discussed in the Appendix.

Figure 16.
The Urban Forest Strategy strategic context





3

Our Approach

Kingston's approach to Urban Forest Strategy development is underpinned by a detailed analysis of Council's current approaches and gaps in knowledge, capability and policy, an extensive data review, an opportunity assessment, benchmarking, and a review of best-practice urban forest management both here and overseas.

3.1

CHOOSING A CANOPY COVER TARGET

Research suggests that the community health benefits provided by the urban forest are higher where there is a minimum of 30% tree canopy cover.¹²

Given Kingston's low baseline of 12.3% tree canopy cover, it is important to understand the relative contribution different land ownership and land use areas can make to increasing our tree canopy cover.

In 2022, Council assessed the capacity of Council-managed parks and reserves to contribute to an increase in tree canopy cover. Several factors were considered, including the future use of the space, the available planting area and the planting type. Opportunities for boundary, infill, pathway and carpark plantings were all identified. Small opportunities for mini-forests were also identified in some reserves. Overall the assessment estimated that Council-managed parks and reserves have the capacity to contribute 22.2 ha of tree canopy cover by 2030. This would only increase Kingston's overall canopy cover by <1%.

Recognising this limitation, Council has set ambitious but achievable targets, and developed a multifaceted action plan to address the factors influencing canopy cover change on both public and private land.

Tree canopy cover targets of 15.3% by 2030 and 20% by 2050 are considered appropriate for this first version of Kingston's Urban Forest Strategy.

SCENARIO A – NO CHANGE	SCENARIO B- MAINTAIN	SCENARIO C – ENHANCE
No further planting and no action.	Planting of public land only.	Planting on public land and other actions focused on private land.
No canopy increase on public land.	Modest canopy increases on public land.	Increase in canopy cover on Council-managed streets, parks and reserves, contributing to a 1% gain in the overall canopy cover by 2030.
Ongoing decrease in canopy on private land.	Canopy on private land remains stable (unlikely without active intervention). Increase in foliage growth as a result of La Niña to 2023.	Increase on private land made up of foliage growth, fewer tree removals and ongoing increases in new tree plantings, contributing to a 2% gain in the overall canopy cover by 2030.
Overall canopy cover of <12% by 2050.	Overall canopy cover of 15% by 2050.	Overall canopy cover of 15.3% by 2030 and 20% by 2050.



3.1.1

ACHIEVING KINGSTON'S TARGET

To reach our tree canopy cover target the following must be achieved:

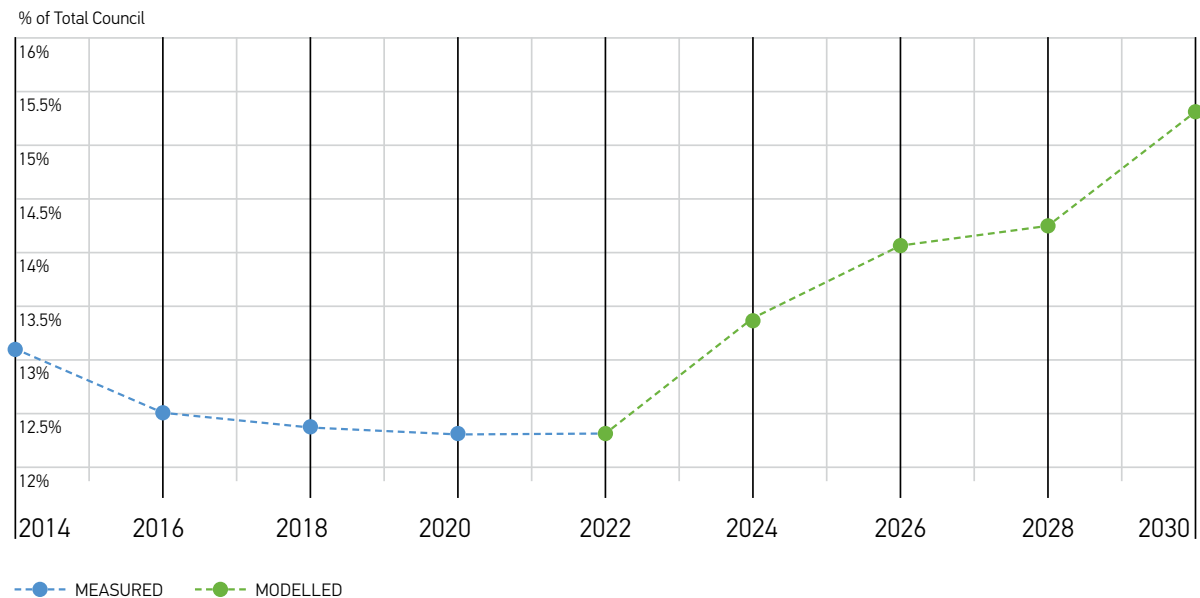
- **Increasing overall tree canopy cover to 30% for Council-managed public parks and reserves. Opportunities also exist in carparks, along walking and cycling paths, and in limited parts of the foreshore and conservation areas.**
- **Ongoing, high-quality, well- maintained new tree plantings on Council roads and streets until 2025.**
- **Halving tree removals on private, residential land.**
- **Doubling new tree plantings on private, residential land.**

Modelling using LiDAR and aerial imagery estimates a 3% increase in canopy cover to 15.3% by 2030. Based on this, 20% by 2050 is considered achievable, but this target will be reviewed in 2030 and potentially revised.

Refer to the Appendix for a breakdown of the tree canopy cover change modelling by factor (tree removals, new trees, foliage loss and gain).

Figure 17.

Measured tree canopy cover change between 2014 and 2022, and modelled change to 2030



3.2

AIMS

Kingston's Urban Forest Strategy has three aims which describe the changes we're hoping to achieve:

- **Value, protect and enhance our urban forest** – through education on the benefits of trees and vegetation, fostering community stewardship, strengthening our regulatory approach to protection and planting, and expanding our planting programs.
- **Manage our urban forest as living infrastructure** – using a data-driven approach to grow a more equitable, diverse and resilient urban forest, and through best practice tree and vegetation management to maximise the benefits and minimise the risks.
- **Support community health, wellbeing and resilience to climate change** – using blue-green infrastructure to reduce potable water use, the local impacts of flooding, and urban heat, and increase active transport along shaded walking and cycling paths.



3.3

OBJECTIVES

Kingston's vision for our urban forest will be realised through five objectives:

- 1. Strengthened enforcement, controls and incentives**
- 2. Improved strategic and operational decision making**
- 3. Enhanced communication and engagement**
- 4. Effective partnerships and advocacy**
- 5. Improved data collection, analysis and monitoring.**



4 Action Plan

Kingston's Urban Forest Strategy is underpinned by an Action Plan which details priority actions, key tasks, responsibilities, resource requirements and intended outcomes.

4.1 TIMEFRAMES

Actions will be prioritised as follows:

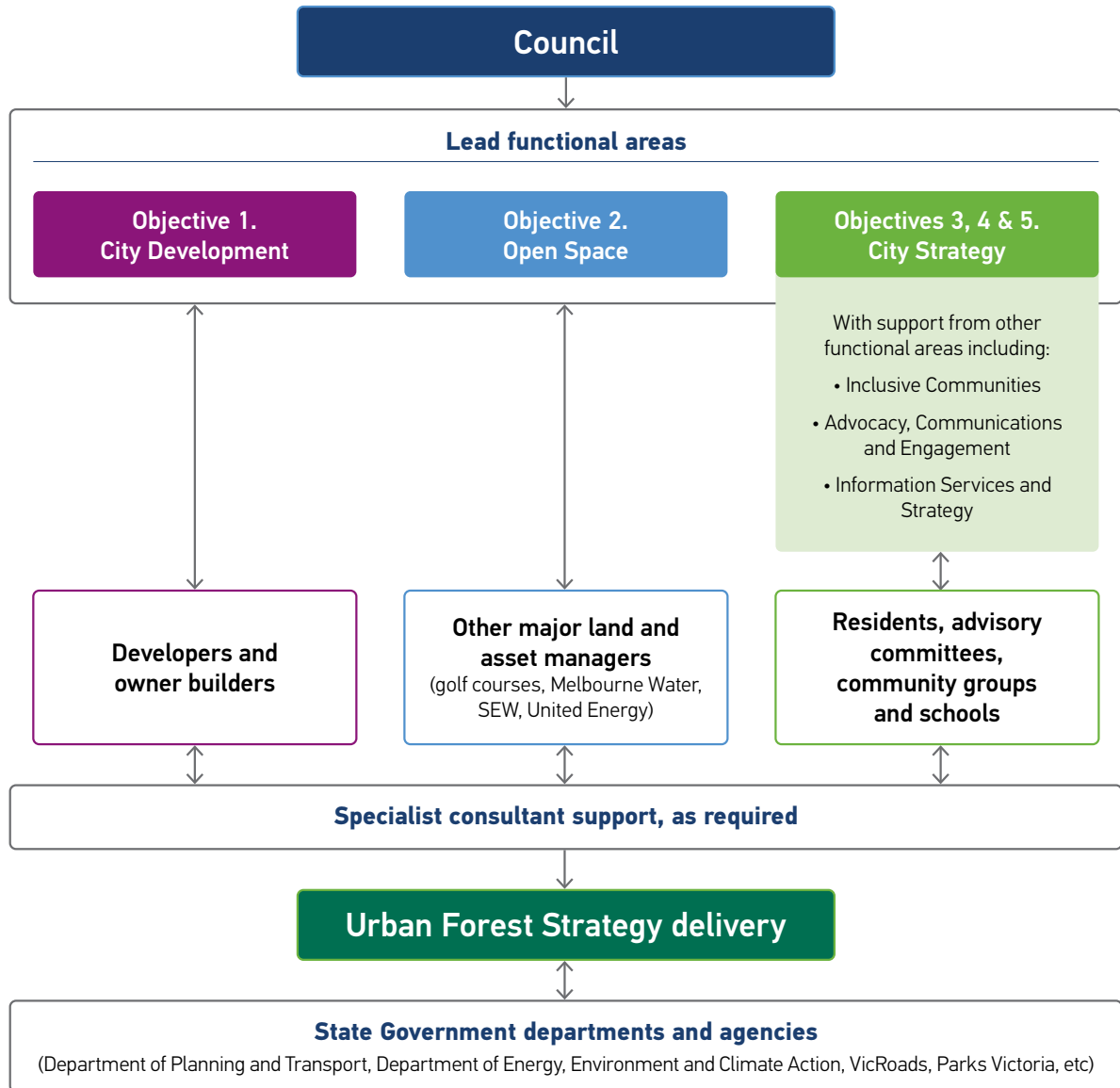
- Critical actions will be delivered within the next 12 months
- High-priority actions within the next two years and on-going
- Medium-priority actions within five years
- Low by year seven.

4.2 GOVERNANCE

Internal staff representing the key functional areas across Council will oversee the implementation of the Strategy relevant to their area of responsibility in collaboration with the community and other agencies and with assistance from various specialist consultants as required.

Council's Open Space and Environment Advisory Committee meets quarterly and will be an important source of community input as the delivery of the Strategy progresses. As a key deliverable of the Climate & Ecological Emergency Response Plan, updates will form part of regular reports to Council.

Figure 18.
The Urban Forest Strategy governance structure



Objective 1.

Strengthen Enforcement, Controls & Incentives

Nearly two thirds (59%) of Kingston's canopy cover is on private land. So the protection of trees and vegetation, and the expansion of the urban forest on private land must be the highest priority.

PLANNING SCHEME AMENDMENT C203

For several years Council has been working with the community to develop new residential planning controls. As part of this process Council commissioned the development of Landscape Character and Assessment Guidelines, which identifies eleven landscape character precincts that reflect the natural, human and cultural characteristics of the landscape.

These changes will introduce new residential planning policy, zones, overlays and provisions. Key outcomes are strengthened landscaping requirements for new residential developments, including specific requirements for the planting of canopy trees and the use of green infrastructure.

Kingston's Community Local Law protects trees over 110 cm in circumference when measured at their base. Applications to prune or remove protected trees are assessed by a qualified arborist and consider aesthetics, health and safety, property damage, nuisance and any other relevant matters. Since 2018, Council has received approximately 3,300 permit applications to prune or remove protected trees, of which more than 700 applications to remove a tree have been refused. The overwhelming majority of permits issued for the removal of a protected tree include a condition to plant a replacement tree.

Existing planning controls – including but not limited to, the Significant Tree Register – protect trees and vegetation if they are identified as having important biodiversity, habitat, cultural, heritage or amenity value. Existing residential planning controls also support the retention of mature trees and vegetation, and the planting of new trees or the use of green infrastructure.

More robust planning requirements will result in planning decisions informed by a greater range of considerations, including:

- Identified significant vegetation that contributes to amenity and character
- Trees and vegetation that contribute to the environmental significance of an area
- Trees and vegetation that contribute to the enhancement of habitat and habitat corridors for fauna
- Trees that contribute to conserving the natural, cultural, and historical heritage of Kingston.

This will result in increased tree and vegetation retention, and development designs that provide sufficient area for the planting and future growth of canopy trees.

Enhancing compliance monitoring, expanding penalties and developing incentives based on tree valuations will also contribute to greening outcomes.

Outcome 1: Increased tree and vegetation cover on private land.

Outcome 2: Stronger protection of trees and vegetation on private land.

Outcome 3: Increased use of green infrastructure in private developments.

Lead Department:
City Development

Priority Actions	Key tasks	Priority
Enhance Council's compliance program (method, extent and timing) to ensure tree protection and enhancement are maximised	<ul style="list-style-type: none"> Increase checks against existing and new planning permit requirements and endorsed plans, commence local law permit audits relating to tree retention and replacement requirements, improve Council's reaction time when trees are illegally removed, pursue all non-compliances and publicise success stories to encourage compliance and discourage breaches 	Critical
	<ul style="list-style-type: none"> Investigate the extension of other compliance checks (water, ESD, building) to include trees and complete follow-up checks at agreed intervals 	High
	<ul style="list-style-type: none"> Use LiDAR to complete spot checks 	
Strengthen planning requirements to ensure canopy trees are retained and space is provided for additional trees	<ul style="list-style-type: none"> Support state government-led planning scheme changes aimed at cooling and greening Ensure all local, state and federal legislative requirements and policies aimed at tree and vegetation protection and enhancement are considered whenever a planning permit is triggered Review Kingston's significant tree register Investigate expanding planning overlays that protect existing significant/ important trees and vegetation, particularly on major land use types such as golf courses Investigate strengthening local council policy within the planning scheme to protect and enhance significant/ important trees and vegetation, particularly in industrial and commercial zones Embed tree and vegetation protection and enhancement requirements into all Council policies, strategies and operational procedures. Via any proposed planning scheme amendment, seek opportunities to: <ul style="list-style-type: none"> » Require canopy tree planting and integrated WSUD in car parking areas » Require green infrastructure (including) for developments not subject to the Better Apartment Guidelines. Advocate to the state government for stronger permit triggers and decision guidelines for encroachment into tree protection and structural root zones Continue to implement the Kingston Landscape Character Assessment: Character Analysis and Landscape Guidelines through Amendment C203 to the Kingston Planning Scheme Develop mechanisms to address tree removals when a planning permit is not required (single dwellings) or when prohibitive insurance claims are lodged 	High

Priority Actions	Key tasks	Priority
Expand fines and other penalties	<ul style="list-style-type: none"> • Advocate for increased penalties based on VCAT decisions and magistrate fines • Input into Community Local Law reviews to enhance street tree protection commensurate with the tree value • Investigate the use of bonds linked to Kingston's Tree Valuation Method for protecting Council and other significant trees on development sites • Send reminder notices and issue penalties for local law non-conformances • Undertake an internal review of processes, responsibilities and costs for taking magistrates court action and defending Council positions at VCAT 	Medium
Expand incentives program	<ul style="list-style-type: none"> • Continue Council's plant giveaway program • In target areas, offer tree vouchers or rebates for significant tree protection, maintenance or new green infrastructure – consider linking incentives to property canopy cover. This may form part of Council's successful Gardens for Wildlife program • Investigate 'stacked' incentives where tree removals may result in other on-site requirements, such as more drainage infrastructure (commensurate with the tree value) 	Medium
Develop greening fund	<ul style="list-style-type: none"> • Investigate establishing a mechanism through which any bonds, fines or compensation are used to support greening and cooling initiatives, such as: <ul style="list-style-type: none"> » In-home help for vulnerable community members (see below) » Rebates for tree protection and maintenance (see above) » Alternative pavement treatments when vehicle crossovers are proposed on constrained sites, ongoing maintenance, etc. 	Low

DID YOU KNOW?

Since 2019, Council has been giving away native plants to residents.

To increase the city's canopy and reduce the impacts of climate change, Council introduced a tree give-away program in 2019 for residents linked to the rates notice. Following feedback, the program was expanded to include native shrubs, grasses and groundcovers as well as doubling the number of plants available. During the autumns of 2021 and 2022, over 10,000 plants were made available. In total, over 12,000 plants have been distributed since the program was established.

Objective 2.

Improve Strategic & Operational Decision Making

18.3% of Kingston's 91 km² is open space, parks and reserves. Expansion of the urban forest in these high-use areas must be prioritised, particularly in Council-managed areas. Streetscapes also represent an opportunity for infill and replacement plantings that link biodiversity areas and maximise canopy cover.

Council's Tree Management and Technical Guidelines set out the operational parameters for tree establishment, maintenance, protection and removal across the city. In general, Council allocates one tree per residential nature strip, two on every corner and two per double-fronted block or where the nature strip can facilitate more. Since 2018, Council has planted over 12,000 trees, contributing over 1% to Council's overall tree canopy cover and helping to reverse the loss of canopy elsewhere.

Field-based tree surveys will be undertaken to enhance the accuracy of data in Council's asset management system and improve the strategic management of Council-managed trees. Street tree locations currently constrained by VicRoads safety requirements, overhead power lines, underground services, limited space or amenity concerns will continue to be the subject of targeted advocacy and community education initiatives. In the meantime, the planting out of all viable street tree locations and maximising opportunities to increase canopy in Council parks and reserves are high-priority actions of this Strategy.





Images 6 & 7.
Successful street tree plantings
in Cheltenham and Clayton South.

STREET TREE PLANTING

Council prioritises planting areas with low canopy cover to assist in reducing heat island effects in socially vulnerable areas. These include Clayton North, Cheltenham, Mordialloc Creek and Chelsea Heights. Tree planting in parks and reserves will also be undertaken to complement open space improvement works and capital projects.

In 2018–19, Council planted over 2,000 street and park trees. This increased to 2,500 in 2019–20, 3,700 in 2020–21 and 4,200 in 2021–22. Council is now spending around \$1.47 million on tree planting and management annually.

Residents receiving a new street tree are encouraged to adopt their tree and assist with establishment by providing additional watering over the summer months.

Outcome 4: Increased tree canopy cover across Council-managed land, with an average 30% tree canopy cover in parks and reserves.

Outcome 5: Increased diversity and resilience of Council-managed trees.

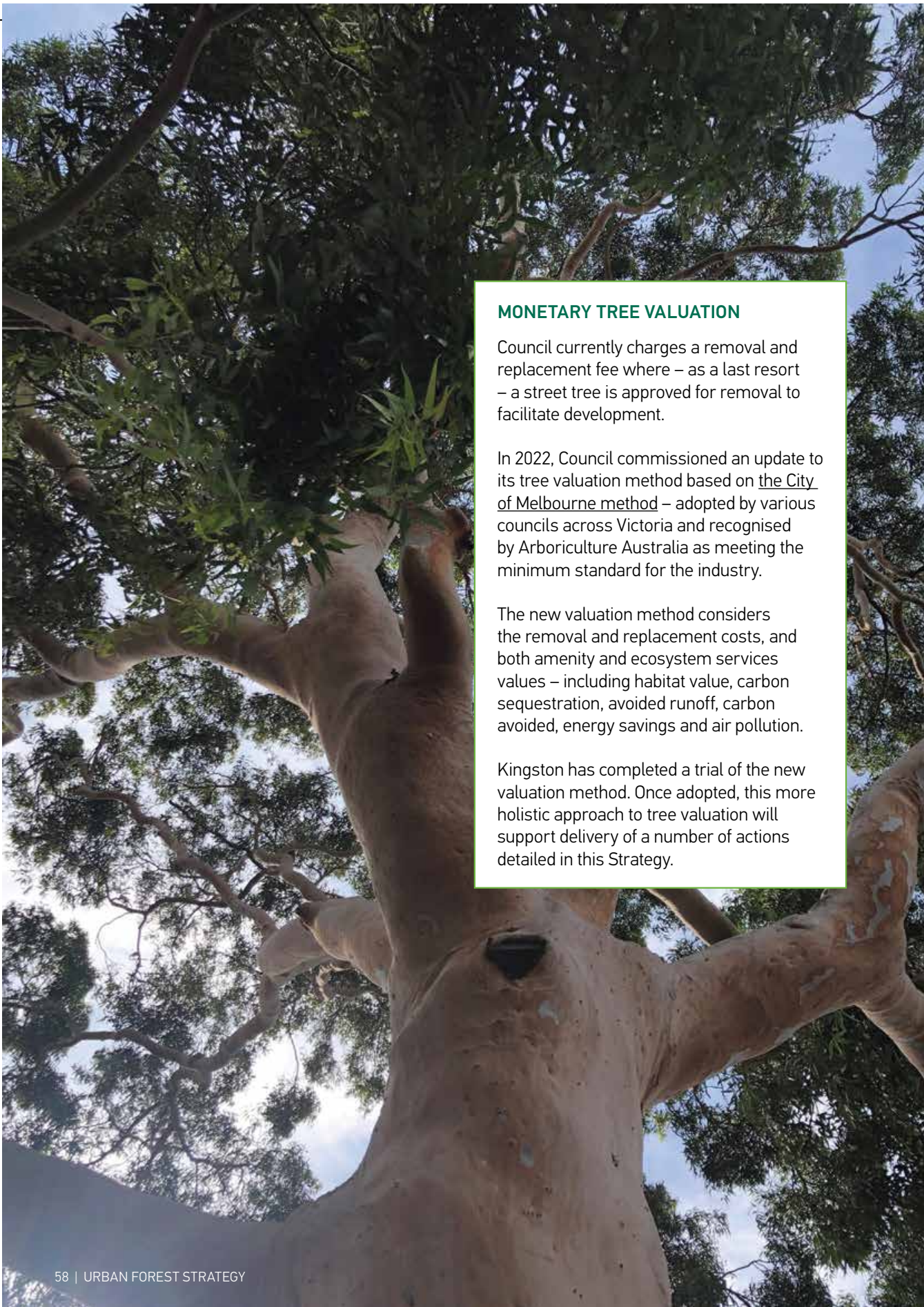
Outcome 6: More equitable distribution of tree canopy cover across our suburbs, including increased links between areas with recognised biodiversity value.

Outcome 7: Blue-green infrastructure integrated into all capital works projects.

Lead Department:
Open Space & City Strategy

Priority Actions	Key tasks	Priority
Informed operational decision-making	<ul style="list-style-type: none"> Complete field-based tree surveys within parks, reserves and streets to maintain existing tree inventory data 	Critical
	<ul style="list-style-type: none"> Complete valuations of trees on Council land planned for removal and balance protection against other options/capital expenditure required to retain the tree Incorporate passive tree irrigation and other engineering solutions into capital program delivery, such as road upgrades, precinct renewals, recreation facility and open space improvement projects Continue to participate in state-led programs aimed at building climate-resilient urban forests Review and update Council's Tree Management and Technical Guidelines, including sections related to species selection in a changing climate, allergies tree repurposing and tree valuation Update other guidance documents, technical specifications and watering and soil management programs to better support greening outcomes, as required Include tree and vegetation protection and enhancement in all relevant Council tenders 	High
Improved strategic decision-making, including land use and master planning processes	<ul style="list-style-type: none"> Via strategic land use and integrated transport planning, free up areas of urban space for living infrastructure Ensure space for trees and passive irrigation is accommodated in the urban landscape, especially during design processes. 30% canopy cover for activity centres should be targeted Review and update Council's Street and Park Tree Management Strategy as required Incorporate opportunities to protect trees, increase tree canopy cover to 30% and support biodiversity into master planning processes for Council-managed parks and reserves As opportunities arise, include consideration of any new or emerging technologies which may support tree planting on rehabilitated landfill sites across Kingston's Green Wedge, and identify opportunities to expand the urban forest and double canopy cover (noting contamination constraints) 	High

Priority Actions	Key tasks	Priority
Priority areas planted out	<ul style="list-style-type: none"> • Ensure priority areas identified in the Street Tree Planting Plan and via field-based surveys are planted out, and streetscapes filled wherever feasible • Review the Street Tree Planting Plan, and update priority planting areas, as required • Combine the results of the Parks and Reserves Capacity Assessment with the Open Space Strategy to prioritise areas of public land for enhanced canopy • Ensure opportunities to increase tree canopy cover to 30% across Council-managed parks and reserves are prioritised alongside other land uses 	High
Major projects protect trees and maximise enhancement opportunities	<ul style="list-style-type: none"> • Advocate for maximum tree protection and 3:1 replacement of all removed trees through major state government transport projects and significant residential and industrial redevelopments 	Medium
Informed risk management and customer care	<ul style="list-style-type: none"> • Investigate opportunities to expand the provision of in-home care / tree maintenance services (such as arboricultural services and gutter clearing) • Collect internal knowledge and develop more comprehensive tree information for customer care 	Medium



MONETARY TREE VALUATION

Council currently charges a removal and replacement fee where – as a last resort – a street tree is approved for removal to facilitate development.

In 2022, Council commissioned an update to its tree valuation method based on [the City of Melbourne method](#) – adopted by various councils across Victoria and recognised by Arboriculture Australia as meeting the minimum standard for the industry.

The new valuation method considers the removal and replacement costs, and both amenity and ecosystem services values – including habitat value, carbon sequestration, avoided runoff, carbon avoided, energy savings and air pollution.

Kingston has completed a trial of the new valuation method. Once adopted, this more holistic approach to tree valuation will support delivery of a number of actions detailed in this Strategy.

Objective 3.

Enhance Communication & Engagement

A focus on Council-managed land and changes to planning controls will result in only modest canopy cover increases. The key to achieving our tree canopy cover target lies with the role of our community and other major landowners and land managers.

Since 2019, there has been a steady increase in the number of tree removal applications. Understanding the true value of a tree can disincentivise removal and enhance protection. Support for community-led initiatives, school-based programs and community education on trees and vegetation – including benefits, how to help and what to grow – will help build the urban forest of the future.

Outcome 8: Improved community understanding of the benefits of trees, and stewardship of our urban forest.

Outcome 9: Increased community participation in greening and biodiversity programs.

Outcome 10: Council's progress in achieving the aims of the Urban Forest Strategy is publicly communicated in a timely and accessible manner.

Lead Department:
Advocacy, Communications and Engagement

Priority Actions	Key tasks	Priority
Develop an engagement and communications program to understand community attitudes and improve the perceived value of trees	<ul style="list-style-type: none"> Research community attitudes, perceived risks and benefits of trees to develop appropriate engagement and communication materials 	Critical
	<ul style="list-style-type: none"> Collate and share knowledge as part of a Council-resident partnership focused on urban greening on private property, particularly space-constrained new developments 	High
	<ul style="list-style-type: none"> Investigate tree identification labels and interpretive signage for significant trees 	
Develop a value proposition associated with living infrastructure that can be communicated to developers and other landowners	<ul style="list-style-type: none"> Add canopy cover % to rate and instalment notices to encourage protection and increase coverage – consider linking to penalties and/or incentives (see above) 	High
	<ul style="list-style-type: none"> Mandate use of the Green Factor Tool, communicate opportunities to enhance greening within industrial precincts and other large developments and highlight economic benefits¹³ 	
	<ul style="list-style-type: none"> Using Council's tree valuation method, include individual tree values in local law decisions and planning referrals 	
Support and leverage existing and new volunteer greening and biodiversity programs (including Gardens for Wildlife)	<ul style="list-style-type: none"> Strengthen partnerships with major private landowners, such as golf course owners and greening agencies such as Landcare, Greening Australia, Greener Spaces Better Places, biodiversity networks and greening community groups 	Medium
	<ul style="list-style-type: none"> Leverage the success of Council's Gardens for Wildlife program and expand its scope and reach 	
Leverage the role of Bush Kinder within the community and better support schools	<ul style="list-style-type: none"> Investigate the viability of expanding Bush Kinder within Kingston 	Medium
	<ul style="list-style-type: none"> Leverage existing Council run, school-based sustainability programs to include urban forest-specific learning objectives 	

WHAT IS THE GREEN FACTOR TOOL?

Designed by the City of Melbourne for landscape architects, architects, consultants and other built environment professionals who want to assess the credentials of their project's green infrastructure, the tool provides users with a Green Factor Score that considers the relative volume and efficacy of green elements, in comparison to the overall area of the site. A score of 0.55 is targeted for all developments excluding industrial which should seek to achieve 0.25.



Kingston *Gardens for Wildlife*

Gardens for Wildlife is a free program that helps residents develop wildlife friendly habitat in their gardens. Kingston offers:

- A free garden assessment to discuss how you can increase habitat in your garden
- Educational workshops and events throughout the year to learn more about indigenous plants and wildlife gardening
- Volunteer opportunities to get involved in biodiversity projects.

The free Gardens for Wildlife Booklet can be [downloaded](#) and provides information about habitat gardening, biodiversity and attracting wildlife to your garden.



Objective 4.

Effective Partnerships & Advocacy

Having clear goals, seeking out Traditional Owner perspectives, sharing knowledge and campaigning alongside other local councils, partners and the community will drive advocacy outcomes.

Council has a strong advocacy focus and is already working with Traditional Owners, major development, statutory and other authorities across the city. In 2020, Melbourne Water completed an extensive greening and cooling project at Edithvale Wetland Reserve and is planning another major planting at Wannarkladdin Wetlands in Patterson Lakes. In addition to the work of friends groups and volunteer working bees, Council's Conservation Officers are working alongside rangers from the Bunurong Land Council on a multi-year weed management program to protect and enhance some of Kingston's most significant natural areas. Council will continue to encourage all land managers and government agencies to achieve their own canopy targets as soon as possible and maximise opportunities to protect and enhance the urban forest across the city.

Outcome 11: Council has clear policy positions on the future of our urban forest and demonstrates consistent advocacy in this area.

Outcome 12: Traditional Owners' views are embedded into the management of our urban forest.

Outcome 13: Council has effective partnerships and can demonstrate project successes.

Lead Department:
Advocacy,
Communications
and Engagement

Priority Actions	Key tasks	Priority
Strengthen our advocacy position and focus	<ul style="list-style-type: none"> • In collaboration with other councils across Melbourne, continue to develop advocacy positions and lobby the state government for: <ul style="list-style-type: none"> » Undergrounding powerlines » Changes to the Victoria Planning Provisions and other policy instruments that will deliver greener and more climate-resilient cities. For example, mandating use of the Green Factor Tool for large developments which is voluntary at present, including tree and vegetation protection under the Building Act, stronger tree and structural root zone protections as well as increased penalties and fines » A review of the VicRoads/ Department of Transport and Planning tree policies to include the utilisation of traffic barriers/reduced speed limits to enable the planting of large trees along appropriate sections of major roads/boulevards (with VicRoads support and funding) » Maximum tree protection and 3:1 replacement of all removed trees for all major infrastructure projects and significant residential and industrial redevelopments » Ongoing, appropriate and detailed tree and vegetation monitoring 	High
Support and enable current and future generations of Traditional Owners to care for and respect Country	<ul style="list-style-type: none"> • Seek out Bunurong Land Council perspectives and continue to shape Council action, including investigating repurposing removed trees for cultural uses 	Medium
Partner with the state government and other agencies	<ul style="list-style-type: none"> • Support Melbourne Water, South East Water, Parks Victoria and other relevant state government entities to achieve their own canopy targets as soon as possible and maximise opportunities to protect and enhance urban forest across the city • Seek out funding opportunities to support initiatives being led by VicRoads, such as road safety barriers to facilitate increased plantings along major roads • Work with emergency service providers and energy distributors to manage fire risk in a way that minimises impacts on the urban forest (undergrounding of powerlines) 	Medium



WORKING WITH OTHER MAJOR LANDOWNERS IN KINGSTON

When Council assessed the ability of open spaces, parks and reserves to contribute to an increase in canopy cover, other major landowners – Melbourne Water, VicRoads, VicTrack and Parks Victoria – were engaged to understand their capacity to contribute to increased canopy across Kingston. While most rated future tree planting opportunities as low, opportunities identified by South East Water and Melbourne Water will be the focus of ongoing, site specific engagement.

Objective 5.

Improve Data Collection, Analysis & Monitoring

Strong investment in Kingston-wide aerial image capture and analysis, and increased resources to support Council's asset and information management systems will enable evidence-based decision-making and improve the effectiveness of urban forest management and monitoring programs.

Continued use of technology to track our urban forest (LiDAR, aerial imagery and machine learning) will enable a range of accurate and repeatable metrics to be captured, including:

- Accurate tree and vegetation canopy cover by land use over time
- Changes to individual trees over time
- Tree height and health
- Council-wide tree canopy and vegetation cover forecasting to 2030
- An assessment of the biomass and storage of carbon and change over time
- Identification of areas of significant vegetation and significant individual trees.

Outcome 14: Council's tree data is accessible, up-to-date and informs strategic and operational decision making.		Lead Department: Information Services and Strategy
Priority Actions	Key tasks	Priority
Aerial imagery analysis (annual)	<ul style="list-style-type: none"> Analyse changes in the extent of Kingston's urban forest canopy using aerial imagery 	High
Improve Council's Information Management Systems (IMS)	<ul style="list-style-type: none"> Improve the functionality and use of Council's IMS to record tree information in the private realm and monitor the effectiveness of planning changes 	Medium
Improve Council's Asset Management System (AMS)	<ul style="list-style-type: none"> Improve the accuracy and functionality of Council's Tree Asset register using data collected during field-based tree surveys 	Medium
LiDAR capture and analysis (every 2-5 years)	<ul style="list-style-type: none"> Commission LiDAR to measure the height, structure, health and extent of Kingston's urban forest with a high degree of accuracy 	Low
Ongoing monitoring and reporting	<ul style="list-style-type: none"> Develop a 'tree data project' or similar that consolidates data sources, assesses the effectiveness of Council programs and strategies, and establishes channels to inform strategic and operational decision-making 	Low

4.3

EQUITY & ACCESSIBILITY

Ensuring all members of the Kingston community help shape and have equitable access to our urban forest is a priority. In many circumstances, disadvantaged and vulnerable members of our community do not have equitable access to decision-making processes, resources, and economic or social opportunities. This means that policies, programs and services are likely to be experienced differently and have different outcomes for those who are more vulnerable.

We know disadvantaged and vulnerable members of our community will be disproportionately impacted by climate change, such as localised flooding and increased urban heat; decreased access to green, public open spaces; and increased costs associated with heating and cooling. Given this, Kingston's Urban Forest Strategy seeks to leverage existing organisational processes to ensure:

- Urban forest-related policies, programs and services recognise and address drivers of inequality
- Unintended consequences of urban forest-related policies, services or projects do not inadvertently reinforce or contribute to inequality
- Harmful attitudes and social norms that underpin drivers of inequality are challenged throughout Urban Forest Strategy delivery.

In 2022, Council officers completed an equality impact assessment. A range of actions were identified based on feasibility and impact. These have been included in the action plan above or will be addressed as part of other Council policies, programs and services.

As trees take at least eight years before they are mature enough to contribute to the urban forest in a meaningful way, the benefits of the various Council actions detailed in this Strategy are unlikely to be fully realised until 2040.

4.4

RESOURCING & INVESTMENT

As detailed above, Kingston has prioritised a number of Council actions that have the capacity to deliver outcomes and achieve our tree canopy cover target.

While some project work can be absorbed by existing teams and some significant operational expenditure is already included in other budget allocations, additional Council resources are required to effectively support the delivery of the Urban Forest Strategy. These are for planning and enforcement, GIS/mapping and data management, field-based tree surveys and community engagement. It is assumed that Council's commitment to the street tree planting program will continue as long as required. The additional cost of achieving the outcomes detailed in the Strategy is estimated to be at least \$1.96 million over the next five years.

5

Ongoing Monitoring & Evaluation

The lifespan of this Strategy is seven years from 2023 to 2030. A review of this Strategy's Action Plan will occur in 2030 and will include:

- An updated analysis of Kingston's urban forest metrics, including tree canopy cover
- An evaluation of the implementation status of actions
- A report on progress towards achieving targets and outcomes, lessons learned and any changes required such as additional investment, resources or a change in strategic or operational direction
- A review of the 2050 tree canopy cover target.

Glossary

Ecosystem services

The benefits people obtain from the natural environment. These include provisioning services such as food and water; regulating services such as flood and disease control; cultural services such as spiritual, recreational, and cultural benefits; and supporting services such as nutrient cycling that maintain the conditions for life.

Geographic Information System (GIS)

A system that creates, manages, analyses, and maps all types of data.

La Niña

A climatic driver which influences year-to-year climate variability. In southern Australia, it is usually characterised by increased rainfall, cooler daytime temperatures, a shift in temperature extremes and decreased frost risk.

Light Detection and Ranging (LiDAR)

LiDAR is an active remote sensing method used to measure the landscape in three dimensions accurately. When combined with 2-D aerial imagery, LiDAR is an extremely powerful tool for mapping vegetation in both natural and urban environments.

Living infrastructure

Living infrastructure refers to all of the interconnected ecosystems within an urban catchment, including the 'green infrastructure' of trees, gardens, green walls and roofs, parks, reserves and open spaces, and the 'blue infrastructure' of our waterbodies including lakes, wetlands and waterways.

Senescence

The process of aging in trees and other vegetation. Trees can have both stress-induced and age-related developmental aging. This late stage of a tree's life is characterised by a decline in the volume of the crown and root system.

Tree canopy

The uppermost trees or branches of trees in a forest, forming an almost continuous layer of foliage. The topmost layer of bioactivity in a forest setting.

Tree canopy cover

Tree canopy cover is the area of tree canopy that covers a specific area of land – for example, municipality, suburb, street, land type or block. This important measure of urban forest represents many of its benefits, such as the amount of shade provision, stormwater interception, carbon storage and sequestration, and amenity.

Urban forest

All trees and other vegetation – and the soil and water that support them. Urban forest incorporates vegetation in streets, parks, gardens, plazas, campuses, river and creek embankments, wetlands, railway corridors, community gardens, green walls, balconies, roofs and front and back yards.

Water sensitive urban design (WSUD)

An approach to planning and designing urban areas to make use of water as a valuable resource and reduce the harm it causes to rivers and creeks.

References

- 1 City of Melbourne (2014) *Urban Forest Strategy: Making a Great City Greener 2012-2032*, City of Melbourne, accessed 25 July 2023
- 2 The Nature Conservancy and Resilient Melbourne (2019) *Living Melbourne: Our Metropolitan Urban Forest*, The Nature Conservancy and Resilient Melbourne, Melbourne, accessed 25 July 2023
- 3 Scott R, et al. (2002) *Indigenous Plants of the Sandbelt: A Gardening Guide for South-eastern Melbourne*, Earthcare St Kilda, Elwood
- 4 Prebble S, et al (2021) 'Smart urban forests: An overview of more-than-human and more-than-real urban forest management in Australian cities', *Digital Geography and Society*, 2, 100013, doi:10.1016/j.diggeo.2021.100013
- 5 Threlfall C, et al. (2016) 'Variation in Vegetation Structure and Composition across Urban Green Space Types', *Frontiers in Ecology and Evolution: Urban Ecology*, 4:66, doi:10.3389/fevo.2016.00066
- 6 Kendal D, et al. (2014) 'Global patterns of diversity in the urban forest: Is there evidence to support the 10/20/30 rule?', *Urban Forestry & Greening*, 13(3), 411-417, doi:10.1016/j.ufug.2014.04.004
- 7 The State of Victoria (Department of Transport and Planning) (2018) *Cooling and Greening Melbourne Interactive Map*, The State of Victoria Department of Transport and Planning, accessed 25 July 2023
- 8 Esperon-Rodriguez M, et al. (2022) 'Future climate risk and urban tree inventories in Australian cities: Pitfalls, possibilities and practical considerations', *Urban Forestry & Greening*, 78, 127769, doi:10.1016/j.ufug.2022.127769
- 9 CSIRO and the Bureau of Meteorology (2022) *State of the Climate*, The CSIRO and the Bureau of Meteorology, accessed 25 July 2023
- 10 The State of Victoria Department of Environment, Land, Water and Planning (2019) *Victoria in Future 2019: Population Projections 2016 to 2056*, The State of Victoria Department of Environment, Land, Water and Planning, accessed 25 July 2023
- 11 The Australian Government Department of Climate Change, Energy, the Environment and Water (2020) *Bushfire impacts*, The Australian Government Department of Climate Change, Energy, the Environment and Water, accessed 25 July 2023
- 12 Konijnendijk C (2023) 'Evidence based guidelines for greener, healthier, more resilient neighbourhoods: Introducing the 3-30-300 rule', *Journal of Forestry Research*, 34, 821-830, doi:10.1007/s11676-022-01523-z
- 13 City of Melbourne (2019) *Quantifying the benefits of green infrastructure in Melbourne: Literature review and gap analysis*, City of Melbourne, accessed 25 July 2023

Appendix

Figure 19.
Foliage growth (2014-2022)

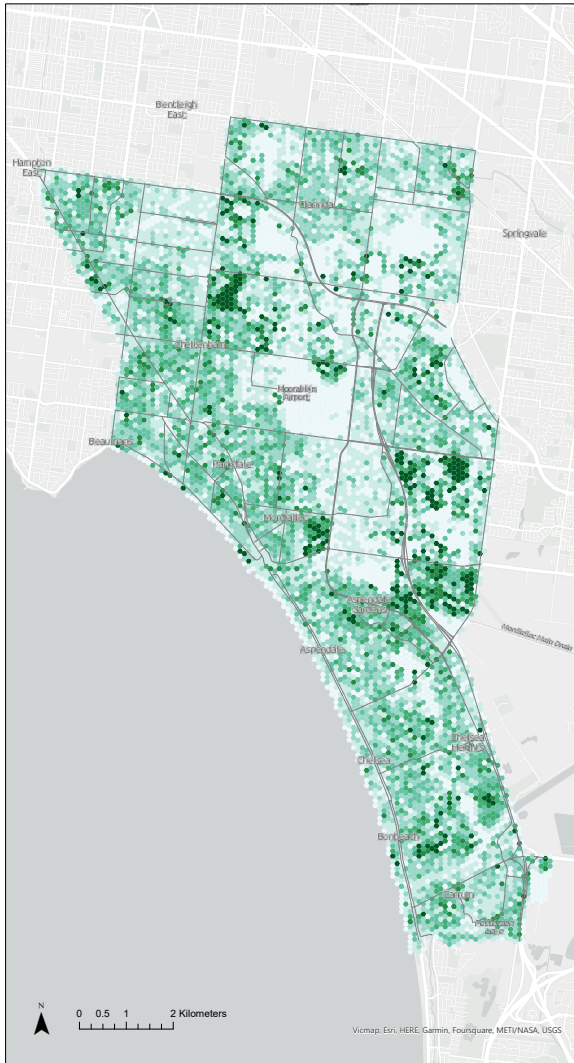
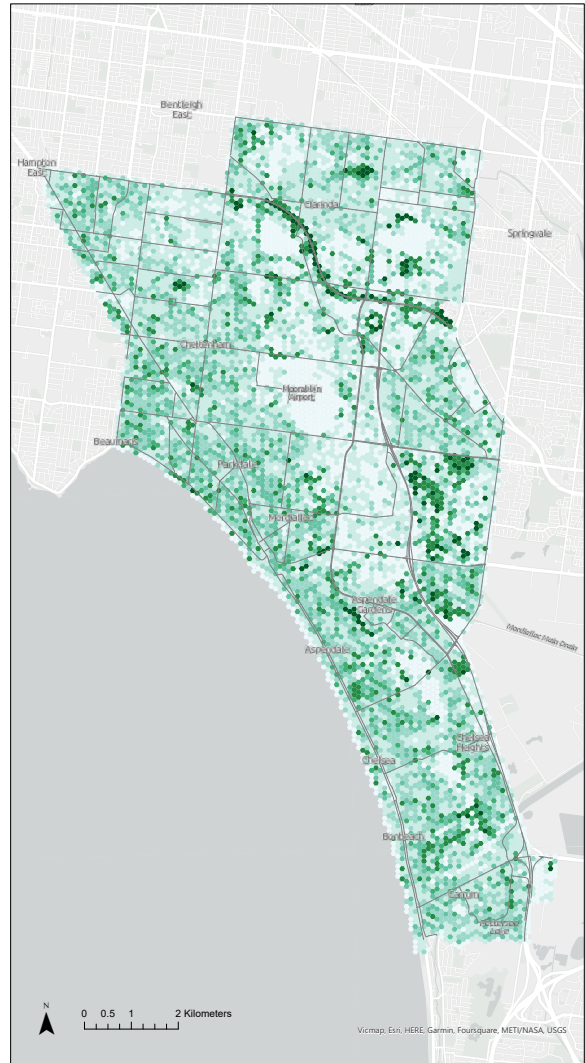


Figure 20.
New plantings (2014-2022)



- 0%
- 0 - 1%
- 1 - 2%
- 2 - 3%
- 3 - 4%
- 4 - 5%
- 5%+

- 0%
- 0 - 1%
- 1 - 2%
- 2 - 3%
- 3 - 4%
- 4 - 5%
- 5%+

Figure 21.
Tree removals (2014-2022)

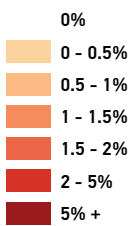
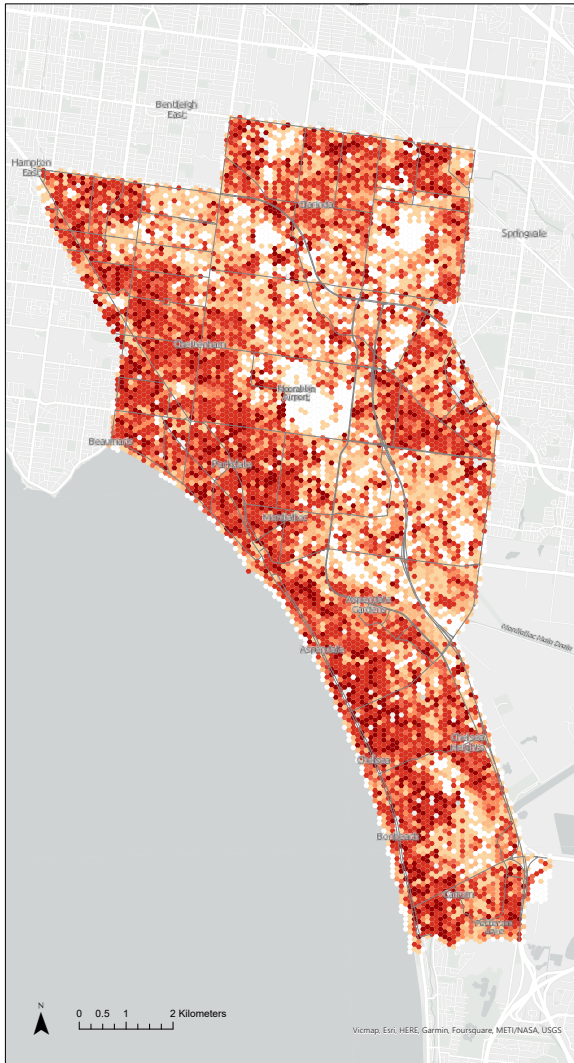


Figure 22.
Private residential land - canopy cover change by activity

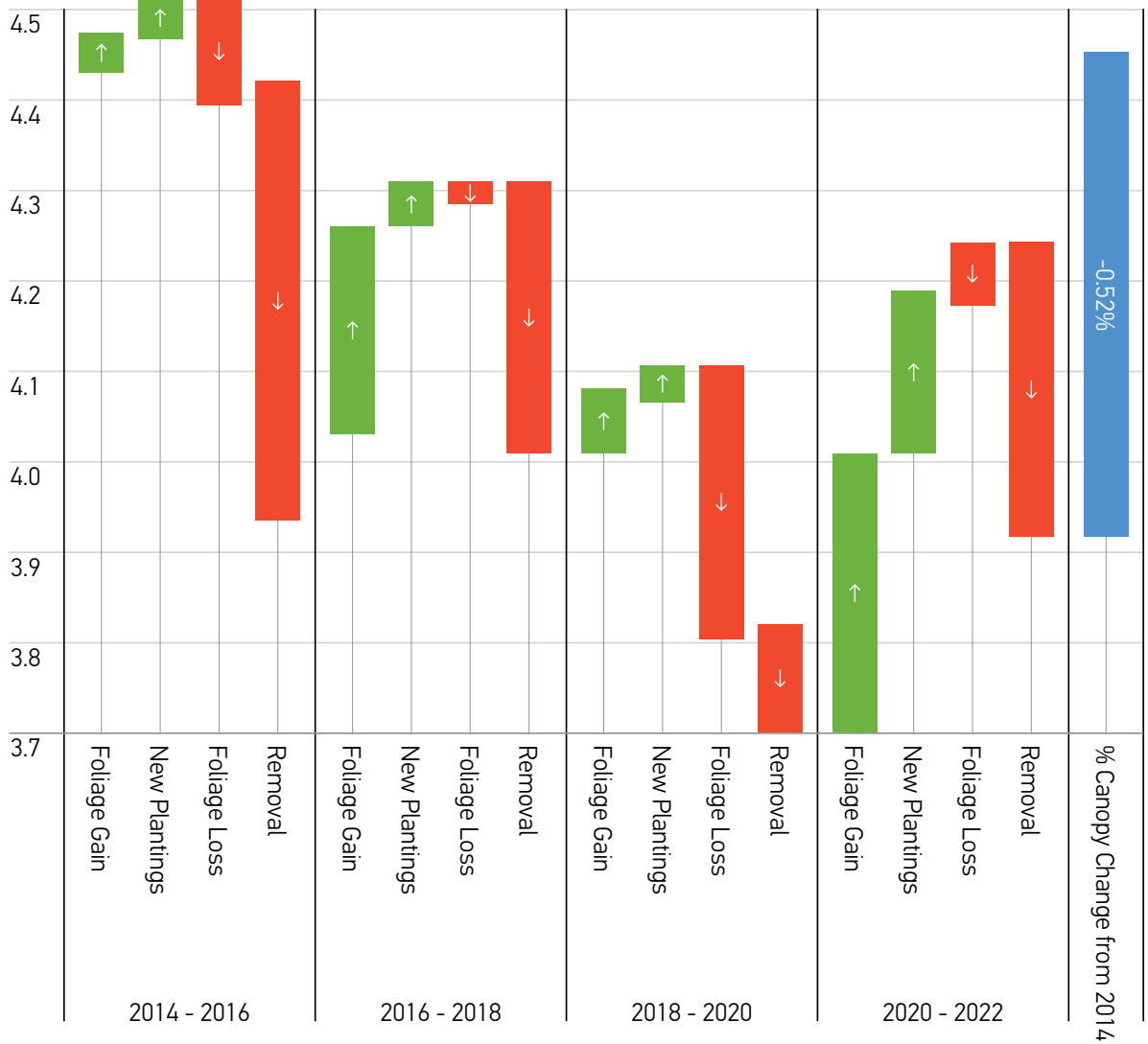


Figure 23.
Open space - canopy cover change by activity

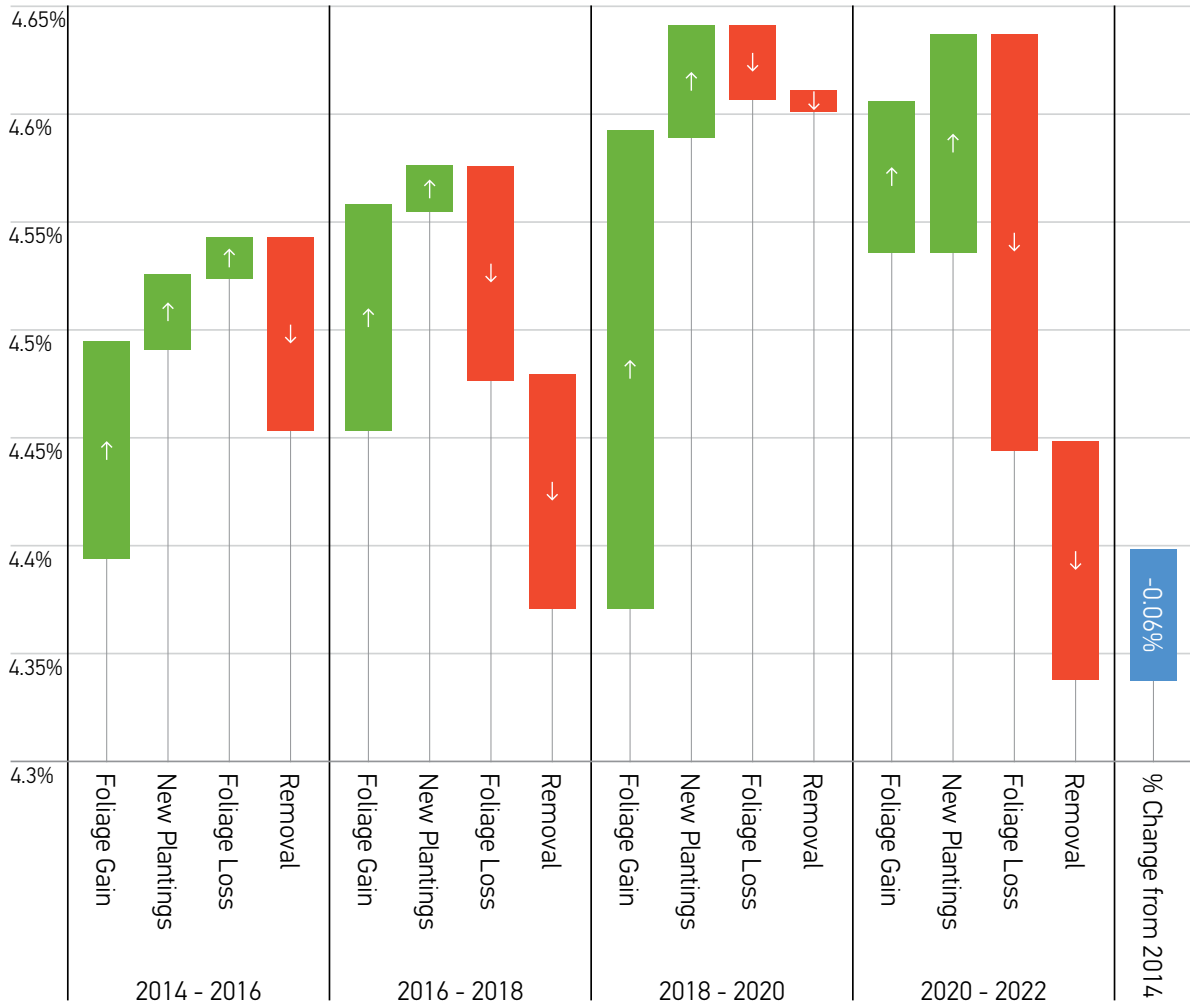
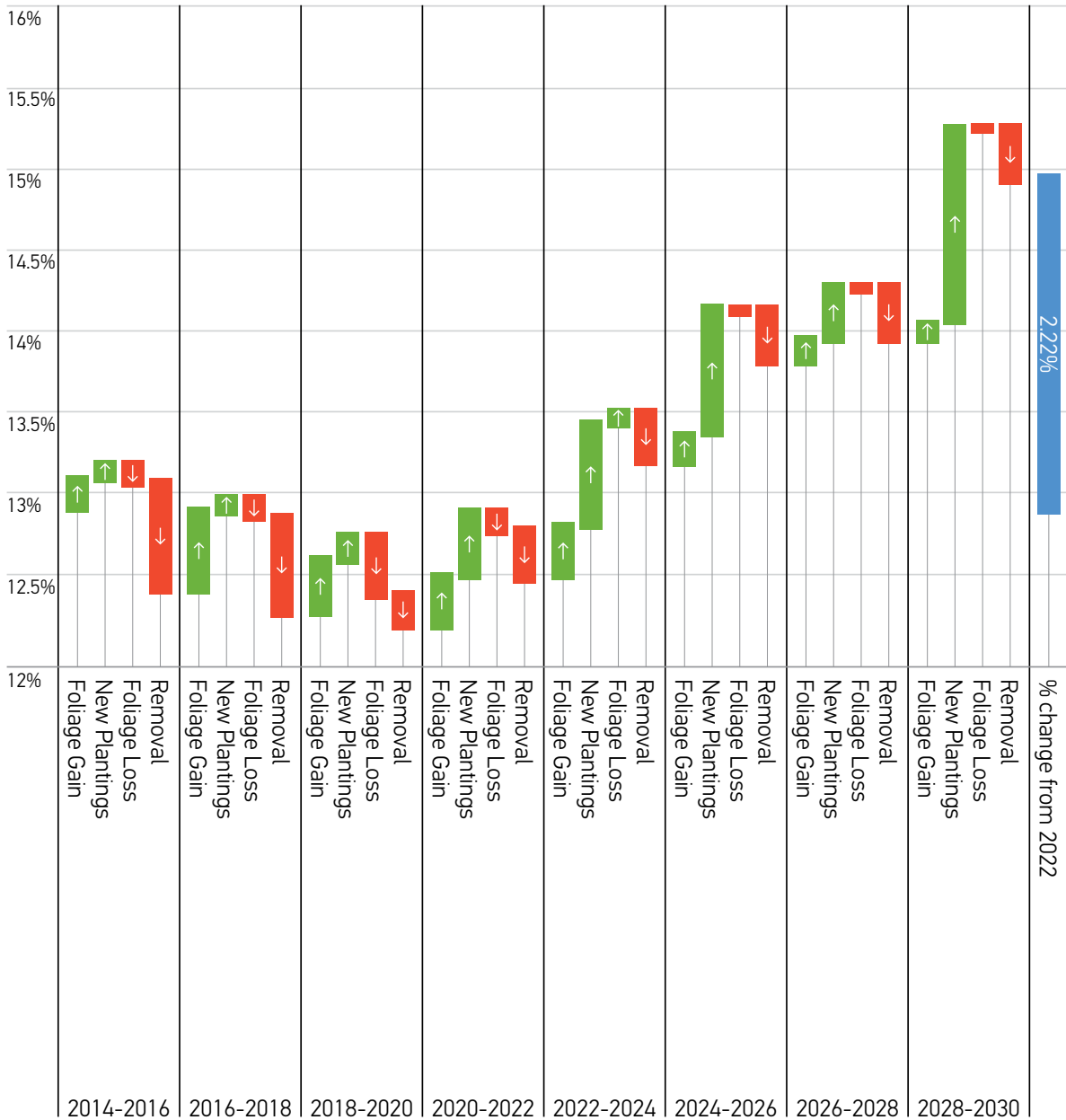


Figure 24.
Modelled canopy cover change to 2030 by activity



* Note, whilst impossible to model, an average tree canopy cover across the city of 20% (minimum) by 2050 is considered achievable given the above trajectory

Table 2.
The Urban Forest Strategy strategic context

Strategy/Plan	Relevance to the Urban Forest Strategy
Living Melbourne: Our Metropolitan Urban Forest Strategy 2019 (not a Council strategy)	The <i>Living Melbourne: Our Metropolitan Urban Forest Strategy</i> sets a vision for a greener, more liveable Melbourne. In 2019, Kingston City Council was among 30 metropolitan Melbourne councils to endorse the strategy. Kingston's Urban Forest Strategy the first major step towards achieving the collective goals of Living Melbourne.
Street and Park Tree Management Strategy 2019	The Street and Park Tree Management Strategy sets Council's direction for maintaining and enhancing the urban forest on Council-managed land to underpin the sense of a happy and healthy community, and to maintain vibrant neighbourhoods, through sustaining the City's beautiful streetscapes and parklands.
Open Space Strategy 2012 (under review)	The Open Space Strategy guides local policy and decision making regarding open space provision, acquisition and management. Multipurpose open spaces can contribute to the expansion of our urban forest while balancing the sport and recreational needs of our community.
Biodiversity Strategy 2018–2023 (under review)	The Biodiversity Strategy sets out goals and strategic objectives for protecting, preserving and improving Kingston's biodiversity. Our conservation areas are an important component of our urban forest. The Urban Forest Strategy can contribute to improving our community's understanding and appreciation of trees and vegetation, enhance our management and improve linkages between our conservation areas.
Integrated Water Strategy 2020	The Integrated Water Strategy sets our vision to become a 'water sensitive city' with broad objectives to use our water wisely, protect our waterways from pollution and improve our flood management. The use of water sensitive urban design and alternative water sources for irrigation are vital for the future health and resilience of our open spaces. Expanding our urban forest can also contributing to reducing the local impacts of flooding.
Green Wedge Plan 2012	The Green Wedge Plan sets our vision for Kingston's green wedge to be an exemplar environmental and recreational resource for the local and regional community. Developing and managing land in the green wedge provides potential opportunities to expand Kingston's urban forest.

Strategy/Plan	Relevance to the Urban Forest Strategy
Public Health and Wellbeing Plan 2021–2025	The Public Health and Wellbeing Plan sets out Council's priorities and objectives to improve the health and wellbeing of the community. Key objectives of this Plan include improving the amenity of open spaces and the natural environment, plus increasing community resilience for health impacts of climate change. The Urban Forest Strategy can contribute towards achieving both of these objectives.
Coastal and Marine Management Plan 2021	The Coastal and Marine Management Plan guides the appropriate and effective management of our marine and coastal areas within Kingston. A key objective of the plan is to protect and enhance the environment, from our catchments through to the bay. The Urban Forest Strategy supports this objective through improving our community's understanding of the importance of coastal vegetation, developing partnerships with Traditional Owners, the community, other agencies, and using green-infrastructure for urban cooling in coastal areas.
Integrated Transport Strategy 2020	The Integrated Transport Strategy sets our vision for Kingston as a city with a connected, integrated, and sustainable transport network that is safe, health, accessible, reliable and efficient. A key objective of the strategy is to make active transport (walking and cycling) the preferred transport option, particularly for short local trips. The Urban Forest Strategy contributes to achieving this objective through tree planting programs aimed at increasing shade and cooling along walking and cycling routes.



- 📍 1230 Nepean Highway, Cheltenham VIC 3192
- 📦 PO Box 1000, Mentone 3194
- ☎ 1300 653 356
- TIS 131 450
- ✉ info@kingston.vic.gov.au
- 🌐 kingston.vic.gov.au

Ordinary Council Meeting

25 September 2023

Agenda Item No: 8.4

PRIORITISING STORMWATER TREATMENT & REUSE PROJECTS AT COUNCIL RESERVES

Contact Officer: Alan West, Principal Environment Officer

Purpose of Report

The purpose of this report is to provide information on locations for installing large stormwater treatment and reuse projects within council reserves.

It includes the prioritised locations for designing and constructing these stormwater projects using payments made by developers in accordance with Kingston's Stormwater Quality In-lieu Contributions Policy.

Disclosure of Officer / Contractor Conflict of Interest

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

RECOMMENDATION

That Council:

1. Note the Council reserves that are prioritised for installing stormwater treatment and reuse projects.
2. Approve the withdrawal of \$80,000 from Council's Stormwater Quality Reserve Fund (being the account holding the stormwater quality in-lieu contributions paid by developers) for the purpose of progressing the detail design and investigations of stormwater treatment and reuse projects, with the project at G. R. Bricker Reserve in Moorabbin being the highest priority.
3. Note that an updated version of Kingston's stormwater quality in-lieu contributions policy will be prepared for future Council endorsement.

1. Executive Summary

Kingston's Integrated Water Strategy (the Strategy) includes strategic objectives and goals to improve the quality of stormwater runoff flowing into waterways, plus a need to increase the use of harvested stormwater.

A key action to achieve the Strategy's targets is to install 7 large stormwater treatment and reuse projects within council reserves by 2050. The basis for prioritising the locations commenced with a detailed study in 2012, and has been further refined to take into consideration a range of benefits and feasibility factors, such as:

- Whether the reserve is close to a large drain or waterway.
- The cost effectiveness of removal pollutants and storing the water for reuse.
- Design considerations, including whether there is sufficient space available.
- Planning for recycled water schemes.

Further details on the assessment of council reserves for stormwater treatment and reuse is shown in appendix 1, including a description and concepts for the 4 highest priority projects. These are located at Moorabbin Reserve, G.R Bricker Reserve in Moorabbin, Le Page Park in Cheltenham and Bon Beach Sports Reserve.

The main source of funding for eligible projects is from council's Stormwater Quality Reserve Fund (the Fund) that has a little over \$3.40 million in the account. This is the account holding the payments made by developers under *Kingston's Stormwater Quality in-lieu Contributions Scheme* as an option to meet their planning permit obligations.

This account is for the sole purpose of planning and implementing council's stormwater treatment and reuse projects, in accordance with the Kingston's Stormwater Quality In-lieu Contributions Policy (2016). Amounts can be withdrawn from the Fund in accordance with a Council resolution in accordance with the current policy, with plans to update the policy for Council endorsement in due course.

The recommended approach is to withdraw \$80,000 from the Stormwater Quality Reserve Fund for the purpose of progressing the detail design and investigations of stormwater treatment and reuse projects.

The project considered the best option is located at G.R Bricker Reserve in Moorabbin at an estimated cost of around \$3.7 million to implement. The \$80,000 will be transferred into council's Drainage Improvement Program (managed by council's Infrastructure department) and used for undertaking the design, improving the estimate, seeking approvals, undertaking consultation, and confirming whether construction works will need to be staged.

Subject to the outcomes, a future report to Council could seek approval to proceed with advertising construction tenders for the project at G.R Bricker Reserve, including the funding arrangements.

Another excellent location for constructing a stormwater reuse project is at Le Page Park, at an estimated cost of around \$1.9 million. Water would be pumped from a wetland, located within Melbourne Water's Argus Street retarding basin, to irrigate the two sports ovals. This project is not able to be funded from the Contribution Scheme however, as stormwater treatment would not be required. Ideally this project should also be designed to take advantage of any future grant opportunities.

2. Background

This report discusses projects that harvest stormwater from large drainage pipes to treat runoff from suburban catchments. A good example is Kingston's award-winning project at Edithvale Recreation Reserve, pictured in appendix 1.

These types of projects typically filter stormwater through vegetated basins, then store the water in tanks (above or below ground) for irrigating adjoining sport fields and open spaces.

The following sections provide background context on:

- Council's support for implementing stormwater treatment and reuse projects.
- How recycled water schemes are influencing our stormwater harvesting plans.
- Which council reserves are prioritised for stormwater treatment and reuse.
- The amount of money raised from developer contributions since 2017.
- Stormwater treatment projects that have been implemented since 2018.

2.1 Integrated Water Management

This report aligns with *Kingston’s Integrated Water Strategy* (the Strategy) that was endorsed on 28 November 2022 and includes the following objectives:

- To improve the quality of stormwater runoff from local areas flowing into water courses and Port Phillip Bay, with a focus on reducing litter and all forms of pollution.
- To use water throughout the City of Kingston wisely, including less drinking water (potable water) and more use of alternative water such as rainwater tanks, harvested stormwater and recycled water.

The Strategy’s implementation plan includes an aligned action to:

- Investigate, design and implement Council’s master plan for installing large multi-purpose projects that treat stormwater, to remove pollutants such as silt and nitrogen, and reuse the stored clean water for irrigating Council reserves’.
- The supporting document references plans to construct 7 additional bio-retention systems, between 2022 and 2050

Refer to the council meeting agenda, item 8.2 for further details at:

[Agenda of Ordinary Council Meeting - Monday, 28 November 2022 \(kingston.vic.gov.au\)](https://www.kingston.vic.gov.au/agenda/ordinary-council-meeting-monday-28-november-2022)

2.2 Recycled Water Schemes

This report takes into consideration the following recycled water schemes being managed by South East Water (SEW):

- The Dingley Recycle Water Scheme that is scheduled to commence construction in April 2024. Refer to their website for the pipe’s alignment and further details at: [Dingley Recycled Water Scheme | South East Water](#)
- The Patterson River Recycled Water Scheme, where a consultant will prepare a report and preliminary plans by late 2024 to assess the benefits of irrigating open space between Patterson River and Bicentennial Park. The report will be used to inform the business case and support any future funding opportunities.

The growing likelihood of recycled water becoming available over the coming years has significantly influenced our thinking on where stormwater treatment and reuse projects should or shouldn’t be located.

Refer to Table 1 for details of council reserves that are more likely to be supplied with recycled water or harvested stormwater.

Table 1 - The potential Supply of Alternative Water to Council Reserves

No.	Alternative Water Supply Category	Council Reserves
1	Locations to be serviced by the Dingley Recycled Water Scheme (funded).	<p><u>Currently Planned</u> Chadwick Reserve, Heatherton Recreation Reserve, Kingston Heath Reserve, Rowan Rd Reserve, Victory Park Reserve and Elder St Reserve.</p> <p><u>Potential to Include</u> Heatherton Park, Marvis Hutter Park and Springs Rd with Sir William Fry Reserve being less likely.</p>

No.	Alternative Water Supply Category	Council Reserves
2	Locations that may be serviced by the Patterson River Recycled Water Scheme (currently unfunded)	<p><u>Currently Planned</u> Bonbeach Sports Reserve, Bicentennial Park, Chelsea Recreation Reserve and Beazley Reserve.</p> <p><u>Potential to Include</u> Edithvale Common, Regents Park and Aspendale Gardens Sports Ground.</p>
3	Locations that are already serviced by Stormwater Harvesting projects.	Edithvale Recreation Reserve, Namatjira Park and Keeley Park.
4	Locations that could be serviced by Stormwater treatment and/or reuse projects (subject to sufficient funds).	Moorabbin Reserve, G.R Bricker Reserve, Le Page Park, Highbett Reserve, Roy Dore Reserve, Iluka Reserve, Ben Kavanagh Reserve, Mentone Reserve, Dingley Reserve and Dolomore Reserve.
5	Sports grounds and large parks that are too far away from a suitable supply of stormwater. Irrigation is via potable water or carting recycled water.	Doug Denyer Reserve, George Woods, Gerry Green Reserve, Bald Hill Park, Southern Rd Reserve, Dales Park, Peter Scullin Reserve, The Grange Reserve, Bradshaw Reserve, plus small reserves.

2.3 Previous Stormwater Treatment and Reuse Locations

Council undertook a detailed award-winning study in 2012 to identify suitable locations for installing stormwater treatment and reuse project.

These locations were short-listed based on their proximity to a sports field, ability to harvest stormwater from a large drain or waterway, the available space, and the cost-benefit of removal pollution and providing a reliable supply of treated water for irrigating. The study nominated 31 prioritised projects to be installed, at a combined estimated cost of \$27.5 million.

These projects were further reviewed to inform *Kingston's Integrated Water Strategy, 2022* (the Strategy) that sets targets for increasing stormwater treatment and reuse. The modelling was based on gradually constructing seven large bio-retention treatment systems by 2050.

2.4 Stormwater Quality in-lieu Contributions Scheme

Kingston's Stormwater Quality in-lieu Contributions Scheme (the Contribution Scheme) is the main source of funding to implement council's stormwater treatment and reuse projects. The Contributions Scheme was first endorsed as a two year trial in June 2016, then made permanent in August 2018, refer to council meeting agenda item 8.2 at: [public-agenda-ordinary-meeting-of-council-27-august-2018-\[18511204\].pdf](https://www.kingston.vic.gov.au/public-agenda-ordinary-meeting-of-council-27-august-2018-[18511204].pdf) ([kingston.vic.gov.au](https://www.kingston.vic.gov.au)).

The scheme provides developers with the flexible option to meet their stormwater quality obligations under their planning permit by either:

- Treating polluted stormwater runoff on-site (e.g construct rain gardens) or;
- Making an in-lieu payment whereby council will use the accumulated funds to construct suitable stormwater treatment and reuse projects.

Payments are made in the Drainage Reserve Fund accordance with *Kingston's Stormwater Quality In-lieu Contributions Policy* (2016). Further information is available on council's website at [Stormwater requirements for developers - City of Kingston](#).

2.5 Stormwater Quality Payments

The voluntary payments made by developers, under the Contributions Scheme, accumulate within council's Drainage Reserve Fund and can be summarised as follows:

- As of the 1 July 2023, the fund has \$3.40 million in the account.
- The account has been growing at the rate of around \$520,000 each year (1 Jan 2017 to 30 June 2023).
- Around \$2.5 million worth of payments have come from private sector planning applications, plus a further \$881,136 from the six completed Level Crossing Removal projects.

Since the Drainage Reserve Fund was established in 2016, there have been no withdrawals. The approach has been to allow the balance to grow to an amount that could fund the cost of one of our larger priority projects. **We are now at that stage.**

2.6 Recent Stormwater Quality Improvements

Council has managed to implement a range of stormwater treatment projects between 2017 and 2023 without needing to withdraw from the Drainage Reserve Fund.

Projects that have been funded through a variety of other council programs and external grants since 2017 are summarised in appendix 1.

3. Discussion

3.1 Prioritising Stormwater Treatment and Reuse Projects

More detailed assessments have been recently undertaken on the top four (4) ranked reserves to inform which projects should proceed to the detail design phase. Additional information on the assessment criteria, project information and concept plans are shown in appendix 1.

The outcomes from this assessment are summarised below with G.R Bricker Reserve recommended as the highest priority project to be funded from the Drainage Reserve Fund:

- (i) Le Page Park, Cheltenham
Water would be pumped from Melbourne Water's Argus Street retarding basin (incorporating a wetland) to irrigate the two sports ovals at an estimated cost of around \$1.9 million. This project is not able to be funded from the Contribution Scheme as the policy requires council's project to treat stormwater prior to reuse.

For this project, the harvested water is already pre-treated within Melbourne Water's wetland. This is the main reason why Le Page Park is the highest scoring project and ideally should be designed, to support any future grant applications.

- (i) G.R Bricker Reserve, Moorabbin
Water would be pumped from Melbourne Water's very large main drain, treated by a vegetated filtration basin, then stored to irrigate the oval, plus sections of the botanical gardens on the east side of Rowans Road at an estimated cost of around \$3.7 million.

Both Bricker and Moorabbin Reserves have the next highest scores that are very similar. Preliminary design work has been undertaken for Bricker Reserve to assess the site conditions with no significant constraints identified. While both projects are eligible to be funded from the Contribution Scheme, the Bricker Reserve project is more affordable and is recommended as the highest priority to proceed to detailed design stage.

Council's Open Space Department is also planning significant renewal works at G.R Bricker Reserve to resurface the oval and upgrade the irrigation system, with ongoing discussions to align the projects to minimise disruptions to the community.

(ii) Moorabbin Reserve

Water would be pumped from Melbourne Water's very large main drain, treated by a vegetated filtration basin, then stored to irrigate the main oval leased by St.Kilda F.C, plus the passive open space (dog off-lease area) at an estimated cost of around \$5.5 million.

Although the scoring is very similar to G.R Bricker Reserve, this project would require further agreements with St.Kilda to locate the treatment system within their lease area, and the cost of this project significantly exceeds the available funds from the Contribution Scheme.

This project has not been recommended for detailed design during 2023/24 but should be considered in future years.

(iii) Bon Beach Sports Reserve

The scoring for this project is less than the above projects, however it is still a strong candidate (for stormwater treatment only) and is the fourth highest scoring project. Refer to appendix 1 for further information.

This project should be considered for design once there is more clarity on the likelihood of being connected to a recycled water scheme.

3.2 Withdrawal from the Drainage Reserve Fund

Kingston's Stormwater Quality In-lieu Contributions Policy (2016) specifies that the Drainage Reserve Fund can be used to fund the cost of planning, project management, design, construction, and maintenance of council's stormwater treatment projects, including stormwater reuse, where appropriate.

Options for withdrawing from the fund include:

Option 1 - Wait several years for the balance to cover the cost of larger projects. This approach would increase the lag time between accepting contributions and implementing projects that remove pollution from waterways.

Option 2 - Withdraw \$3.4 million for the purpose of designing and constructing a stormwater treatment and reuse project at G.R Bricker Reserve.

Option 3 (Preferred) - Withdraw \$80,000 for the purpose of advancing the design and investigation of a stormwater treatment and reuse project at G.R Bricker Reserve as a priority. This approach would provide increased confidence around the cost estimate, approvals, outcomes from internal and external consultation, and whether the project would need to be constructed in stages.

A future report could be presented to Council to progress option 2, should the project be considered viable for proceeding to the construction phase.

3.3 Stormwater Quality in-lieu Contributions Policy

The Contributions Scheme has been operating effectively since early 2017 and has been referenced by Melbourne Water and Department of Energy, Environment and Climate Action (DEECA) as a positive example for other Victorian councils to explore.

The policy primarily guides council's process and hasn't been formally contested. While the purpose, scope, principles and objectives of the current 2016 policy remain appropriate, there is a need for the policy to be updated and presented to Council for endorsement.

The policy refers to *Kingston's Stormwater Quality In-lieu Contributions Guidelines* for details on how the full or partial in-lieu contributions are calculated, including the applicable rates. Similarly, this document should also be reviewed and updated.

4. Consultation

4.1 Internal Consultation:

Council's Open Space Department are very supportive of the need to reduce the volume of potable water used for irrigating council reserves by constructing stormwater harvesting projects.

Representatives from Open Spaces, Infrastructure and Active Kingston were involved in the original prioritised list of reserves and have been briefed on the latest concepts.

The recent improvements at G. R Bricker Reserve, Moorabbin, such as the gravel carpark, perimeter path and landscaping have been coordinated with Active Kingston to accommodate sufficient space for a stormwater treatment and reuse project.

4.2 Community Consultation:

Group	Method
Kingston sport's clubs Omega Cricket Club at GR Bricker Reserve	The Kingston Sports forum held in September 2022 (with representatives from 33 clubs across 14 sports or activities) included a presentation highlight the reserves that are planned to be irrigated using alternative water. Improvements to GR Bricker Reserve were discussed during Active Kingston's routine meetings with club representative(s).
General community, advisory committees, and targeted groups	No specific consultation has been undertaken on this report, however previous consultation is discussed under the findings.

4.3 Results/Findings:

No specific consultation has been undertaken on the more detailed list of prioritised reserves that are discussed in this report.

The recommended reserves within this report, to be irrigated using alternative water, are consistent with those listed in *Kingston's Integrated Water Cycle Strategy*. The Strategy was widely promoted to the general community in August 2022 and presented to key advisory committees, plus targeted groups. No feedback was received about which reserves should be prioritised.

G.R Bricker Reserve

Should the recommendation to proceed with design work at this reserve be endorsed, further consultation would occur with nearby residents and relevant stakeholders, including the Omega cricket club and the Moorabbin Obedience Dog Club. Further considerations regarding the staging of works are discussed in appendix 1.

4.4 Council Plan Alignment

Strategic Direction: Sustainable - We prioritise our environment and reduce our impact on the earth.

Strategy: Consider environmental sustainability in all Council decisions

Plans to install stormwater treatment and reuse projects are endorsed actions within *Kingston's Integrated Water Strategy 2022*.

Increasing the use of alternative sources of water, to support greening and cooling benefits, align with the objectives of several Council strategies, including the draft Open Space Strategy, Climate & Ecological Emergence Response Plan, Urban Cooling Strategy, and the draft Urban Forest Strategy.

4.5 Governance Principles Alignment

Principle (c) - the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

Actions within the *Kingston's Integrated Water Strategy* seek to mitigate the impacts of climate change on water security and reduce stormwater pollution. Implementing the recommendation in this report is a key step towards achieving these objectives, supporting environmental resilience and long-term sustainability.

4.6 Financial Considerations

Kingston's Stormwater Quality in-lieu Contributions Scheme was established as the main source of funding council's stormwater treatment and reuse projects, including design and construction.

Budget

The Stormwater Quality Reserve Fund (being the account holding the stormwater quality in-lieu contributions paid by developers) would be used to fund the cost of progressing detail design and investigations discussed in this report. The funds would be transferred into council's Drainage Improvement Program and managed as a capital works project.

Staff Resources



Design engineers within Council's Infrastructure department would project manage all activities, including consultation, planning and approvals. Consultants would be engaged (as required) to progress investigations, such as geotechnical, cultural heritage, arborist, water modelling, design drawings and estimates.

The project does not have a fixed time constraint and it is likely to extend across the 2023/24 and 2024/25 financial years, subject to resourcing availability, design complexities and the preferred timing of construction.

4.7 Risk considerations

There are no legal risks that have been identified. Implementing stormwater harvesting projects will help to mitigate the risk of forecast climate change and urbanisation on future water security and waterway health.

Appendices

Appendix 1 - Stormwater Treatment & Reuse Project Descriptions (Ref 23/191961)  

Author/s: Alan West, Principal Environment Officer
Reviewed and Approved By: Susannah Kenny, Climate & Ecological Emergency Response Officer
Paul Marsden, A/ General Manger Planning and Place

8.4

PRIORITISING STORMWATER TREATMENT & REUSE PROJECTS AT COUNCIL RESERVES

1	Stormwater Treatment & Reuse Project Descriptions	223
---	---	-----

PRIORITISING STORMWATER TREATMENT & REUSE PROJECTS AT COUNCIL RESERVES

Appendix 1: Stormwater Treatment and Reuse Project Descriptions

1. Overview

This document provides further information about:

- Section 2: Recycled Water Scheme impacts on stormwater reuse.
- Section 3: The methodology for prioritising council's stormwater projects.
- Section 4: Descriptions of priority projects, including concept plans.
- Section 5: A summary of council's stormwater treatment projects, 2017 to 2023.

2. Impacts of Recycled Water Schemes

Using recycled water to irrigating council reserves, where available and affordable, is considered preferable to using harvested stormwater. This is because recycled water is more reliable during period of low rainfall and requires Council to undertake less asset management and maintenance.

Reserves that are likely to be supplied with recycled water would no longer require stormwater reuse, however some locations will still be needed to treat stormwater without reuse. This is similar to the function of streetscape rain gardens, installed to remove pollutants from urban runoff.

For reserve projects that fall into this category, the benefit- cost ratio will need to be adjusted and their priority assessed against other locations. An example is the proposed stormwater treatment project at Bonbeach Sports Reserve that still has a strong rating score, as the project costs are comparatively lower for the reasons explained in section 4.4.

The details of which council reserves are more likely to be serviced by future stormwater harvesting projects or recycled water pipelines is summarised within the council report, see table 1.

3. Prioritising Stormwater Projects

The list was reviewed to inform *Kingston's Integrated Water Strategy, 2022* (the Strategy) that sets targets for increasing stormwater treatment and reuse. The modelling was based on gradually constructing seven additional bio-retention treatment systems by 2050, with the highest priority locations listed as:

- Reserve (Carrum), Highett Reserve, Bonbeach Reserve and Chelsea Recreation Moorabbin Reserve, Bricker Reserve (Moorabbin), Le Page Park (Cheltenham), Roy Dore Reserve.

The work undertaken as part of Kingston's Integrated Water Strategy included updated modelling to inform the broad priority of council reserves for stormwater harvesting.

The prioritisation rating was guided by a range of feasibility consideration, such as the size of the catchment, each reserve's proximity to a large stormwater pipe, sufficient space for a treatment system and the cost- benefit of a stormwater harvesting project (with an even weighting for stormwater treatment and stormwater reuse for irrigating sports fields).

This process resulted in the following list of reserves in their initial order of priority:

- Moorabbin Reserve, G.R Bricker Reserve, LePage Park, Highett Reserve, Roy Dore Reserve, Iluka Reserve, Ben Kavanagh Reserve, Mentone Reserve, Dingley Reserve and Dolomore Reserve.

 Appendix 1: Stormwater Treatment & Reuse Project Descriptions

The highest-ranking projects were then assessed against the following criteria in more detail:

- The project represents good value for money. e.g Comparing the unit cost to remove pollutants and provide treated water for irrigating open space.
- There is a high level of confidence with the feasibility and gaining approvals.
- There is a reliable flow of stormwater from a large catchment.
- There is a high priority to irrigate the reserve.
- The reserve has a clear master plan with sufficient allocated space.
- Delaying the project may result in a lost opportunity.
- The reserve is a high priority for urban cooling and reuse demand.

The four highest scoring reserves are Moorabbin Reserve, G.R Bricker Reserve, LePage Park and Bon Beach Sports Reserve.

Finding sufficient space within council reserve to install bioretention system to filter polluted stormwater (i.e large rain gardens) can be challenging, especially for Moorabbin and G.R Bricker Reserves that are treating large drainage catchments.

The feasibility of both locations has been greatly enhanced via the successful trial of an innovative high flow filter media. This was used to renew a stormwater treatment system at Keeley Park in Clayton South, pictured in section 5.2.

4. Descriptions of Priority Projects

The project management and logistical considerations for the four highest scores reserves are discussed below, to inform which projects are recommended to proceed to the detailed design phase and those that can be funded from the Stormwater Quality Reserve Fund.

4.1 G. R Bricker Reserve, Moorabbin

The conceptual layout of this stormwater treatment and reuse project is shown in figure 1.

The works, located at the south end of the reserve, abutting Rowans Rd and would involve:

- Diverting stormwater from a large 2.4m diameter Melbourne Drain that services a huge 209 Hectare catchment, that extends into the Moorabbin industrial area.
- A gross pollutant trap and stormwater pumping station.
- A pressure pipe to pump the water into a 180 sqm vegetated filtration basin to remove fine pollutants.
- Storing the treated water in a 500 cubic metre storage tank located under the oval.

This is a high-ranking project with good potential for storing enough treated water to irrigate both the sports oval and parts of the botanical gardens on the east side of Rowans Road.

Many of the project management investigations are well progressed and have informed the preliminary design.

Community Consultation

Should the recommendation to proceed with design work be endorsed, further consultation would occur with nearby residents and relevant stakeholders, including the Omega cricket club and the Moorabbin Obedience Dog Club.

The Omega cricket club are aware of council's plans for stormwater harvesting and oval resurfacing works and are generally supportive of the works proceeding in a timely manner. The stormwater harvesting works may need to be staged, with the cricket club consulted on the timing. Key impacts and considerations include:

Appendix 1: Stormwater Treatment and Reuse Project Descriptions

- Installing a stormwater treatment system beside the carpark (outside of the oval) would be less time sensitive for the cricket club.
- Installing stormwater storage tanks (around 500,000 litre capacity) under the oval for reuse would be more time sensitive. Ideally any major excavation would align with the timing of plans to resurface the oval. A key benefit would be using the stored water to irrigate the oval, plus the botanical gardens on the east side of Rowans Road.

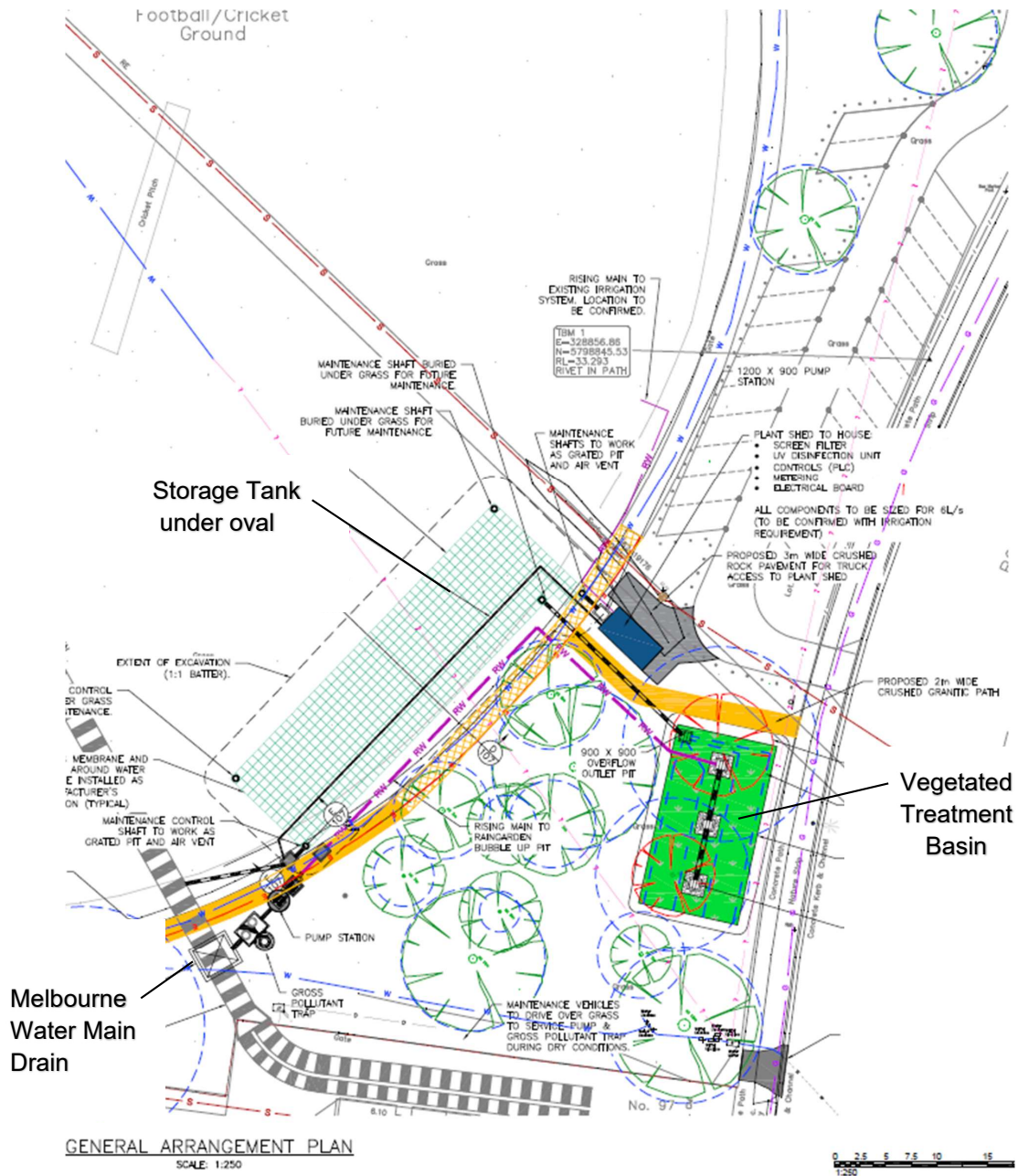


Figure 1 – G.R Brcker Reserve Concept

Appendix 1: Stormwater Treatment & Reuse Project Descriptions

4.2 Moorabbin Reserve, Moorabbin

This project is similar to Bricker Reserve, except the water would need to be pumped a lot further. The conceptual layout is shown in figures 2 and 3 and would involve:

- Diverting stormwater from a large 2.4m diameter Melbourne Drain that services a huge 250 Hectare catchment.
- A gross pollutant trap and stormwater pumping station located in the south-east corner.
- A pressure pipe to pump the water 250m into a 360 sqm vegetated treatment basin located beside Linton St.
- Storing the treated water in a 1,000 cubic metre storage tank located under the treatment basin and excavated into the spectator mound.



Figure 2 – Moorabbin Reserve Concept

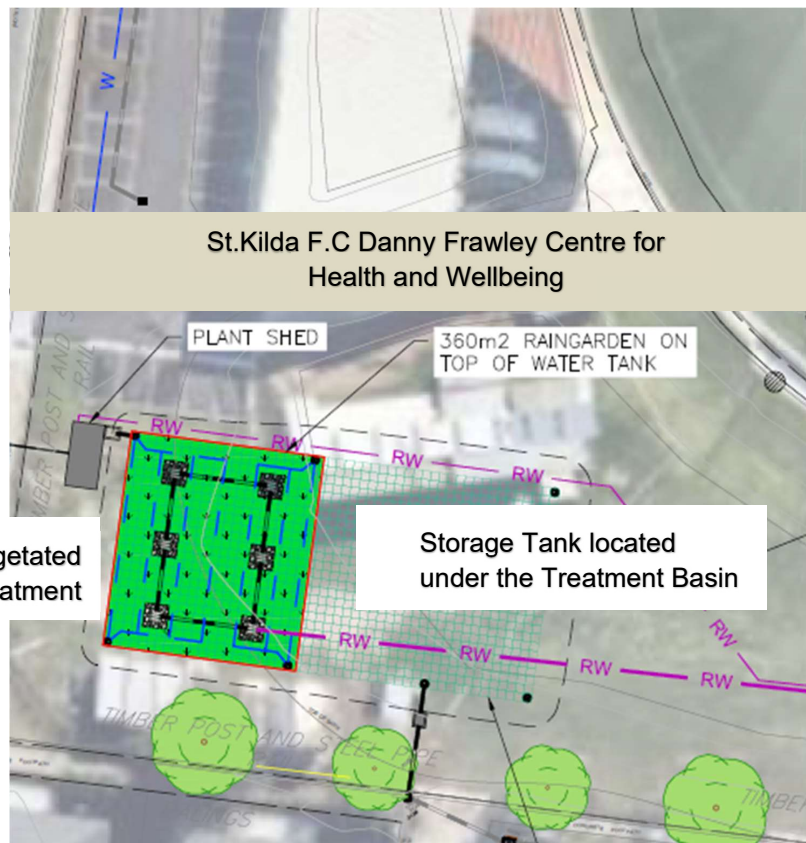


Figure 3 – Moorabbin Reserve Enlargement Concept

Appendix 1: Stormwater Treatment and Reuse Project Descriptions

4.3 Le Page Park, Cheltenham

This project is very different to Bricker and Moorabbin Reserve as it doesn't require a vegetated treatment system. The conceptual layout is shown in figure 4 and would involve:

- Pumping water from a wetland (that has already treated the water) that is located within Melbourne Water's Argus Street retarding basin.
- Installing a 270m long pressure pipe along Argus St to transfer water from the wetland to Le Page Park.



Figure 4 – Le Page Park Concept

Appendix 1: Stormwater Treatment & Reuse Project Descriptions

4.4 Bon Beach Sports Reserve

This project requires a vegetated system to treat stormwater. It is unlikely that the treated water would be used for reuse, and this is reflected in the low cost, on the basis that there is good potential for this reserve to be connected to a future recycled water scheme.

The conceptual layout of this project is shown in figure 5 and would involve:

- Utilising council's large flood mitigation pumping station and drainage outlet (shown in yellow), that is planned to be operational by mid-2025. These assets will significantly reduce the cost of implementing a stormwater treatment component.
- Diverting a pressure pipe into a vegetated filtration basin to remove fine pollutants. Melbourne Water approval would be required to locate the treatment basin on land beside the Long Beach Trail.
- Returning treated water into the drainage outlet.

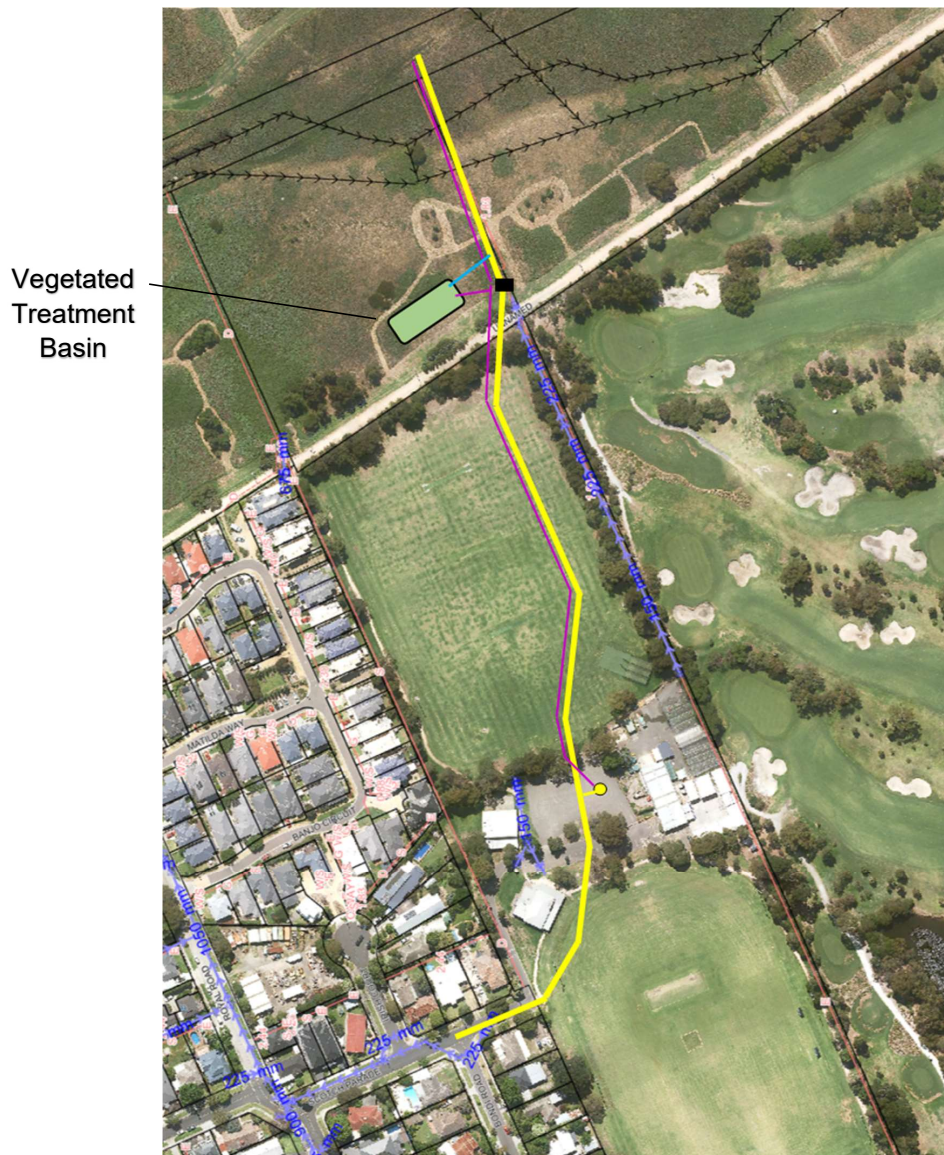


Figure 5 – Bon Beach Sports Reserve Concept

Appendix 1: Stormwater Treatment and Reuse Project Descriptions

5. Recent Stormwater Treatment Projects

The following stormwater treatment projects have been implemented by the City of Kingston since 2017, funded through a variety of other council programs and external grants:

5.1 Edithvale Recreation Reserve

The completion of Kingston's largest stormwater treatment and reuse project in 2018, located in Edithvale Recreation Reserve. This was funded via a combination of \$600,000 in state government grants, plus council's capital works.

**5.2 Keeley Park, Clayton South**

Renewing the stormwater treatment system in Keeley Park, Clayton South in 2023 at a cost of around \$270,000 with assistance from the Federal government's 'Local Roads & Infrastructure Community Program' (LRIC).

This type of high flow-rate system requires a much smaller treatment area, compared to traditional bio-retention systems, thereby providing a workable solution for constrained sites. This is first time this product has been installed by any council in Australia and is the largest installation (private or public sector) in Victoria.



Appendix 1: Stormwater Treatment & Reuse Project Descriptions

5.3 Foreshore Swales

Installing several large foreshore swales in Aspendale to treatment stormwater runoff from Ozone Avenue, Wyuna Grove and Grovers Street in 2019 and Wilson Grove in 2022, at a combined cost of around \$205,000.

**5.4 Mentone Life Saving Club**

Installing a major stormwater pollutant trap within the Mentone Life Saving Club precinct at a cost of around \$250,000 in 2023, pictured above.

5.5 Condition audits

Auditing the condition of our larger vegetated treatment basins and implementing some improvements between 2020 and 2022.

9. Community Strengthening Reports

Ordinary Council Meeting

25 September 2023

Agenda Item No: 9.1

COMMERCIAL USE OF COUNCIL LAND APPLICATIONS - NOVEMBER 2023 - DECEMBER 2024

Contact Officer: **Morgan Henley, Team Leader, Festivals & Events**
Ethan Becker, Senior Festivals, Events & Sponsorship

Purpose of Report

Provide Council with information on the EOI applications received for Commercial Events on Council land, commencing 1 November 2023 – 30 December 2024.

Present one application – Mordialloc Summer Carnival for Council endorsement as required by the Commercial Use of Council Land Policy.

Disclosure of Officer / Contractor Conflict of Interest

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

RECOMMENDATION

That Council:

1. Note the three applications for single day Commercial events:
 - The 5th Makers Market – Bicentennial Park, Chelsea
 - Picnic in the Park – George Woods Reserve, Mordialloc
 - Smalltown – Keys Road Reserve, Moorabbin
2. Endorse the application for the Mordialloc Summer Carnival to be held at Peter Scullin Reserve, Mordialloc from Tuesday 26 December 2023 – Sunday 28 January 2024

1. Executive Summary

An Expression of Interest (EOI) process has been facilitated for Commercial Events taking place on Council land, from 1 November 2023 – 31 December 2024. Four applications were received via the process:

- The 5th Makers Market – Bicentennial Park, Chelsea
- Picnic in the Park – George Woods Reserve, Mordialloc
- Smalltown – Keys Road Reserve, Moorabbin
- Mordialloc Summer Carnival – Peter Scullin Reserve, Mordialloc

Applications have been discussed with multiple internal stakeholders to ensure thorough assessment by subject matter experts. The consensus among officers is to support the applications in principle, with any minor concerns raised being mitigated by the inclusion of special licence conditions.

Three of the expression of interest applications received were for single day commercial events with no fee reductions requested. Current process allows for events of this nature to be approved by the Festivals and Events Team. Officers have engaged with the applicants of these three events and commenced issuing licence agreements.

The fourth expression of interest, Mordialloc Summer Carnival, is proposed to operate for 34 days, Tuesday 26 December 2023 – Sunday 28 January 2024. In accordance with the Commercial Use of Council Land policy, an event of this duration requires a resolution of Council.

2. Background

The Commercial Use of Council Land Policy (the policy) was adopted by Council in August 2018. The policy details that Licence Applications may be sought by EOI for Commercial activities to be conducted on Council land and sets the criteria by which applications are assessed. The policy also states that activities that are to operate for two days or more require a resolution of Council.

An EOI process was facilitated calling for applications for Commercial activities, commencing 1 November 2023 – 31 December 2024. The EOI was open for a six-week period Wednesday 7 June – Friday 14 July 2023 and was widely advertised via:

- Social Media campaign
- Direct electronic mail to registered businesses
- Advertisements in council newsletters
- Phone calls and direct mail to previous applicants

Of the four applications received, three were for single day events:

- The 5ifth Makers Market
- Picnic in the Park
- Smalltown

Current process allows for single day Commercial Use of Land applications to be reviewed and approved by the Festivals and Events Team. All three single day events meet the assessment requirements stipulated in the policy and have been approved in principle.

Officers are now working with the applicants to finalise licence agreements for the use of council land. These agreements will include standard conditions along with specialised requirements set by the relevant internal departments including Open Space, Property Services and Festivals and Events.

The fourth application, Mordialloc Summer Carnival is a multiple day event requiring a resolution of Council. If approved by Council, the operators will be issued a licence agreement for the event.

3. Discussion

3.1 Single Day Events

3.1.1 The 5ifth Makers Market

The 5ifth Makers Market is an art, craft and makers market consisting of 120 market stalls and food and beverage vendors to be held at Bicentennial Park, Chelsea. The applicant, Unrivalled Events has been facilitating markets successfully at this location for approximately 5 years.

The applicant currently has approval to host markets until October 2023. Through the EOI process, approval has been granted for five additional single day market dates from November 2023 – April 2024.

3.1.2 Picnic in the Park

Picnic in the Park at George Woods Reserve Mordialloc is a free event involving local breweries, distilleries and food trucks selling food and beverages to attendees to be enjoyed in a picnic style setting with a small stage for live music.

The applicant, Braeside Brewing Co. has successfully held the event at the location on two previous occasions in 2021. A licence has been issued for the third edition of the event to take place on Sunday 14 January 2024.

3.1.3 Smalltown

Smalltown is a ticketed arts, music and food festival aimed at providing the residents of Kingston and surrounds with a local cultural offering. The event will feature electronic music performers on one stage complimented by food and drinks with bespoke stage designs and interactive art installations.

Smalltown has not been facilitated in Kingston before, however the applicant, Ginger Republic has successfully facilitated similar events across Melbourne.

The application proposed the event taking place on Saturday 10 February 2024 at Keys Road Reserve, Moorabbin. During assessment, officers determined this location would not be suitable due to site works and are now working with the applicant to identifying an alternative location with the view of issuing a licence for the event.

3.2 Mordialloc Summer Carnival

The Mordialloc Summer Carnival has become a well-known and much-loved annual event, taking place at Peter Scullin Reserve, Mordialloc for the past eight years. The family friendly event involves amusement rides, carnival games and limited food offerings, plus two firework displays scheduled for New Years Eve and Australia Day. The event engages and raises money for the local sporting club (Mordialloc Redbacks) through sausage sizzles and donation of profits from games.

The applicant, Smart Amusements is a local business that are professionals in their field and travel around Australia hosting events and carnivals. Locally, Smart Amusements have demonstrated their ability to run this event successfully over the past eight years including two occurrences under COVID restrictions.

The application proposes the event taking place across six weeks to align with the summer school holiday period with the following operating days and times:

- Set Up: Monday 18 – Friday 22 December 2023, 8am – 8pm
- Event Dates: Tuesday 26 December 2023 – Sunday 28 January 2024
 - Sunday – Thursday, 1pm – 9.30pm
 - Friday and Saturday, 1pm – 10pm
- Pack Down: Monday 29 – Tuesday 30 January 2024, 8am – 8pm

The applicant has acknowledged that the event will be subject to Commercial Use of Land fees and placed a bid of \$20,000 for the event.

As this event is proposed to operate for more than two days, a resolution of Council is required.

The proposal can be reviewed in full in Appendix 1.

3.3 Commercial Use of Land fees

Commercial Use of Land Fees are established annually through the Council Budget process. Fees are set in two categories; primary and secondary based on the prestige and level of demand for a site. The fees established in the 2023/24 budget are:

- Primary sites - \$1,500 per event day
- Secondary sites - \$750 per event day

In addition to the event day fees, set-up and pack up days are charged at half the event day fee in acknowledgement of public access to open spaces being disrupted by events. In addition, multi-day events attract a permit processing fee, currently \$300.

As part of the EOI process, applicants were required to acknowledge and accept the standard fees and given the opportunity to place a bid for the event fee.

The three organisers of the single day events all declined the opportunity to place a bid. The standard fees will be applied in the development of the licence agreements for these events.

3.3.1 The 5ifth Makers Market

The fee applicable for 5ifth Makers Market is \$750.00 per market.

3.3.2 Picnic in the Park

The fee applicable for Picnic in the Park is \$750.00.

3.3.3 Smalltown

The fee applicable for Smalltown is \$2625.00, calculated as follows.

Fee Type	Qty	Fee	Total
Set up days	3	\$375.00	\$1,125.00
Event day	1	\$750.00	\$750.00
Pack up day	2	\$375.00	\$750.00
		TOTAL	\$2,625.00

3.3.4 Mordialloc Summer Carnival

The Mordialloc Summer Carnival is the only application for a multiple day event and the only event proposed to be held on a primary site. Smart Amusements were also the only applicants to take up the bid option and placed an offer of \$20,000 for the site fees.

Applying the standard fees, the Commercial Use of Land fee for the Mordialloc Summer Carnival would be \$58,800 calculated as follows.

Fee Type	Qty	Fee	Total
Set up days	5	\$750.00	\$3,750.00
Event days	34	\$1,500.00	\$51,000.00
Non-operational days	3	\$750.00	\$2,250.00
Pack up days	2	\$750.00	\$1,500.00
Permit processing fee	1	\$300.00	\$300.00
		TOTAL	\$58,800.00

Consultation with the Property Services team regarding the bid, noted that the offer aligns with the fees charged for previous editions of the Mordialloc Summer Carnival. In 2022/23 the event ran for a similar period and paid a total fee of \$22,909.00

The team acknowledged that the standard fees would prohibit the Mordialloc Summer Carnival from proceeding and highlighted that the policy and associated per day fee structure was never intended for events involving extended periods of occupation.

On this basis, the Property Services Team recommend that the Mordialloc Summer Carnival bid be accepted, and the event fee be reduced to \$20,000 plus \$300 Permit Processing fee.

The applicant will also be required to obtain an Asset Protection Permit covering Council's infrastructure in the proposed area of occupation. A ground rehabilitation cost of \$1,500 is also incorporated into the Commercial Use of Land Fee.

3.4 Internal Consultation:

3.4.1 Open Space

The Open Space department are comfortable that the operators of the Mordialloc Summer Carnival have previously demonstrated their respect for the open space and abided by conditions set to limit the damage caused by extended occupation of the Reserve. The team also highlighted a need for conditions to be included in the licences, to ensure the protection of sensitive areas.

3.4.2 Property Services

The Property Services department reviewed the event fee offer for the Mordialloc Summer Carnival, and support its acceptance, noting the Policy delegates authority to waive or reduce fees to the Chief Financial Officer.

Property Services detailed their position of support for the bid was determined on the basis that the offer amount is in keeping with the fee's charges for this event historically. Property Services also noted that applying Primary Site fee in this instance, would likely result in the event becoming commercially infeasible.

During consultation, the team also highlighted that the Policy is due for review and noted a shift in trends towards events involving extended periods of occupation. Noting the policy and associated per day fee structure was never intended for events of this nature, rather it was designed for events of 1-3 days. Arrangements for longer term events will be considered as part of the Commercial Use of Council Land Policy review.

Property Services also provide support with the development of licence agreements for the approved events.

3.4.3 Other departments

Various departments relevant to the event sites and styles were engaged in the assessment process and development of the licence agreements for one day events, including:

- Open Space
- Active Kingston
- Compliance and Amenity
- City Economy and Innovation
- Infrastructure and Procurement.

If Council endorse the Mordialloc Summer Carnival, the relevant departments will be engaged in the development of a licence agreement for the event.

4. Compliance Checklist

4.1 Council Plan Alignment

Strategic Direction: Liveable - Our city will be a vibrant, enjoyable, and easy place to live.

Strategy: Foster a thriving and innovative arts and culture scene, which is both diverse and inclusive

4.2 Governance Principles Alignment

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

Principle (c) - the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

Principle (i) - the transparency of Council decisions, actions and information is to be ensured.

4.3 Financial Considerations

4.3.1 Projected costings

The events are not anticipated to incur any cost to Council.

4.3.2 Budget

The total income to be generated if the four events proceed is \$27,425.00, just shy of the \$27,500.00 income target for Commercial Event fees for the 2023/24 Financial Year.

4.3.3 Staff Resources

Licence development and event oversight will be delivered within existing staff resources.

4.4 Risk considerations

The Mordialloc Summer Carnival has a long and positive reputation as a family friendly event and is well received by residents of Kingston and beyond. In a similar manner the 5ifth Makers Market and Picnic in the Park have establish positive reputations with residents at a local level.

As a result, there is a reputational risk to Council of not approving applications for Commercial Events.

While large events and in particular a carnival may be considered high-risk events for Council, the operators have demonstrated their capacity to deliver safe and successful events and comply with all relevant regulations and industry best practices.

Appendices

Appendix 1 - Commercial Event EOI 2023/24 - Mordialloc Summer Carnival Proposal
(Ref 23/224359) - Confidential

Author/s:

Morgan Henley, Team Leader, Festivals & Events

Ethan Becker, Senior Festivals, Events & Sponsorship

**City of Kingston
Ordinary Council Meeting**

Agenda

25 September 2023

Reviewed and Approved By: Simon Doyle, Manager Arts, Events and Libraries
Sally Jones, General Manager Community Strengthening

Agenda Item No: 9.2

RECONCILIATION ACTION PLAN PROGRESS REPORT 2

Contact Officer: Yasmin Silveira, Reconciliation Lead
Susan Quach, Team Leader Community Diversity and Inclusion

Purpose of Report

The purpose of this report is to inform Council of progress in implementing the Reconciliation Action Plan 2022-2024.

Disclosure of Officer / Contractor Conflict of Interest

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

RECOMMENDATION

That Council:

1. Note the achievements of the Reconciliation Action Plan 2022-2024 implementation from January to June 2023.
2. Endorse extending the Innovate Reconciliation Action Plan 2022-2024 for an additional 12 months.

1. Executive Summary

Council adopted the Innovate Reconciliation Action Plan (RAP) in April 2022. The RAP Innovate framework is a nationally recognised process adopted by Reconciliation Australia; an independent, not-for-profit organisation established in 2001 and recognised as the national expert body on reconciliation in Australia. Kingston's RAP identifies Council's priorities for the next two years of working with the community.

Following adoption of the RAP, Council and its partners have implemented a wide range of actions that contribute to achieving its goals and objectives. A report was presented to Council in April 2023 outlining key RAP achievements from April to December 2022. This report outlines key RAP achievements from January to June 2023.

Highlights include:

- Council's continuing support of the Derrimut Weelam Gathering Place (DWGP)
- Acknowledgement of Country decals installed in 155 Council buildings
- National Reconciliation Week programs (including local school engagement)
- Installation of a new flagpole for the Torres Strait Islands flag at DWGP
- Recruitment procedures review and consideration of cultural leave in the new Enterprise Agreement
- Children's Services shortlisted for a Nurrungunawali award for embedding Indigenous practices in their curriculum
- Three artwork acquisitions from the For Our Elders arts exhibition

- Procurement project work to increase engagement of Aboriginal and Torres Strait Islander business.

2. Background

Council's first RAP was adopted in April 2022. Reconciliation Australia has four types of RAPs which enable organisations to continuously develop their reconciliation commitments. Each type of RAP is designed to suit an organisation at different stages of their reconciliation journey. The four stages of RAPs include Reflect, Innovate, Stretch and Elevate. The stages are not linear and often Council's will spend multiple years working within the same stage.

Kingston's Innovate RAP outlines actions that work towards achieving Kingston's unique vision for reconciliation. Commitments within this RAP will allow Council to be aspirational and innovative to help the organisation gain a deeper understanding of its scope of influence and establish the best approach to advance reconciliation.

The RAP Innovate framework is a nationally recognised process adopted by Reconciliation Australia; an independent, not-for-profit organisation established in 2001 and recognised as the national expert body on reconciliation in Australia. RAPs are based around the core pillars of relationships, respect, and opportunities. They provide tangible and substantive benefits for Aboriginal and Torres Strait Islander peoples by increasing equity and supporting First Nation's self-determination.

3. Discussion

3.1 RAP Key Achievements January – June 2023

Following adoption of the RAP, Council and its partners have implemented actions that contribute to achieving its goals and objectives. A report was presented to Council in April 2023 outlining key RAP achievements from April to December 2022. A summary of the key achievements from January to June 2023 is provided in Table 1 below. Refer to Appendix 1 to review the progress report against each RAP action.

Table 1: RAP Key Achievements January – June 2023

Priority Area	Key Achievements
1. Relationships	<p>Derrimut Weelam Gathering Place (DWGP)</p> <ul style="list-style-type: none"> • Council continues to support the DWGP to deliver new programs and community events. Highlights include the fortnightly Elders program, Blak markets, monthly community lunch at Westall Hub, and introduction of the Elders Story project, a women's possum skin cloak making program, men's didgeridoo making and youth shield making programs. <p>National Reconciliation Week (NRW) May 2023</p> <ul style="list-style-type: none"> • Council hosted a series of events and activities to celebrate National Reconciliation Week facilitated by Kingston Libraries, Community Hubs, Arts and the DWGP. • Two Reconciliation Week events were delivered in partnership with the DWGP. A Smoking Ceremony and Welcome to Country were delivered by the Bunurong Land Council at the Flag Raising event on 29 May. More than 80 community members, staff and members of the RAP Advisory Group attended the event.

	<ul style="list-style-type: none"> • The DWGP hosted a Community Sorry Day Lunch on 26 May at the Westall Hub. The event was well-received and attended by the RAP Advisory Group, as well as many community elders. Lunch was provided for over 40 attendees and guests enjoyed a native ingredients educational session. <p>Staff initiatives</p> <ul style="list-style-type: none"> • A prevention of discrimination policy has been drafted. • The ‘Voice Advocates Program’ (internal staff) has been developed to inform Kingston staff about the upcoming Voice to Parliament Referendum. Resources from the Federal Government, short explainer videos and responses to frequently asked questions have been made available to staff. <p>Schools</p> <ul style="list-style-type: none"> • School representative groups from Mentone Girls Grammar and Mazenod College attended the NRW Flag Raising event and Sorry Day Community Lunch. • The DWGP is developing a youth engagement program through discussion with local schools. The aim is to launch program delivery in February 2024.
<p>2. Respect</p>	<p>Acknowledgement of Country</p> <ul style="list-style-type: none"> • Acknowledgement of Country decals are now displayed in 155 Council buildings. Incorporating an Acknowledgement of Country in physical spaces promotes an ongoing connection to place for Aboriginal and Torres Strait Islander Australians and shows respect for Traditional Owners. • Acknowledgement of Country continues to be completed at major Council meetings. <p>Installation of a New Flagpole at DWGP</p> <ul style="list-style-type: none"> • A new flagpole was installed at the DWGP, in time for the Flag Raising Ceremony in honour of NRW. Three flags were able to be raised in the ceremony and are permanently flown at the site: the Australian, Aboriginal and the Torres Strait Islands flags. <p>Cultural Competency</p> <ul style="list-style-type: none"> • People and Culture have developed a Cultural Auditing Tool in consultation with Aboriginal and Torres Strait Islander staff. • The Cultural Learning Strategy has been reviewed by the Reconciliation Lead and sent to the RAP Advisory Group for their review. • On Wednesday 31 May an all-staff session with the CEO of Reconciliation Victoria, Nicole Findlay was held. Nicole spoke on the topic of ‘Reconciliation & Referendum’, with over 100 staff attending in-person and online.
<p>3. Opportunities</p>	<p>People and Culture</p> <ul style="list-style-type: none"> • Including three days cultural and ceremonial leave in the new Enterprise Agreement has been proposed.

	<ul style="list-style-type: none"> • An inclusive recruitment review has commenced, being conducted by an external party with implementation slated for late 2023. <p>Children’s Services</p> <ul style="list-style-type: none"> • Carrum Family and Children's Centre has been awarded an 'excellence rating' in part due to how the service leads the sector in embedding Indigenous Perspectives in Education. The service has been shortlisted for a Nurrungunawali award for its RAP and work in this space. The service will host yarning circles in partnership with Koori Early Childhood Support Officers from the Department of Education between September and December 2023. <p>Arts</p> <ul style="list-style-type: none"> • Three First Nations artworks were procured through the exhibition ‘For Our Elders’ at the Kingston Arts Centre which opened for exhibition in June. These works will be displayed in community facing centres and buildings. <p>Procurement Projects</p> <ul style="list-style-type: none"> • A Procurement project to increase engagement of Aboriginal and Torres Strait Islander business has commenced.
<p>4. Governance, Tracking and Reporting</p>	<p>Governance</p> <ul style="list-style-type: none"> • The RAP Advisory Group and the RAP Working Group oversee implementation of the RAP. Senior leaders and other staff are engaged in the delivery of RAP commitments via the RAP Working Group. Aboriginal and Torres Strait Islander staff are represented on the RAP Working Group to oversee the development, implementation and evaluation of the RAP.

3.2 Redevelopment of the Reconciliation Action Plan – Timelines

Council’s RAP was adopted in April 2022 for a two year timeframe. It is recommended to extend the timeframe of the current RAP to ensure the process to redevelop it and the actions can consider the outcome and impact of the Referendum. The RAP Advisory Group and RAP Working Group support extending the timeframe. Reconciliation Australia also support an extension to the current RAP.

2023 is a pivotal year for reconciliation work in Kingston. The unanimous support from Council for the Uluru Statement from the Heart, has provided much support for Reconciliation and Aboriginal and Torres Strait Islander community members. This year there have also been significant advances in Victoria towards Treaty – with new representatives elected by community to the First Peoples’ Assembly of Victoria.

With the Referendum on a Voice to Parliament scheduled for October 2023, it is imperative to consider the impact that the outcomes of the Referendum will have on Aboriginal and Torres Strait Islander communities. It is a year of decision-making reliant on non-First Nations people that will highlight the current attitudes of the Australia community towards First Nations people, and ultimately, decide the actions of the future.

Extending the timeframe of a current RAP is a common practice within the local government sector. The focus of a RAP is on community outcomes rather than being tied down to rigid timeframes.

4. Consultation

4.1 Internal Consultation:

Kingston's RAP Working Group consisting of the Reconciliation Lead, Executive Leadership Team, managers and team leaders/coordinators from various Council departments, is responsible for overseeing the development, implementation, and reporting on the RAP.

The members of the RAP Working Group are:

- Executive Leadership Team (rotating)
- Reconciliation Lead
- Manager, Arts, Events & Libraries
- Manager Procurement & Contracts
- Manager Open Space
- Manager Advocacy Communications & Engagement
- Manager Finance
- Manager Inclusive Communities
- Team Leader Community Diversity & Inclusion
- Team Leader Family and Children's Centres
- Team Leader Diversity & Inclusion
- Foreshore Coordinator
- Team Leader Maternal, Child Health & Immunisation
- Team Leader Maintenance, Contracts & Waste
- Youth Worker Coordinator

4.2 Community Consultation:

Kingston's RAP Advisory Group ensures ongoing input from Aboriginal and Torres Strait Islander community members and stakeholders in planning and governance processes, as well as actions of the RAP. This group is made up of Aboriginal and Torres Strait Islander stakeholders, business partners, local Elders, and members of the local community. The Group meets quarterly.

The role of the RAP Advisory Group is to provide advice, as requested by Kingston Council, on matters including (but not limited to):

- Embedding Aboriginal and Torres Strait Islander perspectives into operations.
- Locally appropriate reconciliation initiatives.
- Policy and consultation strategies.
- Ensuring better access and engagement for Aboriginal and Torres Strait Islander employees, clients, and community members.

5. Compliance Checklist

5.1 Council Plan Alignment

Strategic Direction: Healthy and inclusive - We are progressive, inclusive and prioritise the wellbeing of all members of our community.

Strategy: Respect the importance of Aboriginal and Torres Strait Islander people in Kingston and their connection to the land

The RAP is an important strategic document for Council and the community. It applies to our whole community and operates across the whole organisation. It's development and implementation are integral for Council to be a responsive organisation helping Kingston to be a healthy, safe and inclusive community, and contribute to advancing reconciliation in Australia.

5.2 Governance Principles Alignment

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

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

Principle (c) - the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

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

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

Principle (f) - collaboration with other Councils and Governments and statutory bodies is to be sought.

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

Principle (i) - the transparency of Council decisions, actions and information is to be ensured.

Reconciliation is about strengthening relationships between Aboriginal and Torres Strait Islander peoples and non-Indigenous peoples, for the benefit of all Australians. The RAP aims to achieve the best outcomes for the Kingston community, prioritising an intersectional and equality approach. Implementation of the RAP occurs in accordance with relevant laws, and advances economic, social and environmental sustainability. It involves working in partnership with a range of stakeholders.

5.3 Financial Considerations

Staffing costs for the Reconciliation Lead Officer responsible for coordinating the implementation of the RAP are already included in Council's budget.

Resources of \$157,200 for 2022/23 and 2023/24 financial years have been allocated for material and service expenses associated with the RAP implementation.

5.4 Risk considerations

Risk is considered within the detailed planning of each action documented within the RAP.

Council is required under the Aboriginal Heritage Act 2006 to engage with the Bunurong Land Council with responsibilities for managing and protecting Aboriginal Cultural Heritage on Country. Therefore, all actions within the RAP that have Traditional Owner engagement will identify the Bunurong Land Council to fulfill this obligation.

Appendices

Appendix 1 - RAP Progress Report 2 (Ref 23/218143)  

Author/s: Yasmin Silveira, Reconciliation Lead
Susan Quach, Team Leader Community Diversity and Inclusion

Reviewed and Approved By: Kate Waters, Manager Inclusive Communities
Sally Jones, General Manager Community Strengthening

9.2

RECONCILIATION ACTION PLAN PROGRESS REPORT 2

1	RAP Progress Report 2.....	251
---	----------------------------	-----



Action and Task Progress Report

Kingston City Council



Print Date: 15-Aug-2023



www.cammsgroup.com

ACTION PLANS



GREEN

At least 80% of action target achieved

Between 70% and 80% of action target achieved

AMBER

Less than 70% of action target achieved



RED

No target set



* Dates have been revised from the Original dates


1 Reconciliation Action Plan

1.1 Relationships


1.1.1 Establish and maintain mutually beneficial relationships with Aboriginal and Torres Strait Islander stakeholders and organisations

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
4.1.1.6 - Meet with local Aboriginal and Torres Strait Islander stakeholders and organisations to develop guiding principles for future engagement. - Develop and maintain relationship with the state recognised Traditional Owners to support and develop stakeholder engagement plan. - Develop an engagement plan with the state recognised Traditional Owners of the land.	Susan Quach - Team Leader Diversity & Inclusion	In Progress	01-Jul-2022	30-Jun-2024	50.00%	50.00%	 GREEN
ACTION PROGRESS COMMENTS: First progress report: Establishment and maintenance of good working relationships with the registered Aboriginal Party, the Bunurong Land Council (BLC). A representative from the BLC attended a Reconciliation Action Plan Working Group meeting. Second progress report: Continuing to build on existing relationships with the Bunurong Land Council in the context of BLC management and staff changes. Last Updated: 11-Aug-2023							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
4.1.1.7 Develop a database of Aboriginal and Torres Strait Islander organisations for engagement across Council pillars and update annually	Susan Quach - Team Leader Diversity & Inclusion	In Progress	01-Jul-2022	30-Jun-2024	50.00%	50.00%	 GREEN
ACTION PROGRESS COMMENTS:							
First progress report: A list of Aboriginal and Torres Strait Islander local business is in development.							
Second progress report: The social procurement section of the Procurement Policy 2022 includes seeking opportunities to directly procure from Aboriginal and Torres Strait Islander businesses.							
Engagement undertaken with local Aboriginal and Torres Strait Islander small businesses to facilitate programs through National Reconciliation Week and NAIDOC Week. Engagement with a local arts gallery to discuss further procurement opportunities. Progress reported to the RAP Advisory Group.							
Last Updated: 11-Aug-2023							
ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
4.1.1.8 Continue to support the Derrimut Weelam Gathering Place as the executive support	Susan Quach - Team Leader Diversity & Inclusion	In Progress	01-Jul-2022	30-Jun-2024	50.00%	50.00%	 GREEN
ACTION PROGRESS COMMENTS:							
Progress report 1: Kingston Council continues to provide executive support to the Derrimut Weelam Gathering Place (DWGP). The DWGP Development Officer and the DWGP Programs Officer with support from the Team Leader Community Diversity and Inclusion, support the DWGP Steering Committee to strategically plan engagement with the community, develop new programs and deliver community events.							
Progress report 2: Ongoing Council support of the Derrimut Weelam Gathering Place as outlined in Progress Report 1. The DWGP introduced four exciting programs in January 2023; a series of workshops for women (possum skin cloak), men (didgeridoo), youth (shield making) and elders (creating a book of stories).							
Last Updated: 11-Aug-2023							
ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %

4.1.1.9 Assist in the relationships between Kingston schools and Kingston Koorie Mob to strengthen the unique program of activities and engagement of Aboriginal youth in schools across Kingston	Susan Quach - Team Leader Diversity & Inclusion	In Progress	01-Jul-2022	30-Jun-2024	50.00%	50.00%	
ACTION PROGRESS COMMENTS:							
Progress report 1: Consultation undertaken with key stakeholders regarding school engagement and supporting school activities throughout Kingston. Initial discussion held with the previous Kingston Koorie Mob coordinator to explore delivery of this program out of the Derrimut Weelam Gathering Place.							
Progress report 2: Grant funds received to develop a youth program and build on the work of the Kingston Koorie Mob. The program will involve expansion of youth engagement to multiple schools in Kingston. Planning work to be undertaken in the second half of 2023, with the program to be launched in 2024. Last Updated: 11-Aug-2023							

1.1.2 Build relationships through celebrating National Reconciliation Week (NRW)


ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
4.1.1.10 - Circulate Reconciliation Australia's NRW resources and reconciliation materials to our staff. - Organise at least one internal event for NRW each year. - Internally encourage council's individual teams to actively participate in NRW.	Susan Quach - Team Leader Diversity & Inclusion	In Progress	01-Jul-2022	30-Jun-2024	70.00%	50.00%	
ACTION PROGRESS COMMENTS:							
Progress report 1: National Reconciliation Week (NRW) is a time for all Australians to learn about our shared histories, cultures and achievements and to explore how each of us can contribute to reconciliation in Australia. The 2022 theme - Be Brave Make Change - is a challenge to us all to be brave and tackle the unfinished business of reconciliation so we can make change for all. To celebrate NRW Kingston Council hosted a flag raising event and launched Council's first ever innovate RAP at Derrimut Weelam Gathering Place on Monday 30 May 2022, 10-11.30am. A Smoking Ceremony and Welcome to Country were delivered by the BLC, staff from the organisation were encouraged to attend.							
Progress report 2: The theme for National Reconciliation Week 2023 is Be a Voice for Generations. The theme encourages all Australians to be a voice for reconciliation in tangible ways in our everyday lives – where we live, work and socialise. A Flag Raising, Smoking Ceremony and afternoon tea were held at the Derrimut Weelam Gathering Place, and staff were encouraged to attend. An internal staff event for Reconciliation Week was also held with guest speaker CEO of Reconciliation Victoria, Nicole Findlay speaking about reconciliation and the Referendum on a							

Kingston City Council

Action and Task Progress Report

Voice to Parliament. Information about the Referendum was provided at the events.

Last Updated: 11-Aug-2023

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
<p>4.1.1.11</p> <ul style="list-style-type: none"> - Organise an external community-wide NRW week event with the state recognised Traditional Owners of the land. - Support an external NRW event through the Derrimut Weelam Gathering Place. - Committing the RAP Working Group to attend an external NRW event. - Encourage the RAP Advisory Group to attend an external NRW event. 	Susan Quach - Team Leader Diversity & Inclusion	In Progress	01-Jul-2022	30-Jun-2024	50.00%	50.00%	 GREEN
<p>ACTION PROGRESS COMMENTS:</p> <p>Progress report 1: To celebrate NRW Kingston Council hosted a flag raising event and launched Council's first ever Innovate Reconciliation Action Plan at Derrimut Weelam Gathering Place on Monday 30 May 2022, 10:00am-11:30am. A Smoking Ceremony and Welcome to Country were delivered by the Bunurong Land Council. Members of the RAP Advisory Group and the RAP Working Group were invited to attend the event.</p> <p>Progress report 2: Two Reconciliation Week events were organised in partnership with the Derrimut Weelam Gathering Place. A Smoking Ceremony and Welcome to Country were delivered by the Bunurong Land Council at the Flag Raising event on 29 May 2023. Members of the RAP Advisory Group were invited to attend the event, and many members of the RAP Working Group attended with a total of 80 people in attendance. This event was open to both staff and community members.</p> <p>A Community Sorry Day Lunch was held on 26 May 2023. The event was well-received by community and attended by the RAP Advisory Group, as well as many elders. Derrimut Weelam Gathering Place staff provided lunch for over 40 attendees, who also enjoyed a native ingredients educational session from Your Green Prescription - a Peninsula based Aboriginal small business.</p> <p>Last Updated: 11-Aug-2023</p>							
ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %


15-Aug-2023

CAMMS


Page 5 of 27

Kingston City Council

Action and Task Progress Report

4.1.1.12 Register Council events on both the Reconciliation Victorian and Reconciliation Australian websites	Susan Quach - Team Leader Diversity & Inclusion	In Progress	01-Jul-2022	30-Jun-2024	50.00%	50.00%	 GREEN
ACTION PROGRESS COMMENTS:							
Progress report 1: Investigating opportunities to list events on Reconciliation Victoria (Magalee) and Reconciliation Australia's websites.							
Progress report 2: Events listed on Reconciliation Victoria (Magalee) and Reconciliation Australia's websites. Last Updated: 11-Aug-2023							

1.1.3 Raise internal and external awareness of our RAP to promote reconciliation across our organisation and sector

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
4.1.1.13 - Explore opportunities to positively influence our external stakeholders to drive reconciliation outcomes. - Promote Reconciliation through ongoing active engagement with all stakeholders. - Develop and implement strategy to communicate our RAP to all internal stakeholders. - Collaborate with RAP and other like-minded organisations to develop ways to advance reconciliation	Susan Quach - Team Leader Diversity & Inclusion	In Progress	01-Jul-2022	30-Jun-2024	50.00%	50.00%	 GREEN
ACTION PROGRESS COMMENTS:							
Progress report 1: Through the RAP Advisory Group, Kingston is engaging and exploring opportunities to advance reconciliation with like-minded organisations. Reconciliation activities including NAIDOC and Reconciliation Week events, and installation of Acknowledgment of Country stickers, are promoted throughout the community and internally to staff.							
Progress report 2: Through the RAP Advisory Group collaboration, Kingston has identified 17 local businesses that have/or are developing their own RAPs. Community groups and sporting clubs have made enquiries about Kingston's RAP via the Reconciliation Lead, resulting in positive community engagement with Kingston's RAP.							
Cross-council communication has been initiated by Mornington Shire, Bayside and Banyule Councils, and these relationships continue to develop.							
As part of Council's ongoing support of the Uluru Statement from the Heart and thereby the Voice to Parliament, resources have been distributed across Council, and all public facing							

15-Aug-2023

CAMIMS

Page 6 of 27


Kingston City Council

Action and Task Progress Report

facilities on what the Voice to Parliament is about and calling community to be informed in the lead up to the vote.

More than 250 community members attended a Voice and Truth Telling Forum at Kingston City Hall to hear from Attorney General Mark Dreyfus, Rueben Berg and Dr Rachel Joy about the impacts of colonization, and the path towards Treaty. The session was recorded and will be made available for the wider community to watch.

Last Updated: 11-Aug-2023

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
4.1.1.14 - Publish RAP on Council Website - Review and update Council's web page on Aboriginal heritage and reconciliation	Susan Quach - Team Leader Diversity & Inclusion	In Progress	01-Jul-2022	30-Jun-2024	70.00%	50.00%	 GREEN

ACTION PROGRESS COMMENTS:


Progress report 1:

Kingston Council's Innovate Reconciliation Action Plan 2022-2024 has been published on Council's website. Review of Council's website material has commenced.

Progress report 2:

Review of Council's website material is ongoing. Information about Council's support of the Uluru Statement from the Heart and the Voice to Parliament referendum, including educational resources on the Voice to Parliament will be published on Council's website in August 2023.

Last Updated: 11-Aug-2023

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
4.1.1.15 Promote and encourage early learning centres in the LGA to develop RAP through the Narragunawali platform	Caroline Brownlees - Team Leader, Family & Children's Centres	In Progress	01-Jul-2022	30-Jun-2024	60.00%	50.00%	 GREEN

ACTION PROGRESS COMMENTS:

Progress report 1:

Kingston's Family and Children's Services are providing leadership to the early childhood sector in relation to reconciliation. Through a partnership with the Koori Education Engagement Team (Department of Education), professional development is being provided to local childcare providers. An additional Professional Development session was held with Bunurong Land Council, Nuarrugunawali, and Koorie Early Childhood Support Team. The session was fully booked, well attended and positive feedback was received from participants.

Progress report 2:

Carrum Family and Children's Centre has been awarded an 'excellence rating' in part due to how the service leads the sector in embedding Indigenous Perspectives in Education. The service has been shortlisted for a Nurrungunawali award for its RAP and work in this space. The service will host yarning circles in partnership with Koori Early Childhood Support Officers


15-Aug-2023

CAMMS

Page 7 of 27

from Department of Education between September and December 2023.
Last Updated: 11-Aug-2023




1.1.4 Promote positive race relations through anti-discrimination strategies

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
4.1.1.16 - Conduct a review of HR policies and procedures to identify existing anti-discrimination provisions, and future needs. - Engage with Aboriginal and Torres Strait Islander staff and/or Aboriginal and Torres Strait Islander advisors to consult on our anti-discrimination policy. - Develop, implement and communicate an anti-discrimination policy for Kingston Council. - Educate senior leaders on the effects of racism.	Claire Tietze - Team Leader Organisational Equity & Inclusion	In Progress	01-Jul-2022	30-Jun-2024	50.00%	50.00%	 GREEN
ACTION PROGRESS COMMENTS: Progress report 1: Human resources policies have been reviewed to ensure policies do not have any existing issues or barriers. A prevention of discrimination policy has been developed with plans for staff or an advisor to review for this piece of work. Senior leaders completed cultural immersion training. Progress report 2: Aboriginal and Torres Strait Islander cultural and ceremonial 3 days leave per year (additional leave entitlements) are currently being considered in Enterprise Agreement negotiations. Last Updated: 11-Aug-2023							

1.2 Respect




1.2.1 Engage the City of Kingston staff in cultural learning opportunities to increase understanding, value and recognition of Aboriginal and Torres Strait Islander cultures, histories, knowledge and ri

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
--------	--------------------	--------	------------	----------	------------	--------	-------------

<p>4.1.1.17</p> <ul style="list-style-type: none"> - Conduct a review of cultural learning needs within our organisation - Consult local Traditional Owners and/or Aboriginal and Torres Strait Islander advisors on the development & implementation of a cultural learning strategy - Implement Aboriginal and Torres Strait Islander cultural awareness training for all employees within Council - Develop and implement an annual cultural awareness training plan for employees across the organisation the identifies & defines cultural needs of employees 	<p>Claire Tietze - Team Leader Organisational Equity & Inclusion</p>	<p>In Progress</p>	<p>01-Jul-2022</p>	<p>30-Jun-2024</p>	<p>50.00%</p>	<p>50.00%</p>	<p>50.00%</p>	<p> GREEN</p>
<p>ACTION PROGRESS COMMENTS: Progress report 1: A Cultural Auditing Tool has been developed. The cultural learning strategy has been drafted.</p> <p>Progress report 2: The cultural learning strategy has been drafted and reviewed by the Reconciliation Lead. The Reconciliation Advisory Group will review the strategy in August prior to it being presented to senior management in late August. The Inclusive Communities Department will undertake cultural competency training in September 2023. Last Updated: 11-Aug-2023</p>								
ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %	<p> GREEN</p>
<p>4.1.1.18 Provide the opportunity for the RAP Working Group and Advisory Group to participate in formal and structured cultural awareness and learning (Prioritised).</p>	<p>Claire Tietze - Team Leader Organisational Equity & Inclusion</p>	<p>In Progress</p>	<p>01-Jul-2022</p>	<p>30-Jun-2024</p>	<p>50.00%</p>	<p>50.00%</p>	<p>50.00%</p>	<p> GREEN</p>
<p>ACTION PROGRESS COMMENTS: Progress report 1: The RAP Working Group has completed cultural competency training.</p> <p>Progress report 2: The RAP Advisory Group will be consulted and offered the training following recruitment of additional Aboriginal and Torres Strait Islander community members to the Group. Last Updated: 11-Aug-2023</p>								

Kingston City Council

Action and Task Progress Report

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
4.1.1.19 Explore trialling Reconciliation Australia's Share Our Pride online tool across three Community Wellbeing departments.	Susan Quach - Team Leader Diversity & Inclusion	In Progress	01-Jul-2022	30-Jun-2024	50.00%	50.00%	
<p>ACTION PROGRESS COMMENTS: Progress report 1: Options for implementation being explored.</p> <p>Progress report 2: Reconciliation Australia's Share Our Pride online tool is available on Kingston's website. Last Updated: 11-Aug-2023</p>							
ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
4.1.1.20 Investigate the opportunity for BLC to create a dedicated Kingston Liaison funded by Kingston electronically fund transfer – Registered Aboriginal Party officer	Susan Quach - Team Leader Diversity & Inclusion	In Progress	01-Jul-2022	30-Jun-2024	50.00%	50.00%	
<p>ACTION PROGRESS COMMENTS: Progress report 1: Kingston Council has commenced discussions with the Bunurong Land Council regarding entering into a partnership arrangement in which the BLC would provide a defined set of services and deliverables for a set fee from Kingston.</p> <p>Progress report 2: Discussions with the Bunurong Land Council are on hold due to management and staff changes within the organisation. Last Updated: 11-Aug-2023</p>							
ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
4.1.1.21 Host an annual education session for staff with the Registered Aboriginal Party officer regarding caring for country (land management)	Emily Boucher - Manager Open Space	In Progress	01-Jul-2022	30-Jun-2024	50.00%	50.00%	

ACTION PROGRESS COMMENTS:

Progress report 1:


Following completion of Council's commissioned Cultural Values Assessment training from the Bunurong Land Council will be provided to staff on caring for country.

Progress report 2:

A Cultural Heritage workshop for the Bushland and Foreshore team has been booked for October 2023.

Last Updated: 11-Aug-2023

1.2.2 Demonstrate respect to Aboriginal and Torres Strait Islander peoples by observing cultural protocol such as a Welcome to Country and Acknowledgment of Country to ensure there is shared meaning



ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
4.1.1.2.2 - Increase staff understanding of the purpose & significance behind cultural protocols, incl. Acknowledgement of Country & Welcome to Country - Develop, implement & communicate a cultural protocol document, incl. protocols for Welcome to Country & Acknowledgement of Country - Include an Acknowledgement of Country or other appropriate protocols at the commencement of important meetings - Develop a list of key contacts for organising a Welcome to Country & maintaining respectful partnerships	Claire Tietze - Team Leader Organisational Equity & Inclusion	In Progress	01-Jul-2022	30-Jun-2024	75.00%	50.00%	 GREEN

ACTION PROGRESS COMMENTS:
Progress report 1:
Information about Acknowledgment of Country is available to staff, including wording and digital assets. Acknowledgement of Country is completed at major meetings.

Progress report 2:
Information about Acknowledgment of Country continues to be available to staff, including wording and digital assets. Acknowledgement of Country continues to be completed at major meetings. Guidelines for engaging with traditional owners are in development, including cultural protocols which will include a list of key contacts for Welcome to Country, Smoking Ceremonies and other cultural ceremonies, practices or knowledge.
Last Updated: 11-Aug-2023

Kingston City Council

Action and Task Progress Report

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
4.1.1.23 Invite a local Traditional Owner or Custodian to provide a Welcome to Country or other appropriate cultural protocol at significant events each year	Susan Quach - Team Leader Diversity & Inclusion	In Progress	01-Jul-2022	30-Jun-2024	60.00%	50.00%	
ACTION PROGRESS COMMENTS:							
Progress report 1: Traditional owners provided a Welcome to Country at the November Council meeting and the Kingston Carols event in December. Traditional owners also provided a Welcome to Country and smoking ceremony at the Derrimut Weelam Gathering Place 5th birthday celebration/Blak market event in October and the Family Christmas event in December.							
Progress report 2: Traditional owners provided a Welcome to Country at the National Reconciliation Week Flag Raising event in May 2023 at Derrimut Weelam Gathering Place (DWGP) and the DWGP NAIDOC dinner dance 2023. Traditional owners also provided a Welcome to Country and yidaki performance at the opening night of this year's NAIDOC For Our Elders arts exhibition, at Kingston Arts Centre. Last Updated: 11-Aug-2023							
ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
4.1.1.24 Organise and display an Acknowledgment of Country sticker in all Council buildings	Susan Quach - Team Leader Diversity & Inclusion	In Progress	01-Jul-2022	30-Jun-2024	75.00%	50.00%	
ACTION PROGRESS COMMENTS:							
Progress report 1: In collaboration with the Bunurong Land Council and RAP Advisory Group, Kingston Council developed and designed Acknowledgment of Country stickers to be displayed in every Council owned building. Incorporating an Acknowledgment of Country in physical places identifies Aboriginal and Torres Strait Islander peoples as the First Australians and Traditional Custodians of this land. It promotes an ongoing connection to place of Aboriginal and Torres Strait Islander Australians and shows respect for Traditional Owners. Including recognition of Aboriginal and Torres Strait Islander people in physical places, documents, events, meetings and national symbols is one part of ending the damaging exclusion experienced by Aboriginal and Torres Strait Islander people.							
Progress report 2: Acknowledgment of Country stickers have been installed in 155 of 182 Council buildings. Last Updated: 11-Aug-2023							
ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %




15-Aug-2023

CAMMS

Page 1.2 of 27



Kingston City Council

Action and Task Progress Report

4.1.1.25 Investigate opportunities to implement Acknowledgment of Country on Public art works	Simon Doyle - Manager Arts, Events & Libraries	Completed	01-Jul-2022	30-Jun-2024	100.00%	50.00%	 GREEN
ACTION PROGRESS COMMENTS:							
Progress report 1: Public Art Plaque templates includes "The City of Kingston proudly acknowledges the Bunurong People of the Kulin Nation as the Traditional Owners and Custodians of this land, and we pay our respect to their Elders, past and present and emerging".							
Action completed.							
Last Updated: 14-Aug-2023							
ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
4.1.1.26 Review and update current Aboriginal cultural heritage sites with the Registered Aboriginal Party	Emily Boucher - Manager Open Space	In Progress	01-Jul-2022	30-Jun-2024	75.00%	50.00%	 GREEN
ACTION PROGRESS COMMENTS:							
Progress report 1: Council has commissioned a Cultural Values Assessment for the entire municipality. This is expected to be completed around March 2023.							
Progress report 2: The Cultural Values Assessment has been completed and is currently being reviewed by Council Officer.							
Last Updated: 14-Aug-2023							
ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
4.1.1.27 Review naming of streets, parks, gardens and other significant sites	Susan Quach - Team Leader Diversity & Inclusion	In Progress	01-Jul-2022	30-Jun-2024	50.00%	50.00%	 GREEN
ACTION PROGRESS COMMENTS:							
Progress report 1: The Bunurong Land Council have been engaged to provide a name for the new Reserve on Tarella Road Chelsea.							
Progress report 2: A formal requested to name each of the new parks within the Chain of Park has been made to the Bunurong Land Council (BLC) (two new parks, Elders Street South Reserve and Victory Road Reserve).							

A formal request has also been made to the BLC to be involved in the design, development and naming of the new aquatic and leisure facility in Mordialloc in the second half of 2023. Council is developing this once in a generation facility for the community and are keen to ensure that the development celebrates the strong cultural heritage of the local area.
Last Updated: 11-Aug-2023

1.2.3 Build respect for Aboriginal and Torres Strait Islander cultures and histories by celebrating NAIDOC Week

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
4.1.1.28 Review employee policies to ensure that there are no barriers to the participation of all staff in NAIDOC week events	Claire Tietze - Team Leader Organisational Equity & Inclusion	Completed	01-Jul-2022	30-Jun-2023	100.00%	100.00%	 GREEN
ACTION PROGRESS COMMENTS: Progress report 1: Employee policies have been reviewed to ensure there are no barriers to staff participation in NAIDOC week events. Consultation with Aboriginal and Torres Strait Islander staff undertaken regarding if there are barriers. Progress report 2: Three days ceremonial leave is currently being considered as a part of Enterprise Agreement negotiations which would support Aboriginal and Torres Strait Islander staff attending NAIDOC week activities and events. Action completed. Last Updated: 14-Aug-2023							
ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
4.1.1.29 - Support an external NAIDOC event. - Promote and encourage participation in external NAIDOC events to all staff. - Advocate and provide opportunities for all Aboriginal and/or Torres Strait Islander staff to participate with their cultures and communities during NAIDOC week. - RAP Working Group to participate in an external NAIDOC Week event - Raise awareness and distribute information to staff of the meaning of NAIDOC	Susan Quach - Team Leader Diversity & Inclusion	In Progress	01-Jul-2022	30-Jun-2024	70.00%	50.00%	 GREEN

ACTION PROGRESS COMMENTS:

Progress report 1:


NAIDOC week was launched with the NAIDOC Week Dinner Dance held at Kingston City Hall, organised by the Derrimut Weelam Gathering Place (DWGP) and sponsored by the City of Kingston. The DWGP also hosted a flag-raising ceremony on Monday 4 July, and on Wednesday 6 July held a wonderful Family Day event with activities for the whole family. Kingston Libraries also got involved in NAIDOC Week, with storytime sessions featuring indigenous authors and illustrators and drop-in craft workshops. And approximately 350 staff across Kingston, Bayside and Glen Eira tuned-in to a lunchtime webinar presented by Nova Perris OAM.

Progress report 2:

Derrimut Weelam Gathering Placed hosted its annual NAIDOC Dinner Dance held at Southern Golf Club on 30 June 2023. A program of activities were planned and implemented for NAIDOC 2023 (and will be fully reported in the next biannual update July-December 2023).

Last Updated: 11-Aug-2023

1.2.4 Celebrate Aboriginal and Torres Strait Islander dates of significance

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
4.1.1.30 - Develop and promote a calendar of significant Aboriginal and Torres Strait Islander dates to be promoted on council's website. - Explore activities that are designed to engage the residents of Kingston to learn about dates of significance.	Susan Quach - Team Leader Diversity & Inclusion	In Progress	01-Jul-2022	30-Jun-2024	50.00%	50.00%	

ACTION PROGRESS COMMENTS:

Progress report 1:


2022 Reconciliation Week and NAIDOC Week activities were promoted on Council's website. Derrimut Weelam Gathering Place events were promoted on Council's website.

Progress report 2:


2023 Reconciliation Week and NAIDOC Week calendar of activities and events were promoted on Council's website. Derrimut Weelam Gathering Place events were promoted on Council's website.

Following Kingston Council's endorsement of the Uluru Statement from the Heart at the January 2023 Council meeting, and the confirmation of a referendum on a Voice to Parliament in 2023, a review of Council's website material was undertaken and is scheduled to go live by August 2023. It will include educational resources on the Voice to Parliament to assist in fulfilling Council's commitment to inform the community on the referendum.

Last Updated: 11-Aug-2023

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
4.1.1.31 Investigate becoming a partner of the Indigenous Literacy Foundation	Simon Doyle - Manager Arts, Events & Libraries	Completed	01-Jul-2022	30-Jun-2024	100.00%	50.00%	 GREEN
ACTION PROGRESS COMMENTS:							
Progress report 1: Kingston Libraries have engaged with the Indigenous Literacy Foundation (ILF) through the ongoing purchasing of their resources ultimately resulting in donations to the foundation. Partnerships are often held by corporations or large enterprises, private industry, corporations, book sellers and publishing houses. It is not possible for Kingston Council to be an ILF partner.							
Kingston Libraries supported Indigenous Literacy Day (7 September 2022) on social media including through the provision of reading lists. Kingston Libraries begin all children's programs with an approved version of Acknowledgement of Country and participated in Simultaneous Storytime where the theme was first nations - and the same story was read across participating libraries in the state.							
Action completed.							
Last Updated: 14-Aug-2023							


1.2.5 Create a culturally safe workplace within all Kingston buildings

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
4.1.1.32 Consultant to undertake an audit of Council's Town Hall building to assess and recommend ways to make Council's facilities and service areas culturally inclusive and safe for Aboriginal and Torres Strait Islander peoples. (Audit to include Service Centre, Library and Art Gallery).	Susan Quach - Team Leader Diversity & Inclusion	In Progress	01-Jul-2022	30-Jun-2024	25.00%	50.00%	 RED
ACTION PROGRESS COMMENTS:							
Project report 1: Project to commence in late 2023. Project delayed due to Reconciliation Lead position vacancy. Initial scoping has commenced.							
Project report 2: Project to commence in late 2023. Project delayed due to Reconciliation Lead position vacancy. Project planning is underway.							

Kingston City Council

Action and Task Progress Report

Last Updated: 11-Aug-2023

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
4.1.1.33 - Implement additional flags at Town Hall. - Implement additional flags at important locations (Dingley memorial).	Susan Quach - Team Leader Diversity & Inclusion	In Progress	01-Jul-2022	30-Jun-2024	50.00%	50.00%	 GREEN

ACTION PROGRESS COMMENTS:


Progress report 1:

Investigation has commenced into the implementation of additional Aboriginal flags being flown at key locations in Kingston.

Progress report 2:

An additional flag pole was installed at the Derrimut Weelam Gathering Place in May to enable the Torres Strait Islander flag to be flown at the site in addition to the Australian and Aboriginal flags. A report is in preparation for Council's consideration regarding additional flags that will include a new flag policy.

Last Updated: 11-Aug-2023

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
4.1.1.34 Ensure all managers of First Nations employees undertake cultural training	Susan Quach - Team Leader Diversity & Inclusion	In Progress	01-Jul-2022	30-Jun-2024	60.00%	50.00%	 GREEN

ACTION PROGRESS COMMENTS:

Progress report 1:

Cultural competency training was provided to staff at the Koori Heritage Trust, and cultural immersion training was delivered to senior managers. Managers of First Nations employees participated in these training opportunities.

Progress report 2:

Cultural competency training has been arranged for the Inclusive Communities Department in August 2023 by the Koori Heritage Trust.

Last Updated: 11-Aug-2023

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
--------	--------------------	--------	------------	----------	------------	--------	-------------



15-Aug-2023

CAMMS

Page 17 of 27

Kingston City Council

Action and Task Progress Report

4.1.1.35 Develop a feedback mechanism for staff to safely provide feedback on workplace culture	Susan Quach - Team Leader Diversity & Inclusion	In Progress	01-Jul-2022	30-Jun-2024	60.00%	50.00%	 GREEN
ACTION PROGRESS COMMENTS:							
Progress report 1: The Speak Up Platform is a safe, confidential space that provides staff with the ability to raise their voice and speak up against misconduct at work.							
The People Matter Survey will also provide information on workplace culture that will be available to us after the 2023/24 Gender Audit is complete. Staff were asked to provide feedback on their experience in Kingston and the workplace culture anonymously and voluntarily.							
Progress report 2: In June 2023, Kingston City Council ran its second People Matter Survey. This survey collected data from staff about their experiences at Kingston in relation to culture, safety and opportunity against demographic information. This data will be used to analyse the safety for First Nations employees and inform future measures to support their safety at work. Last Updated: 11-Aug-2023							
ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
4.1.1.55 Make council facilities a culturally safe space through inclusion of at least one piece of Aboriginal artwork in each place.	Simon Doyle - Manager Arts, Events & Libraries	In Progress	01-Jul-2022	30-Jun-2024	50.00%	50.00%	 GREEN
ACTION PROGRESS COMMENTS:							
Progress report 1: There are currently three artworks by Indigenous artists in Kingston's facilities.							
Progress report 2: An additional three First Nations artworks were procured through the exhibition 'For Our Elders' at the Kingston Arts Centre as part of Naidoc Week 2023. Further work is ongoing in this space as the organisation works through the most effective way to operationalise this action. Last Updated: 09-Aug-2023							



1.3 Opportunities**1.3.1 Improve employment outcomes by increasing Aboriginal and Torres Strait Islander recruitment, retention and professional development**

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
---------------	---------------------------	---------------	-------------------	-----------------	-------------------	---------------	--------------------


15-Aug-2023

CAMMS

Page 18 of 27

<p>4.1.1.1.36</p> <ul style="list-style-type: none"> - Build understanding of current Aboriginal and Torres Strait Islander staffing to inform future employment and professional development opportunities (Diversity and Inclusion Strategy). - Position descriptions to include a commitment to working with Aboriginal and Torres Strait Islander peoples and towards Reconciliation. - Advertise job vacancies to effectively reach Aboriginal and Torres Strait Islander stakeholders 	<p>Claire Tietze - Team Leader Organisational Equity & Inclusion</p>	<p>In Progress</p>	<p>01-Jul-2022</p>	<p>30-Jun-2024</p>	<p>50.00%</p>	<p>50.00%</p>	
<p>ACTION PROGRESS COMMENTS: Progress report 1: Recruitment for the Reconciliation Lead identified position included advertising through several Aboriginal and Torres Strait Islander networks. Progress report 2: As part of the HR review of the recruitment process, an overarching Equity and Inclusion statement will be developed that will be included in Job advertisements and position descriptions. Last Updated: 09-Aug-2023</p>							
ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
<p>4.1.1.1.37</p> <ul style="list-style-type: none"> - Engage with Aboriginal and Torres Strait Islander staff to consult on Kingston's recruitment, retention and professional development processes. - Review HR and recruitment procedures and policies to remove barriers to Aboriginal and Torres Strait Islander participation in the workplace. - Develop and implement an Aboriginal and Torres Strait Islander recruitment and retention strategy. 	<p>Claire Tietze - Team Leader Organisational Equity & Inclusion</p>	<p>In Progress</p>	<p>01-Jul-2022</p>	<p>30-Jun-2024</p>	<p>50.00%</p>	<p>50.00%</p>	
<p>ACTION PROGRESS COMMENTS: Progress report 1: An inclusive recruitment review has commenced that is being conducted by an external party. Implementation slated for late 2023. Progress report 2:</p>							

Aboriginal and Torres Strait Islander Cultural and Ceremonial leave (additional 3 days paid leave) has been made a claim as part of the current Enterprise Agreement negotiations. This leave would grant staff the ability to take up to 3 days additional paid leave days for cultural activities, ceremonial practices in relation to NAIDOC week, Sorry Business etc.
Last Updated: 11-Aug-2023


ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
4.1.1.38 Review HR and recruitment procedures and policies to remove barriers to Aboriginal and Torres Strait Islander participation in the workplace	Claire Tietze - Team Leader Organisational Equity & Inclusion	Completed	01-Jul-2022	30-Jun-2024	100.00%	50.00%	 GREEN

ACTION PROGRESS COMMENTS:

Progress report 1:
Review of Human Resource and recruitment procedures and policies has been completed and no barriers were identified. Opportunity to include cultural and ceremonial leave in the Enterprise Agreement is being explored.

Action completed.

Last Updated: 14-Aug-2023

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
4.1.1.39 Increase the percentage of Aboriginal and Torres Strait Islander staff employed in Kingston's workforce	Claire Tietze - Team Leader Organisational Equity & Inclusion	In Progress	01-Jul-2022	30-Jun-2024	50.00%	50.00%	 GREEN

ACTION PROGRESS COMMENTS:




Progress report 1:
Scoping ways to capture information about the number of Aboriginal and Torres Strait Islander staff is being undertaken.

Progress report 2:

A new self-reporting demographic data collection tool will be launched shortly within myConnect which has been updated to allow self-reporting of demographic information not visible to managers (i.e. Gender, Aboriginal and/or Torres Strait Islander identity, sexual orientation, religion, languages spoken other than English, country of birth, cultural identity etc.). In the meantime, an anonymous People Matter Survey has been completed by staff that shows an increase response from Aboriginal and Torres Strait Islander staff and increased engagement.

Last Updated: 15-Aug-2023

1.3.2 Increase Aboriginal and Torres Strait Islander supplier diversity to support improved economic and social outcomes


ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
4.1.1.40 Review and update Kingston's procurement policy to include Aboriginal and Torres Strait Islander section	Steve Connelly - Manager, Procurement & Contracts	Completed	01-Jul-2022	30-Jun-2024	100.00%	50.00%	 GREEN
ACTION PROGRESS COMMENTS: Completed with new policy 31 December 2021. Last Updated: 12-Dec-2022							
ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
4.1.1.41 Investigate Supply Nation / Kinaway membership	Steve Connelly - Manager, Procurement & Contracts	In Progress	01-Jul-2022	30-Jun-2024	50.00%	50.00%	 GREEN
ACTION PROGRESS COMMENTS: Progress report 1: The Procurement and Contracts Team have begun discussions with Kinaway (alternative to Supply Nation). Progress report 2: Continuing discussions planned for second half of 2023. Last Updated: 10-Aug-2023							
ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
4.1.1.42 Develop and communicate opportunities for procurement of goods and services from Aboriginal and Torres Strait Islander businesses to staff that can be used to procure goods and services	Steve Connelly - Manager, Procurement & Contracts	In Progress	01-Jul-2022	30-Jun-2024	50.00%	50.00%	 GREEN
ACTION PROGRESS COMMENTS: Progress report 1: This action to be informed by Supply Nation / Kinaway discussions. Information will be made available on Knet. Progress report 2: Opportunities to procure good and services from Aboriginal and Torres Strait Islande businesses have been promoted within Community Strengthening Directorate. Planning is							

Kingston City Council

Action and Task Progress Report

underway to promote the Procurement Policy within Kingston Council and identify opportunities for Aboriginal businesses to tender for projects within the Council area.

Last Updated: 10-Aug-2023

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
4.1.1.43 Review and update procurement practices to remove barriers to procuring goods and services from Aboriginal and Torres Strait Islander businesses	Steve Connelly - Manager, Procurement & Contracts	In Progress	01-Jul-2022	30-Jun-2024	50.00%	50.00%	 GREEN

ACTION PROGRESS COMMENTS:


Progress report 1:

Lack of awareness barrier to be addressed through provision of information about Supply Nation or Kinway. Procurement policy has been updated.

Progress report 2:

The procurement policy will be reviewed in the FY23/24 and any further barriers will be removed.

Last Updated: 11-Aug-2023

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
4.1.1.44 Develop at least one commercial relationship with an Aboriginal and/or Torres Strait Islander business	Steve Connelly - Manager, Procurement & Contracts	In Progress	01-Jul-2022	30-Jun-2024	50.00%	50.00%	 GREEN

ACTION PROGRESS COMMENTS:

Progress report 1:

The Gathering Place has engaged multiple Aboriginal and/or Torres Strait Islander businesses.

Progress report 2:

The Gathering Place and Community Strengthening Directorate continue to engage with multiple Aboriginal and/or Torres Strait Islander businesses.

Last Updated: 10-Aug-2023


1.3.3 Maximise arts opportunities for Aboriginal and Torres Strait Islander artists

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
--------	--------------------	--------	------------	----------	------------	--------	-------------


15-Aug-2023

CAMIMS

Page 22 of 27


4.1.1.1.45 - Review and update the Arts and Cultural Strategy to ensure opportunities for Aboriginal and Torres Strait Islander artists is included. - Consult with relevant stakeholders to gain feedback and advice to inform the development of the updated Arts and Cultural Strategy.	Simon Doyle - Manager Arts, Events & Libraries	In Progress	01-Jul-2022	30-Jun-2024	25.00%	50.00%	
ACTION PROGRESS COMMENTS: Progress report 1: This will be included as part of the next Cultural Strategy. This work will begin in late 2023 early 2024. Progress report 2: Planning for the next Cultural Strategy is underway with community consultation scheduled to be completed by December 2023. Last Updated: 11-Aug-2023							

1.3.4 Support the development of cultural engagement programs for local Aboriginal and Torres Strait young peoples to support education about local Aboriginal history and culture


ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
4.1.1.1.46 - Investigate further opportunities to engage Aboriginal and/or Torres Strait Islander residents in council run family and children's services and programs. - Educate and promote educational resources to early educators within the council.	Caroline Brownlees - Team Leader, Family & Children's Centres	In Progress	01-Jul-2022	30-Jun-2024	50.00%	50.00%	
ACTION PROGRESS COMMENTS: Progress report 1: Acknowledgement of Country plaques are displayed at Council Hubs along with resources to engage Aboriginal and/or Torres Strait Islander communities in Council run services. Educational resources have been purchased and educators have attended professional development in relation to embedding Indigenous Perspectives in Early Childhood. Family and Children's Centres are working in partnership with the Koori Education Engagement Team (through Department of Education) to run professional development across the sector. Progress report 2: Family and Children's Centres continue to work in partnership with the Koori Education Engagement Team to run professional development across the sector. WANDANA Aboriginal Education educational resources have been purchased for the Hubs.							

Last Updated: 14-Aug-2023


1.4 Governance, tracking and reporting**1.4.1 Establish and maintain an effective RAP Working Group (RWG) to drive governance of the RAP**


ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
4.1.1.47 - RAP Advisory & working group to oversee the development, endorsement & implementation of the RAP. - Review & update the RAP Advisory & Working Groups Terms of Reference. - Develop RAP Advisory & Working Group TOR - Ensure Aboriginal and Torres Strait Islander peoples are represented on the RAP Working Group to oversee the development, implementation and evaluation of the RAP's lifetime - RAP working group to meet bi-monthly to monitor and report on the RAP implementation	Susan Quach - Team Leader Diversity & Inclusion	In Progress	01-Jul-2022	30-Jun-2024	50.00%	50.00%	 GREEN
ACTION PROGRESS COMMENTS: Progress report 1: The RAP Advisory Group and the RAP Working Group successfully oversaw the development and endorsement of the Reconciliation Action Plan. The Groups are overseeing the implementation of the RAP. Terms of Reference were developed for both Groups. Aboriginal and Torres Strait Islander staff are represented on the RAP Working Group to oversee the development, implementation and evaluation of the RAP. The RAP Working Group meets bimonthly to monitor and report on the RAP implementation. Progress report 2: The RAP Working Group Terms of Reference were reviewed and updated. Two Aboriginal staff members have attended RAP Working Group meetings. The Working Group continues to meet bimonthly with senior management attending on a rotating basis. Last Updated: 11-Aug-2023							
ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %

Kingston City Council **Action and Task Progress Report**

4.1.1.48 Ensure Aboriginal and Torres Strait Islander peoples are represented on the RAP Working Group to oversee the development, implementation and evaluation of the RAP's lifetime	Susan Quach - Team Leader Diversity & Inclusion	In Progress	01-Jul-2022	30-Jun-2024	50.00%	50.00%	 GREEN
ACTION PROGRESS COMMENTS:							
Progress report 1: The RAP Working Group includes Aboriginal and Torres Strait Islander staff members.							
Progress report 2: The RAP Working Group includes Aboriginal and Torres Strait Islander staff members.							
Last Updated: 11-Aug-2023							

1.4.2 Provide appropriate support for effective implementation of RAP commitments

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
4.1.1.49 Define resource needs for RAP implementation	Susan Quach - Team Leader Diversity & Inclusion	In Progress	01-Jul-2022	30-Jun-2024	75.00%	50.00%	 GREEN
ACTION PROGRESS COMMENTS:							
Progress report 1: A budget for the RAP was developed prior to its adoption by Council in April 2024. Resources have been allocated in the budget for Year 1 activities.							
Progress report 2: Budget has been allocated for July 2023 - June 2024 RAP activities.							
Last Updated: 11-Aug-2023							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
4.1.1.50 - Engage senior leaders and other staff in the delivery of RAP commitments. - Appoint and maintain an internal RAP Champion from senior management.	Susan Quach - Team Leader Diversity & Inclusion	In Progress	01-Jul-2022	30-Jun-2024	60.00%	50.00%	 GREEN
ACTION PROGRESS COMMENTS:							

Progress report 1:



Senior leaders and other staff are engaged in the delivery of RAP commitments via the RAP Working Group. Senior management have committed to participating in the RAP Working Group with attendance at bimonthly meetings to rotate amongst the CEO and five General Managers.

Progress report 2:

Senior leaders and other staff are engaged in the delivery of RAP commitments via the RAP Working Group. Senior management are participating in the RAP Working Group with attendance at bimonthly meetings rotating amongst the CEO and five General Managers.

Last Updated: 11-Aug-2023


1.4.3 Build accountability and transparency through reporting RAP achievements, challenges and learnings both internally and externally

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
4.1.1.51 - Complete and submit the annual RAP Impact Measurement Questionnaire to Reconciliation Australia. - Investigate participating in Reconciliation Australia's biennial Workplace RAP Barometer.	Susan Quach - Team Leader Diversity & Inclusion	In Progress	01-Jul-2022	30-Jun-2024	50.00%	50.00%	
ACTION PROGRESS COMMENTS:							
Progress report 1: Officers completed and submitted an annual RAP Impact Measurement Questionnaire to Reconciliation Australia in September 2022. Investigation was undertaken to participate in Reconciliation Australia's biennial Workplace RAP Barometer.							
Progress report 2: A request has been received to complete the annual RAP Impact Measurement Questionnaire to Reconciliation Australia by September 2023.							
Last Updated: 09-Aug-2023							
ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
4.1.1.52 Report RAP progress to all staff and senior leaders quarterly	Susan Quach - Team Leader Diversity & Inclusion	In Progress	01-Jul-2022	30-Jun-2024	50.00%	50.00%	
ACTION PROGRESS COMMENTS:							
Progress report 1: A biannual report will be presented to senior leaders in February 2023 and made available to all staff.							

Progress report 2:

The second biannual report will be presented to senior leaders in August 2023. All staff are provided with updates on RAP activities during 2023 Reconciliation and NAIDOC weeks.

Last Updated: 11-Aug-2023

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
4.1.1.53 Publicly report our RAP achievements, challenges and learnings, in the 'Corporate Annual Report'	Susan Quach - Team Leader Diversity & Inclusion	In Progress	01-Jul-2022	30-Jun-2024	50.00%	50.00%	 GREEN


ACTION PROGRESS COMMENTS:

Progress report 1:
RAP achievements, challenges and learnings will be included in Kingston's 2022/23 Annual Report.

Progress report 2:
RAP achievements, challenges and learnings will be included in Kingston's 2022/23 Annual Report.

Last Updated: 11-Aug-2023

1.4.4 Continue our reconciliation journey by developing our next RAP

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
4.1.1.54 Register via Reconciliation Australia's website to begin developing our next RAP	Susan Quach - Team Leader Diversity & Inclusion	In Progress	01-Jul-2022	30-Jun-2024	50.00%	50.00%	 GREEN

ACTION PROGRESS COMMENTS:

Progress report 1:
Ongoing discussions with Reconciliation Australia regarding implementation of the Reconciliation Action Plan, including planning for implementation of Kingston's second Reconciliation Action Plan.

Progress report 2:
Discussion with, and support provided by Reconciliation Australia to extend our current RAP for an additional year. Registration of Kingston's second Reconciliation Action Plan will occur in 2024.

Last Updated: 11-Aug-2023

10. Infrastructure and Open Space Reports

Ordinary Council Meeting

25 September 2023

Agenda Item No: 10.1

CONTRACT AWARD CON 23/081 - PUBLIC TOILET CLEANING SERVICES

Contact Officer: Will Tangipo, Acting Team Leader Reserves and Sportsgrounds

Purpose of Report

This report seeks Council's approval to award Contract CON 23/081 Public Toilet Cleaning Services to Alpha Corporate Property Services as a lump sum contract supplemented by schedule of rates for an initial two (2) year term, commencing 16 October 2023 with a possible two (2) one (1) year contract extension options to be exercised at Council's sole discretion.

Disclosure of Officer / Contractor Conflict of Interest

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

RECOMMENDATION

That Council:

1. Award Contract CON 23/081 – Public Toilet Cleaning Services to Alpha Corporate Property Services to a maximum contract value of \$2,576,611.80 (GST exclusive) for a period of four (4) years plus the two (2) years extension options, inclusive of both Lump Sum and Schedule of Rates components in accordance with their tendered rates; and
2. Authorise the Chief Executive Officer, or delegated authority, to execute the two (2), one (1) year optional contract extensions subject to satisfactory performance.

1. Executive Summary

Council is required to deliver cleaning services to fifty nine (59) public toilet locations across the municipality to ensure facilities are clean, hygienic and safe for community use.

The existing contract for this service CON 22/091 was a short term, interim contract awarded in October 2022 and which expired June 2023. The contract was extended beyond the contract term to September 2023 for the purposes of undertaking a public tender process to engage a contractor in a longer term contract.

Council officers advertised a tender for CON 23/081 on the 15 July 2023 and ten (10) submissions were received and evaluated. The tender panel ranked Alpha Corporate Property Services as the highest scoring tender submission with the best value for money. This scoring has been determined after considering and assessing financial factors, resourcing, methodology, experience, environmental sustainability and community benefit and receiving clarifications and undertaking interviews.

Alpha Corporate Property Services currently provide services for the City of Kingston as the interim contractor for servicing public toilets, with a 80% reduction in customer complaints relating to cleanliness received since they commenced the service. Alpha provide a quality cleaning service and are resourced and experienced to deliver this service.

The recommendation to award Contract CON 23/081 to Alpha Corporate Property Services will ensure facilities are clean, hygienic, and safe and meet the expectation of community needs. A full tender evaluation report is included in confidential Appendix 1.

The estimated total contract spend for the full four (4) year term including contract extension options and estimated schedule of rates is up to a maximum value of \$2,576,611.80 excl GST subject to rise and fall. The total contract spend for the first year is \$644,152.95 excl GST and includes estimated schedule of rates cost of \$35,000.00 excl GST per annum for additional service cleans as required.

2. Background

Previously BBQ & Picnic Amenities Cleaning and Public Toilet Cleaning services were a combined contracted service and formed one of three service contracts under the provision of Contract 20/020 Foreshore Maintenance Services, Open Space Mowing & Maintenance Services and Public Amenities Cleansing Services.

Having such diverse services combined into one contract has posed many challenges for contractor performance management. Separating out Public Toilet Cleaning Services has enabled a service specific tender to ensure the appointment of a contractor specialised in the service to provide a clean, hygienic, and safe public toilet facilities for our community.

3. Discussion

3.1 Changes to contract specifications

A service review was undertaken to shape the new contract to ensure improved service delivery and risk mitigation for Council, including:

- Previously both public toilets and BBQ cleaning were combined as a single contract. Benchmarking with other Councils, and recent experience in contractor performance management, it was determined that services should be separated into standalone contracts.
- Review of service levels and standards to ensure they are clearly defined and quantified.
- Review of performance monitoring and auditing process to ensure contractor performance and robust contract compliance can be achieved.

3.2 Gender Impact Assessment

A Gender Impact assessment was completed for this service with a low rating score of two, thus was determined not to be required at this time.

However, as part of the services review it was identified not all public toilets included the provision for sanitary bins. The new service contract has been assessed to include the supply and collection of sanitary bins which will be available in all public toilets.

4. Consultation

4.1 Internal Consultation:

The service review included feedback from Open Space, City Works, Active Kingston and the Diversity & Inclusion teams across Council.

4.2 Community Consultation:

The community engagement policy has been reviewed. Under Item 10 exemptions, it states 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. Given the operational nature of Contract CON 23/081, community consultation was not sought.

5. Compliance Checklist

5.1 Council Plan Alignment

Strategic Direction: Safe - Our community will feel safe, and be safe, in all aspects of their lives.

Strategy: Provide a well maintained and clean environment for residents

This service will ensure Public Toilets are well maintained, clean, hygienic and safe for community use.

5.2 Governance Principles Alignment

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

The objective of this service is to ensure Public Toilets are well maintained, clean, and ensure the longevity of the asset for community to use.

Principle (c) - the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

Tenders received were evaluated against benefits the service provider will bring to the community such as local employment opportunities, buying and purchasing local products and services. A commitment to ensure the sustainability of our environment through reduction in carbon emissions, minimising waste, using green cleaning products and investing into the future to achieve Council's goal of net zero.

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

Benchmarking with other local Councils was done to share knowledge and experience of the industry, discussing ideas and systems. A combination of shared ideas assisted with improving the service specification development for this contract.

Principle (f) - collaboration with other Councils and Governments and statutory bodies is to be sought.

Benchmarking was undertaken across fourteen local Councils for the purpose of evaluating servicing levels, specification development and service combinations and models.

Principle (g) - the ongoing financial viability of the Council is to be ensured.

The provision of services was tendered in the open market to analyse pricing in today's current market. Eleven submissions were received and evaluated against qualitative criteria to ensure value for money.

Principle (i) - the transparency of Council decisions, actions and information is to be ensured.

An open tender for the provision of Public Toilet Cleaning Service was conducted in accordance with Council's procurement policy to ensure a fair and equitable opportunity was available to the public.

5.3 Financial Considerations

Projected costings as an estimate including the initial two (2) year term and two (2) extension options of one year (excluding CPI) is shown below, exclusive of GST and subject to rise and fall:

Value	Yr 1	Yr 2	Yr 3	Yr 4	Total Cost
Lump Sum	\$644,152.95	\$644,152.95	\$644,152.95	\$644,152.95	\$2,576,612

Budget

The annual cost for Contract CON 23/081 is within the existing Open Space operational budget 2023/24 for this service.

Staff Resources

This service contract will be managed with existing resources.




5.4 Risk considerations

If these services were not provided, public toilets across Kingston would not be serviced, maintained or cleaned, posing significant health and safety risks to the community and likely leading to high community dissatisfaction.

Alpha Corporate Property Services are resourced and ready to commence the contract on the 16 October 2023. They are registered on Council's Rapid Global OHS system. As the current service provider for public toilet cleaning, the transition period is minimal.

An independent satisfactory financial assessment has been undertaken.

Appendices

- Appendix 1 - Con 23/081 - Public Toilet Cleaning Services Tender Evaluation Report - Confidential (Ref 23/242058) 
- Appendix 2 - Con 23/081 Tender Evaluation Scoring Matrix - Pre Evaluation - CONFIDENTIAL (Ref 23/239062) 
- Appendix 3 - Con 23/081 Tender Evaluation Scoring Matrix - Post Evaluation - CONFIDENTIAL (Ref 23/239061) 

Author/s: Will Tangipo, Acting Team Leader Reserves and Sportsgrounds
 Reviewed and Approved By: Emily Boucher, Manager Open Space
 Samantha Krull, General Manager Infrastructure and Open Space

10.1

CONTRACT AWARD CON 23/081 - PUBLIC TOILET CLEANING SERVICES

1	Con 23/081 - Public Toilet Cleaning Services Tender Evaluation Report - Confidential	287
2	Con 23/081 Tender Evaluation Scoring Matrix - Pre Evaluation - CONFIDENTIAL.....	295
3	Con 23/081 Tender Evaluation Scoring Matrix - Post Evaluation - CONFIDENTIAL.....	297



TENDER EVALUATION REPORT

FROM	Will Tangipo, Acting Team Leader Sportsgrounds & Reserves	
DATE	30 th August 2023	
SUBJECT	Contract CON-23/081 – Provision of Public Toilet Cleaning Services	
Attachments	a)	Evaluation Scoring Matrix (pre-interview)
	b)	Evaluation Scoring Matrix (post-interview)

Trim No: 23/238784

1. Executive Summary

This report seeks Councils approval to award Contract 23/081 Public Toilet Cleaning Services to Alpha Corporate Property Services as a lump sum contract supplemented by schedule of rates for an initial two year term commencing on 16 October 2023 to 17 October 2025 with a possible two (2) one (1) year contract extension options to be exercised at Council's sole discretion.

The estimated total contract spend for the full four (4) year term including contract extension options, estimated schedule of rates up to, a value of \$2,576,611.80 exc G.S.T subject to rise and fall.

The total contract spend for the first year is \$644,152.95 exc G.S.T and includes estimated schedule of rates cost of \$35,000.00 exc G.S.T per annum for additional cleans as required.

2. Background

Previously BBQ & Picnic Amenities Cleaning and Public Toilet Cleaning services were a combined service specification and formed one of three service contracts under the provision of Contract Con 20/020 Foreshore Maintenance Services, Open Space Mowing & Maintenance Services and Public Amenities Cleansing Services.

On the 18 August 2022 contract superintendent Samantha Krull (General Manger Infrastructure & Open Space) issued a show cause notice to the contractor due to repeated performance, occupational health and safety and administrative defaults. On receiving the contractor's response to the show cause notice on the 02 September 2022. A review of their response was undertaken by the contract superintendent. The outcome of this review determined the contractor failed to demonstrate and provide reasonable assurance in addressing the defaults outlined and it was in Councils best interest to recommend the Public Amenities Cleaning Services Contract end between both parties. The recommendation was discussed at a CIS briefing 03 October 2022 and supported by CEO Peter Bean.

Notice of termination was provided to the contractor on the 10th October 2022.

To ensure continued service requirements at the advice from Councils Procurement team supported by external lawyers Hall & Wilcox. Council issued a closed request for quotation on 10 August 2022 to specific providers who operate under the auspices of the Procurement Australia Contract - 2508/0844.

The purpose of the request for quotation was to understand the potential market for contractors in the event that the superintendent determines that suspension or termination is appropriate. Given the response to the show cause notice provided by the contractor. Council Officers proceeded with the process. Three (3) submissions were received and evaluated with Alpha Corporate Property Services awarded the contract for the value of \$421,347.00 exc G.S.T. for an interim eight (8) month term.

The full tender evaluation report can be found in trim file ref 22/288184

3. Specification

In preparation to tender, an operational service review was undertaken to ensure all areas of service provision was considered. This consisted of benchmarking service delivery with fourteen (14) other Councils, internal discussions, recent learnings and obtaining feedback from past and current service providers.

The review led to the realignment and restructure of services and the development of specifications to include clearly defined service cleaning standards, separation of a combined Public Toilet Cleaning and BBQ & Picnic Amenities cleaning to be standalone contracts and improvements to capturing performance monitoring data.

4. Public Tender

The tender was advertised in The Age on Saturday 15 July 2023, closing Thursday 03 August 2023. Prospective tenderers were invited to bid for Public Toilet Cleaning Services in accordance with the specification. Ten (10) tenders were received, from the following companies:

1. Alpha Corporate Property Services PTY LTD
2. Blue Sky Services VIC PTY LTD
3. Broadscope Facility Services PTY LTD
4. Eve Group PTY LTD
5. Facility Co PTY LTD
6. Hassen Family Trust TA MAAZ Corporate Services PTY LTD
7. KC Facility Services PTY LTD
8. New Age Cleaning Services PTY LTD
9. Shiners Group PTY LTD
10. Tidy Clean PTY LTD

5. Evaluation

The submissions were evaluated by:

1. Will Tangipo, Acting Team Leader Sportsgrounds & Reserves (Evaluation Chairperson)
2. Katy Rowland, Open Space Contract Auditor
3. Wendy Ferguson, Coordinator Building Maintenance Contracts
4. Steven Card, Home Maintenance Coordinator

6. Assessment Criteria

Each submission was assessed in accordance with the evaluation criteria set out in the RFT Specification documents:

30%	Price
20%	Proposed Servicing Methodology
15%	Staff, Vehicles & Equipment
15%	Commercial Cleaning Experience
10%	Community Benefit
10%	Environment Sustainability

7. Tender Analysis

Ten (10) tender submissions were compliant and were therefore evaluated fully, as part of the initial pre-interview scoring stage.

Qualitative scoring was carried out individually by the evaluation panel first to achieve an average score, followed by price being added to produce an overall pre-interview score out of 100, including both non-price and price related scoring. See tables 01 and 02 below.

TABLE 01 (pricing)

Tenderer	Price (initial 2 year term)
1. Hassen Family Trust TA MAAZ Corporate Services PTY LTD	\$801,366.70
2. KC Facility Services PTY LTD	\$1,136,301.76
3. Shiners Group PTY LTD	\$1,282,372.00
4. New Age Cleaning Services PTY LTD	\$1,317,709.60
5. Alpha Corporate Property Services PTY LTD	\$1,340,136.48
6. Facility Co PTY LTD	\$1,515,064.50
7. Broadscope Facility Services PTY LTD	\$1,591,471.86
8. Blue Sky Services VIC PTY LTD	\$1,680,885.08
9. Tidy Clean PTY LTD	\$1,745,000.00
10. Eve Group PTY LTD	\$12,610,000.00

TABLE 02 (pre-interview total scores)

	Tenderer	Proposed Servicing Methodology	Staff, Vehicles & Equipment	Commercial Cleaning Experience	Environmental Sustainability	Community Benefit	Price	Pre-interview Score out of 100
1	Alpha Corporate Property Services PTY LTD	7	7	8	7	6	20	69
2	Hassen Family Trust TA MAAZ Corporate Services PTY LTD	5	6	5	5	6	30	68
3	Blue Sky Services VIC PTY LTD	7	8	7	7	7	14	65
4	KC Facility Services PTY LTD	6	6	6	5	6	21	62
5	New Age Cleaning Services PTY LTD	5	6	8	6	6	18	61
6	Broadscope Facility Services PTY LTD	6	6	6	5	6	15	56
7	Facility Co PTY LTD	6	7	5	5	5	16	56
8	Shiners Group PTY LTD	5	5	4	4	4	19	50
9	Tidy Clean PTY LTD	4	4	4	3	5	14	42
10	Eve Group PTY LTD	4	4	3	2	3	2	25

The evaluation panel agreed to short list three (3) suitable candidates out of the ten (10) submissions received based on assessment of the key selection criteria.

Seven (7) of the above tenderers met the qualitative requirements as 'acceptable' or above as an overall average. Other than Eve Group Pty Ltd, Shiners Group Pty Ltd & Tidy Clean Pty Ltd, who all had areas of their submission barely meeting the specification requirements with major reservations. Qualitative scores ranging between 2-4 out of 10. This combined with individual pricing, ranking and overall scores total out of 100 placing them as tenth, ninth and eighth meant the panel excluded them as shortlisted candidates.

Also, not included were Facility Co Pty Ltd and Broadscope Facility Services Pty Ltd both scored acceptably against the qualitative criteria with average scores of 6 out of 10. However, combined with their price and overall total scores of 56 out of 100 placing them seventh and sixth overall and were not considered further.

KC Facility Services Pty Ltd and New Age Cleaning Services both scoring acceptably against the qualitative criteria with average scores of 6 out of 10. However, KC facility Pty Ltd with the second ranked lowest price and a score of 64 out of 100 placed them ahead of New Age Cleaning Services combined with their high pricing and overall score total of 61 out of 100 placed them fourth and fifth. Both candidates were not considered further.

Hassen Family Trust TA MAAZ Corporate Services PTY LTD scored acceptably with an average qualitative score of 6 out of 10, but with a considerably lower price than any other candidates, ranked them second overall with 68 out of 100. Placing them as a shortlisted candidate.

Alpha Corporate Property Services PTY LTD and Blue Sky Services both scored above average qualitative scores of 7 out of 10 with Blue Sky Services Pty Ltd having the highest price of the two and an overall score of 65 out of 100 ranking them third overall. With Alpha Corporate Property Services having an overall score of 69 out of 100 ranking them first. With both candidates being shortlisted.

8. Shortlisting

Shortlisted candidates from a possible ten companies were:

1. Hassen Family Trust TA MAAZ Corporate Services PTY LTD
2. Alpha Corporate Property Services PTY LTD
3. Blue Sky Services VIC PTY LTD

The evaluation panel members were instructed by the chairperson to re-visit each submission and consider questions for the next interview stage. Interview questions were prepared and not issued to candidates in advance. The candidates were asked to demonstrate their understanding of the service delivery and prepare a 10 minute presentation to the panel outlining their resourcing and methodology and to include in the presentation any information technology they intend to use to track and report on service delivery.

After each presentation the panel asked clarifying questions relating to

1. Confirmation of cleaning staff numbers and associated fleet.
2. Opening and closing of public toilet procedure.
3. Clarity on staff absences and backfilling.
4. Clarity of sanitary bin supply and disposal process.
5. Clarity syringe collection.
6. Clarity of general and maintenance reporting procedures.
7. Understanding of general litter collection and disposal process.
8. Confirming acceptance of bank Guarantee.
9. Did you visit each location.

The interviews took place on 23 August 2023 with Hassen Family Trust TA MAAZ Corporate Services PTY LTD at 9am, Blue Sky Services VIC PTY LTD at 11:30am and Alpha Corporate Property Services PTY LTD at 2pm. Three panel members were present to ask questions with the exception of Steven Card who was unable to attend.

In attendance for the shortlisted companies were:

1. Hassen Family Trust TA MAAZ Corporate Services PTY LTD – (Nethith Ethugalage, George Hallal, Fazi Hassen)
2. Blue Sky Services VIC PTY LTD – (Darryl Soekoe, Kasun Samarawickrama, Martin Premachandra)
3. Alpha Corporate Property Services PTY LTD – (Michael Withanachchi, Aravinda Dewage, Brad Trotter)

The evaluation panel met on Monday 28th August 2023 to discuss the interviews and also had the opportunity to review existing scores allocated to the candidates with the ability to reduce, increase, or keep scoring the same against each evaluation criteria.

1. Hassen Family Trust TA MAAZ Corporate Services PTY LTD

The panel felt MAAZ Corporate Services missed an opportunity to provide a better sense of their service methodology, staffing and resourcing structure. Despite providing examples of their cleaning rounds, staff allocation and detailed labour plan. They failed to provide reassurance and made on the spot decisions on changes they would be able to commit to.

Servicing of sanitary bins and syringe collection services was not discussed as part of their presentation. This was later prompted by the panel on how this will be managed. The panel felt the emphasis was on the sub contractors sole responsibility to manage this. They were unable to provide satisfactory details on how the subcontractor will be managed.

The panel felt overall that MAAZ Corporate Services lacked precision relating to their intended methodology to be employed, and clarity on staffing numbers was confusing and did not provide the panel with confidence to ensure what was presented aligned with their proposal.

2. Blue Sky Services VIC PTY LTD

Blue Sky Services provided the panel with an in-depth presentation and analysis of their methodology, resourcing and online management system platform. It was clear Blue Sky Services prepared well and researched the requirements needed to meet the specification.

With regards to methodology and resourcing the panel felt Blue Sky Services provided a comprehensive and detailed presentation outlining their approach and reasoning. Blue Sky Services further demonstrated their local knowledge of the area with an understanding of what predicted high use days look like and factored this into their submission.

Overall, the panel felt their presentation was well presented.

3. Alpha Corporate Property Services PTY LTD

Alpha Corporate Services provided the panel with a good presentation outlining their service methodology and resourcing requirements.

They presented a detailed and clear methodology and service plan backed with appropriate staffing numbers. Also using the services of local Kingston business Eco Hygiene to provide sanitary and syringe collection services.

Following the interviews, the panel agreed to adjust scores for each of the candidates which resulted in Blue Sky Services and Alpha Corporate Property Services as the two first equal candidates with an overall score of 68

TABLE 03 (post-interview total scores)

	Tenderer	Proposed Servicing Methodology	Staff, Vehicles & Equipment	Commercial Cleaning Experience	Environmental Sustainability	Community Benefit	Price	Pre-interview Score out of 100
1	Alpha Corporate Property Services PTY LTD	7	7	8	6	6	20	68
2	Blue Sky Services VIC PTY LTD	8	8	7	8	7	14	68
3	Hassen Family Trust TA MAAZ Corporate	4	3	4	5	6	30	60

Services PTY LTD								
---------------------	--	--	--	--	--	--	--	--

The outcome of a thorough evaluation process by the evaluation panel was that Alpha Property Services Pty Ltd was identified as providing the best value for money overall. The detailed Evaluation Matrix for both pre-interview and post-interview scores are provided as attachments.

9. Critical Compliance Criteria

Alpha Corporate Property Services PTY LTD were previously assessed and comply as a level 2 OHS contractor to undertake tasks assessed as extreme, high, medium and low risk. Financial risk rating score of 586 out of 1000 rated as moderate risk. Probability of default rating of 1.63%.

During the preparation of this report a review of the companies current financial capability and ohs compliance as been issued to Councils Procurement Team for review relevant to this contract.

10. Collaboration

In preparation to tender, an operational service review was undertaken to ensure all areas of service provision were considered. This consisted of benchmarking service delivery with fourteen other Councils. At the time of tendering and benchmarking there was a lack of synergy and varied service combinations with other local government areas to consider undertaking a collaborative approach to procuring these services. Council Officers proceeded with the development of specifications with the view to test the market independently.

10. Reference Checks

Alpha Corporate Property Services provided three referees in their tender submission two were contactable and one was not. As they are the current incumbent the need for additional reference checks was not required.

Referees provided:

1. Frankston Council – Cameron Johnston (Coordinator Facilities Management)
2. Monash Council – Maryanne Fortunato (Facility Maintenance Team Leader)
3. Melton Council – Sarah Taylor (A/Coordinator, Waste, Graffiti & Cleaning)

Reference checks were carried out with Frankston, Monash and Melton Councils, where Alpha received very positive feedback. Each of the evaluation criteria was covered. The full reference checks can be found in the tender Trim file (CON-23/081).

11. Triple Bottom Line

ECONOMIC

Alpha Corporate Property Services have tendered to perform the services for a total annual lump sum cost of \$609,152.95 exc G.S.T

The service is supplemented by schedule of rates for additional cleans as required for special events, and above normal high use days a workload indicator of (50) additional cleans maybe required at a cost of \$35,000.00 exc G.S.T per annum.

This was the eighth lowest offer received and is below the FY2023/24 operational budget of \$850,000 exclusive of GST.

COMMUNITY BENEFIT & ENVIRONMENT

Council's mandatory evaluation criteria of Community Benefit and Environment was included as part of the tender evaluation by the evaluation panel on all submissions. Alpha Corporate Property Services has implemented a complete environmental system to conform to ISO 14001:2015 and is certified against this standard. They have also engaged Eco hygiene for sanitary & syringe collection service who is a local Kingston business.

RISK

If these services were not provided assets associated to the service will not be maintained or cleaned and will pose a significant health and safety risk to the community and community dissatisfaction.

12. Recommendation

- | |
|--|
| <ol style="list-style-type: none"> 1. Award Contract No 23/081 – Public Toilet Cleaning Services to Alpha Corporate Property Services as a lump sum contract supplemented by schedule of rates, as included in confidential Appendix 1, up to a value of \$1,288,305.90 excl GST for the initial two (2) year term commencing 16 October 2023 to 17 October 2025 up to an estimated maximum value of \$2,576,611,80 excl GST for the full four (4) year term should the contract extension options be executed; and 2. Authorise the Chief Executive Officer, or delegated authority, to execute the two (2), one (1) year optional contract extensions subject to satisfactory performance. |
|--|

RECOMMENDED - PANEL CHAIRPERSON

..... Will Tangipo, Acting Team Leader Sportsground and Reserves Date
---	---------------

RECOMMENDED - PANEL MEMBER

..... Katy Rowland, Coordinator Asset Care Date
---	---------------

RECOMMENDED - PANEL MEMBER

..... Wendy Ferguson, Coordinator Building Maintenance Contracts Date
---	---------------

RECOMMENDED - PANEL MEMBER

..... Steven Card, Coordinator Home Maintenance Date
--	---------------

POST TENDER EVALUATION SUMMARY - TOTAL CONSENSUS SCORES

Public Toilet Cleaning Services CON 23/081

Evaluation Criteria	Weights %	Alpha Components Services		Blue Sky Services Vc		Broadscope Facility Services		Evo Group		Facility Co. PTY LTD		Hasan Family Trust/TA /MAAZ Corporates Services		KC Facility Services PTY LTD		New Age Cleaning Services		Shihens Group PTY LTD		Tidy Clean PTY LTD		
		Score	Weighted Score	Score	Weighted Score	Score	Weighted Score	Score	Weighted Score	Score	Weighted Score	Score	Weighted Score	Score	Weighted Score	Score	Weighted Score	Score	Weighted Score	Score	Weighted Score	
Proposed Servicing Methodology	20	7	14	8	16	6	12	4	8	6	12	4	8	9	18	5	10	5	10	4	8	
Staff Welfare & Equipment	15	7	10.5	8	12	6	9	4	6	7	10.5	3	4.5	6	9	6	9	3	4.5	3	4.5	
Operational Experience	15	8	12	7	10.5	9	13.5	5	7.5	8	12	4	6	6	9	6	9	4	6	4	6	
Environmental Sustainability	10	6	6	9	9	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	
Community Benefit	10	6	6	7	7	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	
Price Weighting %	30	7	21	7	21	7	21	7	21	7	21	7	21	7	21	7	21	7	21	7	21	
Lowest Price Received - and here	100	\$400,683.35	20	\$400,683.35	14	\$77,529.23	15	\$77,529.23	2	\$77,529.23	16	\$400,683.35	30	\$400,683.35	21	\$658,854.20	16	\$658,854.20	16	\$658,854.20	14	\$400,683.35
TOTAL WEIGHTED SCORE			150		150		150		150		150		150		150		150		150		150	

Criteria	Score	Weighted Score
Overall Maximum Score	150	150
Alpha Components Services	150	150
Blue Sky Services Vc	150	150
Broadscope Facility Services	150	150
Evo Group	150	150
Facility Co. PTY LTD	150	150
Hasan Family Trust/TA /MAAZ Corporates Services	150	150
KC Facility Services PTY LTD	150	150
New Age Cleaning Services	150	150
Shihens Group PTY LTD	150	150
Tidy Clean PTY LTD	150	150

- SCORING GUIDE**
- 150 = Excellent**
Superior proposal
Extremely convincing and credible
Comprehensively documented with all claims fully substantiated
Comprehensively documented with all claims fully substantiated
Total 100% fee
- 140 = Very Good**
Proposed complete
Very convincing and credible
Extends beyond the specification requirement
Complete documentation
All relevant claims adequately detailed and substantiated
Substantially full fee
- 130 = Good**
Convincing and credible
Meets the specification requirement
Almost all claims adequately detailed and substantiated
Generally full fee
- 120 = Satisfactory**
Barely sufficient
Meets the specification requirements in a very minimal way
Most claims adequately detailed and substantiated
Review generally passed
Minor risk
- 110 = Marginal**
Only meets specification requirements in a very minimal way
Few documents
Major reservations
Review generally failed
Unacceptable level of risk

Ordinary Council Meeting

25 September 2023

Agenda Item No: 10.2

CONTRACT AWARD CON 23/082 - BBQ & PICNIC AMENITIES CLEANING SERVICES

Contact Officer: Will Tangipo, Acting Team Leader Reserves and Sportsgrounds

Purpose of Report

This report seeks Council's approval to award Contract CON 23/082 BBQ & Picnic Amenities Cleaning Services to Alpha Corporate Property Services as a lump sum contract supplemented by schedule of rates for an initial two (2) year term, commencing 16 October 2023 with a possible two (2) one (1) year contract extension options to be exercised at Council's sole discretion.

Disclosure of Officer / Contractor Conflict of Interest

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

RECOMMENDATION

That Council:

1. Award Contract CON 23/082 BBQ & Picnic Amenities Cleaning Services to Alpha Corporate Property Services to a maximum contract value of \$916,238.16 excl GST for a period of four (4) years, inclusive of the two (2) one (1) year extension options, and inclusive of both Lump Sum and Schedule of Rates components; and
2. Authorise the Chief Executive Officer, or delegated authority, to execute the two (2), one (1) year optional contract extensions subject to satisfactory performance.

1. Executive Summary

Council is required to deliver cleaning services to forty six (46) BBQ & Picnic Amenities locations across the municipality to ensure facilities are clean, hygienic and safe for community use.

This comprises of sixty one (61) BBQ units, fifty (50) Picnic Shelters and (170) furniture items such as seating, picnic tables and drinking fountains.

Council officers advertised a tender, Contract CON 23/082 on the 15 July 2023 with eleven submissions received and evaluated. The tender panel ranked Alpha Corporate Property Services as the highest scoring tender submission providing the best value for money.

This scoring has been determined after considering financial factors, resourcing, methodology, experience, environmental sustainability and community benefit. The recommendation to award Contract CON 23/082 to Alpha Corporate Property Services will ensure facilities are clean, hygienic and safe and meet the expectation of community needs. A full tender evaluation report is included in the confidential Appendix 1.

The estimated total contract spend for the full four (4) year term including contract extension options and estimated schedule of rates is up to a maximum value of \$916,236.16 excl GST subject to rise and fall. The total contract spend for the first year is \$229,059.04 excl GST and includes estimated schedule of rates cost of \$11,074.50 excl GST per annum for additional cleans as required.

2. Background

Previously BBQ & Picnic Amenities Cleaning and Public Toilet Cleaning services were a combined service specification and formed one of three service contracts under the provision of Contract CON 20/020 Foreshore Maintenance Services, Open Space Mowing & Maintenance Services and Public Amenities Cleansing Services.

This has proved to be inefficient and problematic for contractor performance management. A service review identified efficiencies in separating services.

3. Discussion

3.1 Changes to contract specifications

A service review was undertaken to inform the new contract to ensure improved service delivery and risk mitigation for Council, including:

- Benchmarking with other Councils, showing that services divided into standalone contracts was predominately the approach taken by other Councils.
- Review of service levels and standards to ensure they are clearly defined and quantified.
- Review of performance monitoring and audit processes to ensure contract compliance.
- Assessment of a contracted service vs in-house service provision.

3.2 Consideration of in-house services

Bringing BBQ & Picnic Amenities Cleaning Services to be delivered in-house has been assessed, and a proposed resource and cost model has been developed should this option be considered in the future. Current resourcing and costs do not make this a preferred model in the short term.

BBQ cleaning has been absorbed by the Open Space Team in the interim to ensure service continuity. This has resulted in a shift in priorities and workload across the team and is not sustainable without additional support.

If these services were to be brought in-house, it would require a minimum of eight part time staff, in addition to investment in the setup of the service and ongoing delivery.

This proposed model would need to ensure all BBQ and Picnic Areas are clean and serviced year-round, providing allowances for staff absence and leave.

Key factors for consideration include:

- Potential high staff turnover due to the nature of the work,
- Higher pay rates outside spread of hours (starting early) and including weekends and public holidays.

The estimated initial and ongoing cost assessments indicate that the service would cost significantly more than the recommended contractor. Costs have been estimated based on a proposed staffing model, overtime costs, vehicles, cleaning equipment, materials and waste disposal and excludes other staff entitlements.

A detailed breakdown was provided to Councillors, and there is potential to investigate this option in the future.

4. Consultation

4.1 Internal Consultation:

Consultation on service specification and delivery model has occurred between Open Space, City Works, Active Kingston, and Diversity & Inclusion Departments.

4.2 Community Consultation:

Councils Community Engagement Policy has been reviewed. Under Item 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. Given the operational nature of Contract CON 23/082, community consultation was not sought.

5. Compliance Checklist

5.1 Council Plan Alignment

Strategic Direction: Safe - Our community will feel safe, and be safe, in all aspects of their lives.

Strategy: Provide a well maintained and clean environment for residents

This BBQ cleaning service will ensure Council assets are well maintained, clean, hygienic and safe for community use. Public BBQs and associated assets provide an important public social gathering point.

5.2 Governance Principles Alignment

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

The objective of this service is to ensure assets are well maintained, clean, and ensure the longevity of the asset for community to use and enjoy.

Principle (c) - the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

Tenders received were evaluated against benefits the service provider will bring to the community such as local employment opportunities, buying and purchasing local products and services. A commitment to ensure the sustainability of our environment through reduction in carbon emissions, minimising waste, using green cleaning products and investing into the future to achieve Councils goal of net zero.

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

Benchmarking with other local Councils was done to share knowledge and experience of the industry, discussing ideas and systems. A combination of shared ideas assisted with improving the service specification development for this contract.

Principle (f) - collaboration with other Councils and Governments and statutory bodies is to be sought.

Benchmarking was done across fourteen local Councils for the purpose of evaluating servicing levels, specification development and service combinations and models.

Principle (g) - the ongoing financial viability of the Council is to be ensured.

The provision of services went out to the open market to analyse pricing in today's current market with eleven submissions received and evaluated against qualitative criteria to ensure value for money.

Principle (i) - the transparency of Council decisions, actions and information is to be ensured.

An open tender for the provision of BBQ & Picnic Amenities Cleaning Service was conducted in accordance with Council's procurement policy to ensure a fair and equitable opportunity was available to the public.

5.3 Financial Considerations

Projected costings as an estimate including the initial two (2) year term and two (2) extension options of one (1) + (1) excluding CPI and additional cleans based on the schedule of rates per annum can be seen below, exclusive of GST and subject to rise and fall:

Value	Yr 1	Yr 2	Yr 3	Yr 4	Total Cost
Lump Sum	\$229,059.04	\$229,059.04	\$229,059.04	\$229,059.04	\$916,236.16

Budget

The annual cost for Contract CON 23/082 is within the existing Open Space operational budget 2023/24.

Staff Resources

This service contract will be managed with existing resources.


5.4 Risk considerations


Public BBQs, picnic shelters, seats and other associated assets provide important social gathering points. Ensuring these are well maintained and frequently cleaned will ensure their longevity and high use.


Alpha Corporate Property Services are resourced and ready to commence the contract on the 16 October 2023, and as an existing Council service provider the transition period will be brief. They are registered on Council's Rapid Global OHS system.

An independent satisfactory financial assessment has been undertaken.

Appendices

Appendix 1 - Con 23/082 - BBQ & Picnic Amenities Cleaning Services Tender Evaluation Report - Confidential (Ref 23/242024)  [↓](#)

Appendix 2 - Con 23/082 Tender Evaluation Scoring Matrix - Pre Evaluation - Confidential (Ref 23/239067)  [↓](#)

Appendix 3 - Con 23/082 Tender Evaluation Scoring Matrix - Post Evaluation - Confidential (Ref 23/239068)  [↓](#)

Author/s: Will Tangipo, Acting Team Leader Reserves and Sportsgrounds
Reviewed and Approved By: Emily Boucher, Manager Open Space
Samantha Krull, General Manager Infrastructure and Open Space

10.2

CONTRACT AWARD CON 23/082 - BBQ & PICNIC AMENITIES CLEANING SERVICES

1	Con 23/082 - BBQ & Picnic Amenities Cleaning Services Tender Evaluation Report - Confidential	307
2	Con 23/082 Tender Evaluation Scoring Matrix - Pre Evaluation - Confidential.....	315
3	Con 23/082 Tender Evaluation Scoring Matrix - Post Evaluation - Confidential.....	317



TENDER EVALUATION REPORT

FROM	Will Tangipo, Acting Team Leader Sportsgrounds & Reserves
DATE	30 August 2023
SUBJECT	Contract CON-23/082 – Provision of BBQ & Picnic Amenities Cleaning Services
Attachments	a) Evaluation Scoring Matrix (pre-interview) b) Evaluation Scoring Matrix (post-interview)

Trim No: 23/238747

1. Executive Summary

This report seeks Councils approval to award Contract 23/082 BBQ & Picnic Amenities Cleaning Services to Alpha Corporate Property Services as a lump sum contract supplemented by schedule of rates for an initial two year term commencing on 16th October 2023 to 17th October 2025 with a possible two (2) one (1) year contract extension options to be exercised at Council's sole discretion.

The estimated total contract spend for the full four (4) year term including contract extension options, estimated schedule of rates up to, a value of \$916,238.16 exc G.S.T subject to rise and fall.

The total contract spend for the first year is \$229,059.04 exc G.S.T and includes estimated schedule of rates cost of \$11,075.00 exc G.S.T per annum for additional cleans as required.

2. Background

Council is required to deliver cleaning services to forty six (46) BBQ & Picnic Amenities locations across the municipality to ensure facilities are clean, hygienic and safe for community use.

This comprises of sixty one (61) BBQ units, fifty (50) Picnic Shelters and (170) furniture suite made up of seating, picnic tables and drinking fountains.

Previously Public Toilet Cleaning and BBQ & Picnic Amenities Cleaning were a combined service specification and formed one of three service contracts under the provision of Contract Con 20/020 Foreshore Maintenance Services, Open Space Mowing & Maintenance Services and Public Amenities Cleansing Services.

On the 18 August 2022 contract superintendent Samantha Krull (General Manger Infrastructure & Open Space) issued a show cause notice to the contractor due to repeated performance, occupational health and safety and administrative defaults. On receiving the contractor's response to the show cause notice on the 02 September 2022. A review of their response was undertaken by the contract superintendent. The outcome of this review determined the contractor failed to demonstrate and provide reasonable assurance in addressing the defaults outlined and it was in Councils best interest to recommend the Public Amenities Cleaning Services Contract end between both parties. The recommendation was discussed at a CIS briefing 03 October 2022 and supported by CEO Peter Bean.

Notice of termination was provided to the contractor on the 10th October 2022.

To ensure continued service requirements BBQ and Picnic Amenities Services was absorbed internally within the Open Space department to be serviced by existing staff.

Open Space staff were servicing 46 locations across the municipality on a weekly basis at a reduced service frequency from the original contract due to workload capacity and resourcing challenges.

Staff expressed concern, that cleaning of BBQs impacted their team's ability to deliver core services and key priorities. Staff identified a greater need to increase cleaning frequency to daily services across selected high priority reserves and an increase to three days per week across standard sites, due to high usage levels and community feedback.

To ensure Council met community expectations and core services were not affected an Open Request for Quotation was advertised on the 13 December 2022 for the BBQ & Picnic Amenities Cleaning for an interim contract commencing 03 January to 30 June 2023. Nine (9) tender submissions were received and evaluated. With the contract awarded to Alpha Corporate Property Services for the value of \$155,028.73 exc G.S.T.

3. Specification

In preparation to tender, an operational service review was undertaken to ensure all areas of service provision was considered. This consisted of benchmarking service delivery with fourteen other Councils, internal discussions, recent learnings and obtaining feedback from past and current service providers.

The review led to the realignment and restructure of services and the development of specifications to include clearly defined service cleaning standards, separation of a combined Public Toilet Cleaning and BBQ & Picnic Amenities cleaning to be standalone contracts and improvements to capturing performance monitoring data.

4. Public Tender

The tender was advertised in The Age on Saturday 15 July 2023, closing Thursday 03 August 2023. Prospective tenderers were invited to bid for Public Toilet Cleaning Services in accordance with the specification. Eleven tenders were received, from the following companies:

1. Alpha Corporate Property Services Pty Ltd
2. Blue Sky Services VIC Pty Ltd
3. Broadscope Facility Services Pty Ltd
4. Eve Group Pty Ltd
5. Facility Co Pty Ltd
6. Hassen Family Trust TA MAAZ Corporate Services Pty Ltd
7. KC Facility Services Pty Ltd
8. New Age Cleaning Services Pty Ltd
9. Shiners Group Pty Ltd
10. Total Waste Pty Ltd
11. Flourish Australia

5. Evaluation

The submissions were evaluated by:

1. Will Tangipo, Acting Team Leader Sportsgrounds & Reserves (Evaluation Chairperson)
2. Katy Rowland, Open Space Contract Auditor
3. Wendy Ferguson, Coordinator Building Maintenance Contracts
4. Steven Card, Home Maintenance Coordinator

6. Assessment Criteria

Each submission was assessed in accordance with the evaluation criteria set out in the RFT Specification documents:

- 30% Price
- 20% Proposed Servicing Methodology

15%	Staff, Vehicles & Equipment
15%	Commercial Cleaning Experience
10%	Community Benefit
10%	Environment Sustainability

7. Tender Analysis

Submission received by Shiners Group Pty Ltd failed to include their lump sum service pricing. It was decided to progress and include their submission for qualitative evaluation scoring to determine if their submission met the key criteria then clarification on pricing would be issued to the candidate should their submission be considered.

Total Waste Solutions Pty Ltd provided a Non Conforming submission offering two pricing alternatives conforming and non conforming for consideration. The panel proceeded to evaluate their submission.

The other tender submissions were compliant and were therefore evaluated fully. As part of the initial pre-interview scoring stage.

Qualitative scoring was carried out individually by the evaluation panel first to achieve an average score, followed by price being added to produce an overall score out of 100, including both non-price and price related scoring. See tables 01 and 02 below.

TABLE 01 (pricing)

Tenderer	Price (2 year term)
1. Total Waste Services Pty Ltd	\$345,200.00
2. Hassen Family Trust TA MAAZ Corporate Services Pty Ltd	\$371,933.34
3. Facility Co Pty Ltd	\$389,780.38
4. New Age Cleaning Services Pty Ltd	\$441,750.40
5. Alpha Corporate Property Services Pty Ltd	\$479,564.78
6. KC Facility Services Pty Ltd	\$502,378.24
7. Broadscope Facility Services Pty Ltd	\$557,018.42
8. Blue Sky Services VIC Pty Ltd	\$718,441.26
9. Flourish Australia Pty Ltd	\$789,038.28
10. Eve Group Pty Ltd	\$5,876,500.00
11. Shiners Group Pty Ltd	No price provided

TABLE 02 (pre-interview total scores)

	Tenderer	Proposed Servicing Methodology	Staff, Vehicles & Equipment	Commercial Cleaning Experience	Environmental Sustainability	Community Benefit	Price	Pre-interview Score out of 100
1	Alpha Corporate Property Services Pty Ltd	6	7	7	6	6	22	67
2	Hassen Family Trust TA MAAZ Corporate Services Pty Ltd	6	6	5	5	6	28	67
3	Facility Co Pty Ltd	6	6	6	5	5	27	67
4	New Age Cleaning Services Pty Ltd	6	5	7	5	6	23	64
5	KC Facility Services Pty Ltd	6	5	6	5	6	21	60

6	Blue Sky Services VIC Pty Ltd	6	6	7	6	7	14	59
7	Total Waste Services Pty Ltd	4	3	3	5	6	30	58
8	Broadscope Facility Services Pty Ltd	5	6	5	5	5	19	55
9	Flourish Australia Pty Ltd	5	5	5	4	6	13	48
10	Eve Group Pty Ltd	4	4	3	2	4	2	26
11	Shiners Group Pty Ltd	3	4	4	4	4	0	0

The evaluation panel agreed to short list four suitable candidates out of the eleven submissions received based on the key selection criteria and overall ranking out of 100.

Eight (8) of the above tenderers met the qualitative requirements as 'acceptable' or above other than Eve Group Pty Ltd and Shiners Group Pty Ltd who both had areas of their submission barely meeting the specification requirements with major reservations. Qualitative scores ranging between 2-4 out of 10 combined with Eve Group Pty Ltd having a tenth ranked pricing bid meant the panel excluded them as shortlisted candidate.

Although the panel considered Shiners Group Pty Ltd submission to be reviewed. But with a low qualitative score received and overall ranking the panel agreed to not seek further clarification on the omission of pricing which meant the panel did not include them as a shortlisted candidate.

Also, not included were Total Waste Solutions. Their submission barely met specification requirements with an average qualitative score of 4 out of 10 combined with the lowest price of any other candidate pushed them higher in the rankings with an overall score of 58 out of 100 placing them seventh overall and not considered further.

KC Facility Services Pty Ltd, Broadscope Facility Services, Flourish Australia and Blue Sky Services all scoring acceptably against the qualitative criteria with average scores of 5-6 out of 10. However, combined with pricing and overall scores out of 100 placing each of the candidates below the top four and were not considered further.

Alpha Corporate Property Services Pty Ltd, scored acceptably with an average qualitative score of 6 out of 10, combined with the second lowest price ranked them first overall with 67 out of 100. Placing them in the top four progressing to the shortlisted candidate list.

Hassen Family Trust TA MAAZ Corporate Services Pty Ltd and Facility Co Pty Ltd also scored acceptably with an average qualitative score of 6 out of 10, combined with the second and third lowest prices ranked them second and third overall with 67 out of 10 placing them in the top four progressing to the shortlisted candidate list.

New Age Cleaning Services Pty Ltd scored acceptably with an average qualitative score of 6 out of 10 combined with the fourth lowest price ranked them fourth overall with 64 out of 10 placing them in the top four progressing to the shortlisted candidate list.

8. Shortlisting

Shortlisted candidates from a possible 11 companies were:

1. Hassen Family Trust TA MAAZ Corporate Services Pty Ltd
2. Alpha Corporate Property Services Pty Ltd
3. Facility Co Pty Ltd

4. New Age Cleaning Services Pty Ltd

The evaluation panel members were instructed by the chairperson to re-visit each submission and consider questions for the next interview stage, and interview questions were prepared and not issued to candidates in advance. The candidates were asked to demonstrate their understanding of the service delivery and prepare a 10 minute presentation to the panel outlining their resourcing and methodology and to include in the presentation any information technology they intend to use to track and report on service delivery.

After each presentation the panel asked clarifying questions relating to

1. Confirmation of cleaning staff numbers and associated fleet.
2. Opening and closing of public toilet procedure.
3. Clarity on staff absences and backfilling.
4. Clarity of sanitary bin supply and disposal process.
5. Clarity syringe collection.
6. Clarity of general and maintenance reporting procedures.
7. Understanding of general litter collection and disposal process.
8. Confirming acceptance of bank Guarantee.
9. Did you visit each location.

The interviews took place on 23 August 2023 with Hassen Family Trust TA MAAZ Corporate Services Pty Ltd at 9am and Alpha Corporate Property Services Pty Ltd at 2pm. 24 August 2023 9am with Facility Co Pty Ltd and 28 August 2023 12pm with New Age Cleaning Pty Ltd The whole panel were present to ask questions with the exception of Steven Card who was unable to attend.

In attendance for the shortlisted companies were:

1. Hassen Family Trust TA MAAZ Corporate Services Pty Ltd – (Nethith Ethugalage, George Hallal, Fazi Hassen)
2. Alpha Corporate Property Services Pty Ltd – (Michael Withanachchi, Aravinda Dewage, Brad Trotter)
3. Facility Co Pty Ltd – (Edriyan Osmond, Shan Liyanage, Hasi Wijesinghe)
4. New Age Cleaning Pty Ltd – (William Newman, Lorraine Richards, Chris Ballard)

The evaluation panel met on Monday 28th August 2023 to discuss the interviews and also had the opportunity to review existing scores allocated to the candidates with the ability to reduce, increase, or keep scoring the same against each evaluation criteria.

1. Hassen Family Trust TA MAAZ Corporate Services PTY LTD

The panel felt MAAZ Corporate Services missed an opportunity to provide a better sense of their service methodology, staffing and resourcing structure. Despite providing examples of their cleaning rounds, staff allocation and detailed labour plan. They failed to provide reassurance and made on the spot decisions on changes they would be able to commit to.

The panel felt overall that MAAZ Corporate Services lacked precision relating to their intended methodology to be employed, and clarity on staffing numbers was confusing and did not provide the panel with confidence to ensure what was presented aligned with their proposal.

2. Alpha Corporate Property Services

Alpha Corporate Services provided the panel with a satisfactory presentation outlining their service methodology and resourcing requirements.

They presented a detailed and clear methodology and service plan backed with appropriate staffing numbers. Their online reporting system is user friendly and provides the key data which assist with reporting and can be modified to provide information relevant to the contract.

The panel felt overall Alpha provided a good brief outlining their understanding of the services and how they will manage it.

3. Facility Co Pty Ltd

Facility Co provided the panel with a satisfactory presentation outlining their service methodology and resourcing requirements but missed an opportunity to outline their process for cleaning of picnic shelters, seating, tables and drinking fountains this was overlooked in their presentation and was focused on BBQ cleaning.

Their reporting system does not allow access for Council they will provide updates and reports as required. They suggested using QR code labels on the BBQ units for members of the public to raise any issues limiting delay in complaints which will allow a quicker response to the request accordingly and provide a report to Council. The panel advised this is something we currently have for our bin collections and will likely manage the QR data internal due to possibility of sensitive data.

Concerns by the panel that the cleaners will be reliant on ensuring all paperwork such as SWMS, schedules and programs, reporting this should be contract managers role.

Facility Co do not have an ISO accreditation they are in the process getting this done.

4. New Age Cleaning Pty Ltd

New Age Cleaning missed an opportunity to provide assurance on their ability to deliver services. The detail provided was minimal and somewhat confusing and failed to mention their cleaning routes and lacked clarity on disposal of grease waste or where the sub contractor disposes of it.

Existing staff will be used to service areas as they previously worked on the cleaning contract previously with Council. Which the panel felt may impact on other services.

New Age Cleaning do not provide an online reporting system. But have a tried and tested process in place to report maintenance issues and management of complaints.

The panel felt New Age Cleaning have the experience with this type of services but failed to provide confidence in their ability to manage the contract to the required standard.

Following the interviews, the panel agreed to adjust scores for each of the candidates which resulted in Alpha Corporate Property Services finishing with the highest ranking. See Table 03 below.

TABLE 03 (post-interview total scores)

	Tenderer	Proposed Servicing Methodology	Staff, Vehicles & Equipment	Commercial Cleaning Experience	Environmental Sustainability	Community Benefit	Price	Pre-interview Score out of 100
1	Alpha Corporate Property Services PTY LTD	6	7	7	6	6	24	69
2	Facility Co Pty Ltd	4	6	4	4	4	27	58
3	Hassen Family Trust TA MAAZ Corporate Services PTY LTD	3	3	4	5	6	28	57
4	New Age Cleaning Services PTY LTD	3	5	7	4	5	23	56

The outcome of a thorough evaluation process by the Evaluation Panel was that Alpha Property Services Pty Ltd was identified as providing the best value for money overall. The detailed Evaluation Matrix for both pre-interview and post-interview scores are provided as attachments.

9. Critical Compliance Criteria

Alpha Corporate Property Services PTY LTD were previously assessed and comply as a level 2 OHS contractor to undertake tasks assessed as extreme, high, medium and low risk. Financial risk rating score of 586 out of 1000 rated as moderate risk. Probability of default rating of 1.63%.

During the preparation of this report a review of the companies current financial capability and ohs compliance as been issued to Councils Procurement Team for review relevant to this contract.

10. Collaboration

In preparation to tender, an operational service review was undertaken to ensure all areas of service provision were considered. This consisted of benchmarking service delivery with fourteen other Councils. At the time of tendering and benchmarking there was a lack of synergy and varied service combinations with other local government areas to consider undertaking a collaborative approach to procuring these services. Council Officers proceeded with the development of specifications with the view to test the market independently.

10. Reference Checks

Alpha Corporate Property Services provided three referees in their tender submission two were contactable and one was not. As they are the current incumbent the need for additional reference checks was not required.

Referees provided:

1. Frankston Council – Cameron Johnston (Coordinator Facilities Management)
2. Monash Council – Maryanne Fortunato (Facility Maintenance Team Leader)
3. Melton Council – Sarah Taylor (A/Coordinator, Waste, Graffiti & Cleaning)

Reference checks were carried out with Frankston, Monash and Melton Councils, where Alpha received very positive feedback. Each of the evaluation criteria was covered. The full reference checks can be found in the tender Trim file (CON-23/082).

11. Triple Bottom Line

ECONOMIC

Alpha Corporate Property Services have tendered to perform the services for a total annual lump sum cost of \$217,984.54 exc G.S.T

The service is supplemented by schedule of rates for additional cleans as required for special events, and above normal high use days a workload indicator of (10) additional cleans per site maybe required at a cost of \$11,075.00 exc G.S.T per annum.

This was the fifth lowest offer received and is below the FY2023/24 operational budget of \$850,000 exclusive of GST.

COMMUNITY BENEFIT & ENVIRONMENT

Council's mandatory evaluation criteria of Community Benefit and Environment was included as part of the tender evaluation by the evaluation panel on all submissions. Alpha Corporate Property Services has implemented a complete environmental system to conform to ISO 14001:2015 and is certified against this standard. They have also engaged Eco hygiene for sanitary & syringe collection service who is a local Kingston business.

RISK

If these services were not provided assets associated to the service will not be maintained or cleaned and will pose a significant health and safety risk to the community and community dissatisfaction.

12. Recommendation

- a) Award Contract No 23/082 – BBQ & Picnic Amenities Cleaning Services to Alpha Corporate Property Services as a lump sum contract supplemented by schedule of rates, up to a value of \$458,119.08 excl GST for the initial two (2) year term commencing 16 October 2023 to 17 October 2025 up to an estimated maximum value of \$916,238.16 excl GST for the full four (4) year term should the contract extension options be executed; and
- b) Authorise the Chief Executive Officer, or delegated authority, to execute the two (2) one (1) year optional contract extensions subject to satisfactory performance.

RECOMMENDED - PANEL CHAIRPERSON

.....
Will Tangipo, Acting Team Leader Sportsground and Reserves

.....
Date

RECOMMENDED - PANEL MEMBER

.....
Katy Rowland, Coordinator Asset Care

.....
Date

RECOMMENDED - PANEL MEMBER

.....
Wendy Ferguson, Coordinator Building Maintenance Contracts

.....
Date

RECOMMENDED - PANEL MEMBER

.....
Steven Card, Coordinator Home Maintenance

.....
Date

PRE TENDER EVALUATION SUMMARY - TOTAL CONSENSUS SCORES

BBQ & Picnic Amenities Cleaning Services COE (23)

Evaluation Criteria	Weightings %	Alpha CPS		Beta Sky		Eve Group		Facility Co		Rourke Australia		Hasan Family Trust		KC Facility Services		New Age Cleaning		Shiners Group		Total Weight		
		Score	Weighted Score	Score	Weighted Score	Score	Weighted Score	Score	Weighted Score	Score	Weighted Score	Score	Weighted Score	Score	Weighted Score	Score	Weighted Score	Score	Weighted Score	Score	Weighted Score	
Proposed Staffing	20	6	12	5	10	6	12	4	8	6	12	6	12	5	10	6	12	3	6	10	20	
Staff Vehicles & Equipment	15	7	11	8	12	6	9	4	6	6	9	5	8	5	8	5	8	4	6	8	12	
Staff Training & Development	15	7	11	5	8	7	11	3	5	6	9	5	8	5	8	5	8	7	11	4	6	
Environmental Sustainability	10	6	6	5	5	6	6	2	2	5	5	4	4	5	5	5	5	5	5	5	5	
Customer Service	20	6	12	5	10	7	14	4	8	6	12	6	12	5	10	5	10	4	8	10	20	
Price Weighting %	20																					
Lowest Price Received - bid		\$17,984.54	24	\$276,592.21	19	\$192,203.63	14	\$2,268,250.00	2	\$184,890.19	27	\$384,593.14	13	\$185,966.87	28	\$251,158.12	21	\$220,875.20	23	\$80.00	#DIV/0!	\$172,800.00
Total	100																					

Criteria	Score	Weighted Score
Overall Consensus Score	60	60
Alpha CPS	6	12
Beta Sky	5	10
Eve Group	4	8
Facility Co	6	12
Rourke Australia	6	12
Hasan Family Trust	6	12
KC Facility Services	5	10
New Age Cleaning	6	12
Shiners Group	10	20
Total Weight	60	60

CRITERIA: WEIGHTING: 20
 Must be completed within 12 months.
 Evidence of training and/or safety.
 Comprehensive documented with all claims fully substantiated.
 Fully staffed.

CRITERIA: WEIGHTING: 15
 Proposal complete or on site.
 Evidence of some of this specification requirement.
 All claims adequately detailed and substantiated.
 Substantially staffed.

CRITERIA: WEIGHTING: 15
 Must be completed within 12 months.
 Evidence of training and/or safety.
 Comprehensive documented with all claims fully substantiated.
 Fully staffed.

CRITERIA: WEIGHTING: 10
 Must be completed within 12 months.
 Evidence of training and/or safety.
 Comprehensive documented with all claims fully substantiated.
 Fully staffed.

CRITERIA: WEIGHTING: 20
 Must be completed within 12 months.
 Evidence of training and/or safety.
 Comprehensive documented with all claims fully substantiated.
 Fully staffed.

CRITERIA: WEIGHTING: 20
 Must be completed within 12 months.
 Evidence of training and/or safety.
 Comprehensive documented with all claims fully substantiated.
 Fully staffed.

CRITERIA: WEIGHTING: 20
 Must be completed within 12 months.
 Evidence of training and/or safety.
 Comprehensive documented with all claims fully substantiated.
 Fully staffed.

CRITERIA: WEIGHTING: 20
 Must be completed within 12 months.
 Evidence of training and/or safety.
 Comprehensive documented with all claims fully substantiated.
 Fully staffed.

11. Customer and Corporate Support Reports

Ordinary Council Meeting

25 September 2023

Agenda Item No: 11.1

CEO AND GENERAL MANAGER QUARTERLY EXPENSES

Contact Officer: Patrick O'Gorman, Governance Officer

Purpose of Report

To present to Council the CEO and General Managers' expenses for noting.

Disclosure of Officer / Contractor Conflict of Interest

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

RECOMMENDATION

That Council receive the report.

1. Executive Summary

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 to Council to note. This report details the expenses for the April to June quarter of the 2022 - 2023 financial year.

2. Background

The following resolution was moved by Council on 23 March 2020 (refer to Item 12.2 of the Minutes).

- 1. That Council determine to make public the CEO contract (with the exception of the key performance objectives) and CEO / General Manager expenses in the same way as Councillor expenses.*
- 2. Further that this occur subject to the compliance with the Privacy and Data Protection Act 2014 (VIC), and the Australian Privacy Principles.*
- 3. Further that a report come to council no less than every quarter to note such expenses.*

This report responds to part 3 of the resolution.

3. Discussion

3.1 Transparency

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. Consultation

Not applicable to this report.

5. Compliance Checklist

5.1 Council Plan Alignment

Strategic Direction: Well-governed - Council will be collaborative, accountable, transparent, responsive, well-informed and efficient.

Strategy: Look after the community's financial resources responsibly and efficiently
This report and the publication of the attached table to Council's external website highlight the organisations commitment transparency and ensuring appropriate spending of resources.

5.2 Governance Principles Alignment


Principle (g) - the ongoing financial viability of the Council is to be ensured.

Principle (i) - the transparency of Council decisions, actions and information is to be ensured.

5.3 Risk considerations

Not applicable to this report.

Appendices

Appendix 1 - CEO and General Manager Expenses 1 April - 30 June 2023 (Ref 23/201446) 

Author/s: Patrick O'Gorman, Governance Officer

Reviewed and Approved By: Stephanie O'Gorman, Team Leader Council Governance
Kelly Shacklock, Manager Governance Risk and Integrity
Dan Hogan, General Manager Customer and Corporate Support

11.1

CEO AND GENERAL MANAGER QUARTERLY EXPENSES

1 CEO and General Manager Expenses 1 April - 30 June 2023 .. 325

CEO and General Manager Expenses 1 April to 30 June 2023



City of
KINGSTON

	Communications expenses (mobile phones, tablets, and wireless data cards)	Travel intrastate	Travel interstate	Travel Overseas	Training, Conferences and Education	Other Expenditure
Chief Executive Officer – Peter Bean	\$209.85					
Chief Financial Officer – Bernard Rohan	\$104.94					
General Manager Infrastructure and Open Space – Samantha Krull	\$104.94					
General Manager Community Strengthening – Sally Jones	\$161.94					
General Manager Customer and Corporate Support – Dan Hogan	\$104.94		\$239.00			
General Manager Planning and Place – Jonathan Guttman	\$161.94					

TRIM 23/201446

Ordinary Council Meeting

25 September 2023

Agenda Item No: 11.2

ADVOCACY UPDATE

Contact Officer: Tracey Cheeseman, Manager Advocacy, Engagement and Communications

Purpose of Report

This report provides a quarterly update on recent Advocacy activities which support local projects and desired policy outcomes. It serves as a transparent record to our community of key advocacy activities, including meetings with elected officials.

Disclosure of Officer / Contractor Conflict of Interest

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

RECOMMENDATION

That Council receive the September 2023 Advocacy Update report.

1. Executive Summary

This report provides a quarterly update on Advocacy activities and outcomes in recent months. It provides a transparent record of key advocacy activities, including meetings with elected officials.

Following a very busy 2022 double election year, the June-August quarter has seen Federal and State Budgets released with several important announcements. Much of the quarter's advocacy activities have focused on the Mayor continuing to develop relationships with local MPs, as well as our new Advocacy Lead beginning to develop an Advocacy Strategy.

This report provides an outline of:

- More than 50 advocacy meetings held by the Mayor, CEO and General Managers
- Follow up update on advocacy successes
- Media coverage of advocacy efforts
- Update on recruitment for the Advocacy Lead position

2. Background

Council has achieved significant gains in the advocacy space over the past year, with more than \$54 million dedicated towards state and local projects within the Kingston municipality, along with a number of positive outcomes achieved on significant state projects.

The below table highlights recent announcements/ progress on key advocacy projects.

Item	Details
Major reform to Victorian Gambling Regulations	<p>Minister for Casino, Gaming, and Liquor Regulation, Melissa Horne and the Victorian Government announced major reforms to gambling legislation to help mitigate the harms of EGMs. These changes align with Kingston's vision and objectives, and the calls to action outlined in our 'Enough is Enough' and Mayor Saab's regular discussions with the Minister. In response to this major and positive reforms, Kingston has outlined a revised advocacy action plan for 2023/24 to continue momentum in this space.</p> <p>Key Reforms in Victoria</p> <ul style="list-style-type: none"> • Pre-commitment & Carded Play: Players set spending limits and use cards to play. • Load Up Limits: New cap of \$100, down from \$1,000. • Operational Hours: Gaming areas, barring casinos, to close from 4am-10am by 2024. • Gameplay Speed: New EGMs will have a three-second spin rate. • Tech Adaptations: Safety and breaks in gaming as tech advances. <p>Legislation & Budget:</p> <ul style="list-style-type: none"> • Expansion on Royal Commission's recommendations. • VGCCC allocated \$71 million to lead in harm minimisation by mid-2024
Kingston Housing Strategy (C203 Amendment)	<p>Following the adoption of the Housing Strategy, significant advocacy efforts have been undertaken to influence change at a legislative level and ensure the Government doesn't delay a decision until after their own planning agenda.</p> <ul style="list-style-type: none"> • Successfully engaged with all local MPs, briefing them on the strategy and seeking their support for the amendment • Conducted a positive meeting with the Minister for Planning, Sonya Kilkenny. The Minister actively engaged with the materials presented. <p>With these steps, Kingston Council is well-positioned to further its dialogues with the department and secure ministerial approval for the amendment.</p>
Mordialloc Creek Improvements (Edithvale Wetlands)	<p>We have received strong commitments regarding the Mordialloc Creek Improvements. Melbourne Water has strongly reaffirmed their dedication to the Edithvale Wetlands initiative, ensuring regular updates and providing timeline estimates which are instrumental for strategic planning. While initial site investigations, covering both natural and cultural facets, took longer than forecasted, they've helped shape the foundational design</p>

**City of Kingston
Ordinary Council Meeting**

Agenda

25 September 2023

	options. With this groundwork, there's a target to finalise designs by late 2023 to early 2024.
Changes to Bus Routes 631 and 821	<p>Kingston Council's proactive advocacy played a critical role in shaping the transportation decisions around Clarinda Road and bus route 631 and 821. The Department of Transport Planning (DTP) conducted a review process of changes that would relocate buses off Clarinda Road, Kingston's Officers engaged, ultimately shaping the outcome of process in line with community feedback.</p> <ul style="list-style-type: none"> • We engaged extensively with the community, collecting feedback on the potential implications of the proposed changes. • Leveraging this feedback, we consistently communicated with the DTP, emphasizing the community's needs and concerns. • As a result of our persistent efforts and the community's collective voice, the DTP made the decision for buses to remain on both Clarinda and Bunney roads. <p>This outcome ensures continued and convenient public transport access, notably to key areas like the Southland Shopping Centre.</p>
Moorabbin Airport Masterplan	<p>Advocacy on the proposed Master Plan has continued across this quarter and will likely extend into the rest of the year.</p> <p>A range of media coverage has been achieved on the issue including Channel 7 news and Herald Sun coverage. A decision from the Minister is due imminently.</p>

This builds on previous advocacy successes including:

Item	Details
Station Street and McLeod Road, Carrum – planning an upgrade to improve safety at the intersection	Victorian State Budget commitment delivered as part of the 'Better Local Roads' Initiative. \$750,000 announced in March.
Chelsea Street Playground upgrades	Victorian State Budget announcement of \$75,000
Kingston Fields Funding	Victorian State Budget confirmation of election announcement of up to \$1 Million for Kingston Fields Planning as part of the Community sport and active recreation infrastructure fund
Thriving Suburbs Program and Urban Precincts and Partnerships Program	Federal Budget Announcement of \$350 Million for merit-based grants to support community infrastructure and the delivery of larger scale precinct projects
Increase to Single Parent Payment Age	Federal Budget Announcement of an increase to the Single Parent Payment Age to 14 in-line with Council's Endorsed Position
Mordialloc Creek dredging	Victorian Government commitment of \$2 million
Peter Scullin Reserve playground	Victorian Government commitment of \$300,000
Scoreboard funding at Le Page Park and Highett Reserve	Victorian Government commitment of \$100,000
Level Crossing Removals	Successfully advocated for further level crossing removals along the Frankston line including Highett, Aspendale and Mordialloc

**City of Kingston
Ordinary Council Meeting**

Agenda

25 September 2023

Item	Details
Chain of Parks	Victorian Government finalised acquisition of 83ha of land for Chain of Parks
Nola Barber Kindergarten – shade sails	Victorian Government commitment of funding for shade sails. (Greater clarity needed on exact amount as it is part of a \$1.7m package to a number of kindergartens for minor works)
Suburban Rail Loop	<p>Significant outcomes achieved include a commitment to replace lost open space plus securing a strong role for Council via membership of the Public Open Space Expert Panel (an unprecedented outcome in Victoria) and the urban Design Advisory Panel.</p> <p>While disappointed that the stabling yard is proceeding at the Delta site, a number of improved outcomes have been achieved at the Heatherton site including:</p> <ul style="list-style-type: none"> • Consideration to be given to green roof to improve the visual appearance of the site • Facility footprint to be minimised to the maximum extent practicable • Further consideration of right-hand turning facility from/into Kingston Road to mitigate the closure of Old Dandenong Road. • Adding a safe pedestrian crossing on Kingston Road • Landscape and vegetation buffer • Mitigation measure to address amenity impacts <p>Improved outcomes at Sir William Fry Reserve in Highett include:</p> <ul style="list-style-type: none"> • lost open space must be offset on the neighbouring Highett Gasworks site and include a skate park and basketball facilities • a wider shared pedestrian/cycling bridge across Bay Road • further discussion on bus movements • a safe pedestrian crossing on Nepean Highway at Enright Street.
Kingston's new Aquatic & Leisure Centre	Australian government \$20 million funding commitment
Recycled Water 'Purple Pipeline' Project	Victorian government \$24.8 million funding for Phase 1
Patterson River Precinct	Victorian government \$3.5 million commitment for Phase 1
Moorabbin Airport Masterplan	Successfully advocated for rejection of Masterplan
Dingley Village Neighbourhood Centre (Stage 2)	Victorian government \$2 million funding commitment
Back your Neighbour campaign	Labor government elected with commitments to abolish Temporary Protection Visas
Cheltenham North Kindergarten redevelopment	Victorian government \$981,792 million funding commitment

3. Discussion

3.1 Advocacy Report

The Attached September Advocacy Update outlines the range of advocacy activities undertaken in recent months including:

- Progress on advocacy outcomes
- Meetings held on advocacy items by the Mayor, CEO and General Managers
- Media obtained on our advocacy campaigns

4. Consultation

4.1 Internal Consultation:

Community consultation has helped set Council's position on the majority of the identified advocacy priority projects including:

- New Aquatic and Leisure Centre
- Kingston City Hall Redevelopment
- Namatjira Park Masterplan
- Le Page Park Masterplan
- Bonbeach Reserve Masterplan
- Dingley Village Community Centre (Phase 2)
- Delivery of Chain of Parks
- Level Crossing Removal Projects
- Suburban Rail Loop
- Kingston Heath Hockey and Baseball Facility

5. Compliance Checklist

5.1 Council Plan Alignment

Strategic Direction: Well-governed - Council will be collaborative, accountable, transparent, responsive, well-informed and efficient.

Strategy: Actively seek broad community participation

The quarterly update provides a record of Council's advocacy activities.

5.2 Governance Principles Alignment

Engaging in Advocacy activities helps support a range of our Governance Principles as follows:

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

- Advocacy seeks to achieved improved outcomes for our community, particularly on large-scale infrastructure projects which will impact on future generations.

Principle (c) - the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

- Advocacy activities seek to support the economic sustainability of Kingston by sourcing co-operative funding from other levels of government, thereby reducing the financial impact on our ratepayers.

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

- Many of our advocacy positions are formed via community consultation to engage the community on strategic planning. Key examples including the SRL and Level Crossing Removal projects and master planning for recreation reserves.

Principle (f) - collaboration with other Councils and Governments and statutory bodies is to be sought.

- Council cannot deliver on its agenda alone and uses advocacy to build partnerships, secure funding support and seek to influence other levels of government.

Principle (g) - the ongoing financial viability of the Council is to be ensured.

- Advocacy activities seek to support the economic sustainability of Kingston by sourcing co-operative funding from other levels of government, thereby reducing the financial impact on our ratepayers.

Principle (i) - the transparency of Council decisions, actions and information is to be ensured.

- By providing regular updates on Advocacy activities, we provide our community with transparency on our priorities and actions.

Appendices

Appendix 1 - Advocacy Update September 2023 (Ref 23/241795) 

Author/s: Tracey Cheeseman, Manager Advocacy, Engagement and Communications

Reviewed and Approved By: Dan Hogan, General Manager Customer and Corporate Support

11.2

ADVOCACY UPDATE

1	Advocacy Update September 2023	335
---	--------------------------------------	-----



WORKING

TOGETHER

Advocacy Update

September 2023

This report provides an update on Advocacy activities and outcomes in recent months. Following a very busy 2022 double election year, and an announcement-filled first half of the year, the September Quarter has seen a much quieter period. Much of the quarter’s advocacy activities have focused on further strengthening relationships with local MPs and advocating for key issues to relevant Ministers. We have also worked closely with MPs to advocate for Kingston projects to be included in upcoming state budget bids, with this work to continue next quarter up until the late-September deadline.

This report provides an outline of:

- Update on advocacy successes
- Advocacy meetings held by the Mayor, Councillors, CEO, General Managers, and Advocacy Lead
- Update on the Advocacy Lead Officer and Advocacy Strategy
- Media coverage of advocacy efforts

Key issues covered during the quarter include:

- Moorabbin Airport Masterplan
- Gambling harm
- Mordialloc Level Crossing Removal
- Future of golf course sites in Kingston
- Seeking support for Kingston’s housing strategy

Advocacy Successes

The below table highlights recent Advocacy Successes

Item	Details
Major reform to Victorian Gambling Regulations	<p>Minister for Casino, Gaming, and Liquor Regulation, Melissa Horne and the Victorian Government announced major reforms to gambling legislation to help mitigate the harms of EGMs. These changes align with Kingston's vision and objectives, and the calls to action outlined in our 'Enough is Enough' and Mayor Saab's regular discussions with the Minister. In response to this major and positive reforms, Kingston has outlined a revised advocacy action plan for 2023/24 to continue momentum in this space.</p> <p>Key Reforms in Victoria</p> <ul style="list-style-type: none"> • Pre-commitment & Carded Play: Players set spending limits and use cards to play.

	<ul style="list-style-type: none"> • Load Up Limits: New cap of \$100, down from \$1,000. • Operational Hours: Gaming areas, barring casinos, to close from 4am-10am by 2024. • Gameplay Speed: New EGMs will have a three-second spin rate. • Tech Adaptations: Safety and breaks in gaming as tech advances. <p>Legislation & Budget:</p> <ul style="list-style-type: none"> • Expansion on Royal Commission's recommendations. • VGCCC allocated \$71 million to lead in harm minimisation by mid-2024
<p>Kingston Housing Strategy (C203 Amendment)</p>	<p>Following the adoption of the Housing Strategy, significant advocacy efforts have been undertaken to influence change at a legislative level and ensure the Government doesn't delay a decision until after their own planning agenda.</p> <ul style="list-style-type: none"> • Successfully engaged with all local government MPs, securing their support for the amendment but also educating them about the substantial advantages of the strategy. • Conducted a positive meeting with the Minister for Planning, Sonya Kilkenny. The Minister actively engaged with the materials presented and showcased an initial backing for the strategy. <p>With these steps, Kingston Council is well positioned to further its dialogues with the department and secure ministerial approval for the amendment.</p>
<p>Mordialloc Creek Improvements (Edithvale Wetlands)</p>	<p>Following officer advocacy, we have received strong commitments regarding the Mordialloc Creek Improvement. Melbourne Water has strongly reaffirmed their dedication to the Edithvale Wetlands initiative, ensuring regular updates and providing timeline estimates which are instrumental for strategic planning. While initial site investigations, covering both natural and cultural facets, took longer than forecasted, they've helped shape the foundational design options. With this groundwork, there's a target to finalise designs by late 2023 to early 2024.</p>
<p>Changes to Bus Routes 631 and 821</p>	<p>Kingston Council's proactive advocacy played a critical role in shaping the transportation decisions around Clarinda Road and bus route 631 and 821. The Department of Transport Planning (DTP) conducted a review process of changes that would relocate buses off Clarinda Road, Kingston's Officers engaged, ultimately shaping the outcome of process in line with community feedback.</p> <ul style="list-style-type: none"> • We engaged extensively with the community, collecting feedback on the potential implications of the proposed changes. • Leveraging this feedback, we consistently communicated with the DTP, emphasizing the community's needs and concerns. • As a result of our persistent efforts and the community's collective voice, the DTP made the decision for buses to remain on both Clarinda and Bunney roads.

	This outcome ensures continued and convenient public transport access, notably to key areas like the Southland Shopping Centre.
Moorabbin Airport Masterplan	<p>Advocacy on the proposed Master Plan has continued across this quarter and will likely extend into the rest of the year.</p> <p>A range of media coverage has been achieved on the issue including Channel 7 news and Herald Sun coverage.</p> <p>A decision from the Minister is due imminently.</p>

This builds on previous advocacy successes including:

Item	Details
Station Street and McLeod Road, Carrum – planning an upgrade to improve safety at the intersection	Victorian State Budget commitment delivered as part of the 'Better Local Roads' Initiative. \$750,000 announced in March.
Chelsea Street Playground upgrades	Victorian State Budget announcement of \$75,000
Kingston Fields Funding	Victorian State Budget confirmation of election announcement of up to \$1 Million for Kingston Fields Planning as part of the Community sport and active recreation infrastructure fund
Thriving Suburbs Program and Urban Precincts and Partnerships Program	Federal Budget Announcement of \$350 Million for merit-based grants to support community infrastructure and the delivery of larger scale precinct projects
Increase to Single Parent Payment Age	Federal Budget Announcement of an increase to the Single Parent Payment Age to 14 in-line with Council's Endorsed Position
Mordialloc Creek dredging	Victorian Government commitment of \$2 million
Peter Scullin Reserve playground	Victorian Government commitment of \$300,000
Scoreboard funding at Le Page Park and Highett Reserve	Victorian Government commitment of \$100,000
Level Crossing Removals	Successfully advocated for further level crossing removals along the Frankston line including Highett, Aspendale and Mordialloc
Chain of Parks	Victorian Government finalised acquisition of 83ha of land for Chain of Parks
Nola Barber Kindergarten – shade sails	Victorian Government commitment of funding for shade sails. (Greater clarity needed on exact amount as it is part of a \$1.7m package to a number of kindergartens for minor works)
Suburban Rail Loop	<p>Significant outcomes achieved include a commitment to replace lost open space plus securing a strong role for Council via membership of the Public Open Space Expert Panel (an unprecedented outcome in Victoria) and the urban Design Advisory Panel.</p> <p>While disappointed that the stabling yard is proceeding at the Delta site, a number of improved outcomes have been achieved at the Heatherston site including:</p> <ul style="list-style-type: none"> • Consideration to be given to green roof to improve the visual appearance of the site • Facility footprint to be minimised to the maximum extent practicable

Item	Details
	<ul style="list-style-type: none"> • Further consideration of right-hand turning facility from/into Kingston Road to mitigate the closure of Old Dandenong Road. • Adding a safe pedestrian crossing on Kingston Road • Landscape and vegetation buffer • Mitigation measure to address amenity impacts <p>Improved outcomes at Sir William Fry Reserve in Highett include:</p> <ul style="list-style-type: none"> • lost open space must be offset on the neighbouring Highett Gasworks site and include a skate park and basketball facilities • a wider shared pedestrian/cycling bridge across Bay Road • further discussion on bus movements • a safe pedestrian crossing on Nepean Highway at Enright Street.
Kingston's new Aquatic & Leisure Centre	Australian government \$20 million funding commitment
Recycled Water 'Purple Pipeline' Project	Victorian government \$24.8 million funding for Phase 1
Patterson River Precinct	Victorian government \$3.5 million commitment for Phase 1
Moorabbin Airport Masterplan	Successfully advocated for rejection of Masterplan
Dingley Village Neighbourhood Centre (Stage 2)	Victorian government \$2 million funding commitment
Back your Neighbour campaign	Labor government elected with commitments to abolish Temporary Protection Visas
Cheltenham North Kindergarten redevelopment	Victorian government \$981,792 million funding commitment

Meetings

A range of meetings were held to further our advocacy efforts. The below table captures meetings held by the Mayor, CEO and General Managers – noting that officers at lower levels also meet with departmental representatives on key issues at times.

Date	Meeting	Council Attendees
1-Jun	First Nations Voice to Parliament	CEO
1-Jun	GSEM CEOs Meeting	CEO
7-Jun	Joint State/Local Government monthly CEO June Forum	CEO
7-Jun	Melbourne Transport Forum	Mayor
9-Jun	Hotham MP Claire O'Neil	Mayor
13-Jun	ALGA National General Assembly – Regional Forum	CEO

13-Jun	ALGA National General Assembly – Welcome reception & Exhibition Opening	Mayor, Cr Staikos, Cr Bearsley, Cr Davies, CEO
14-Jun	Minister for Early Learning Anne Aly's Advisor	Cr Davey-Burns, Cr Davies
15-Jun	Meng Heang Tak MP Electorate Officer/s	Advocacy Lead
16-Jun	Drop-In Session: Minister for Infrastructure, Transport, Regional	Mayor, Cr Staikos, CEO
20-Jun	St Kilda Football Club CEO	CEO
21-Jun	Premier's Advisor	Advocacy Lead
23-Jun	Sonya Kilkenny MP Visit Carrum Family & Children's Centre – Toy grants for kinders	Mayor
27-Jun	Tim Richardson MP Electorate Officer/s	Advocacy Lead
28-Jun	Tim Richardson	Mayor, General Manager Planning & Place
5-Jul	Metropolitan Transport Forum	Mayor
6-Jul	Sports lighting launch – Mentone Reserve	Mayor, MP Meng Heang Tak
11-Jul	Legislative Assembly Whip Advisor	Advocacy Lead
11-Jul	Local Government Mayoral Advisory Panel meeting	Mayor
12-Jul	Moorabbin Airport issue – Attorney General the Hon Mark Dreyfus	CEO, Mayor, General Manager Planning & Place
13-Jul	ISMMF – Joint Advocacy Initiatives – Bayside, Kingston, Glen Eira, Boroondara	CEO, Mayor
13-Jul	Sports Lighting launch – Bonbeach Reserve	Mayor, CEO, Anne Maree Hermans (LIB), Chris Hill
15-Jul	The Voice and Truth Telling Forum	CEO, Mayor, Cr Davey-Burns, TD, SS, CH, Mark Dreyfus
19-Jul	Local Government Working Group on Gambling	Mayor
19-Jul	Recycling Victoria Local Government CEO forum	CEO
20-Jul	Golf Australia - Rossdale Golf Course	Mayor, CEO

22-Jul	Mayoral Taskforce Supporting People Seeking Asylum	Mayor
25-Jul	Treasury Advisor	Advocacy Lead
26-Jul	Visiting Delegation from Tauyuan China	CEO, Deputy Mayor Chris Hill, Cr Howe, Cr Hua
28-Jul	Southern Metro Regional Needs and Investment Framework	CEO
28-Jul	MP Briefing – James Newbury	CEO
31-Jul	Sports Lighting launch – Edithvale Baseball/Doug Denyer	Mayor, Deputy Mayor, Cr Davey-Burns, MP Tim Richardson
3-Aug	MAV Metropolitan South Regional Meeting	CEO
3-Aug	GSEM CEOs Meeting	CEO
3-Aug	South East Metropolitan Advanced Waste Processing meeting	Cr Jenna Davey-Burns, CEO, General Manager City Works and Environment
7-Aug	Integrated Water Management	CEO
7-Aug	IWM Forum Meeting with Kingston	CEO
10-Aug	CEO Advocacy discussion – Bayside, Port Phillip	CEO
11-Aug	CEO Update on Sector Planning Reform – agenda attached	CEO
11-Aug	Culture Review – Legislative Reforms Discussion	CEO
14-Aug	Elenora Pre School Expansion Launch	Mayor, CEO, MP Katie Hall, MP Tim Richardson, Deputy Mayor Chris Hill
15-Aug	Sports Lighting launch – Clarinda Tennis, Keeley Parks and Heatherton Reserve	Mayor, MP Meang Heang Tak,
15-Aug	Legislative Assembly Whip Advisor	Advocacy Lead
18-Aug	LXRP – Briefing KCC/Tim Richardson MP	Mayor Hadi Saab, CEO, General Manager Planning & Place

18-Aug	Rob Hudson, National Affordable Housing nahc.org.au	Mayor, Deputy Mayor, Cr Staikos, Cr Davey-Burns, General Manager Planning & Place
18-Aug	Treasury Advisor	Advocacy Lead
19-Aug	Parkdale Family & Children's Centre outdoor play launch	MP Tim Richardson, Mayor, Deputy Mayor
22-Aug	Sports Lighting Highett Reserve launch	Mayor, MP Nick Staikos, Cr Davey-Burns
23-Aug	Nick Staikos MP	Mayor, CEO
24-Aug	Meang Heang Tak MP	Mayor, CEO, General Manager Planning & Place
25-Aug	Minister for Planning Sonya Kilkenny	Mayor, CEO, General Manager Planning & Place
25-Aug	Premier's Private Office Advisor	Advocacy Lead
28-Aug	Meeting – Mayor, Cr Hadi Saab & Bayside Mayor, Cr Hanna El Moullem – Re: ISMMF	CEO, Mayor
30-Aug	Mayoral Taskforce Supporting People Seeking Asylum	Mayor
31-Aug	Council Dinner City of Greater Dandenong / City of Kingston	Mayor, Cr Staikos, Cr Davies, CEO, Kingston General Managers

Media

Significant media coverage was achieved during the quarter as per the below table:

Date	Topic and headline	Outlet and Link
8/6/23	Rossdale GC - Kingston raises concerns over proposed Rossdale golf course process	Mirage News - https://www.miragenews.com/kingston-raises-concerns-over-proposed-rossdale-1022887/
8/6/23	Rossdale GC - Kingston raises concerns over proposed Rossdale golf course process	The National Tribune - https://www.nationaltribune.com.au/kingston-flags-

		concerns-with-proposed-rossdale-golf-course-process/
8/6/23	Rosssdale GC - Kingston flags concerns over proposed Rosssdale golf course process	Golf Industry Central - https://www.golfindustrycentral.com.au/golf-industry-news/kingston-raises-concerns-over-proposed-rossdale-golf-course-process/
14/6/23	Rosssdale GC - Golf course redevelopment plans 'premature'	Chelsea Mordialloc Mentone News - https://ausprint.meltwater.com/print_clip_previewer/442105010?text=on&keyword=on&pdf=new
15/6/23	Rosssdale GC - Golf course redevelopment plans 'premature'	Bayside News - https://baysidenews.com.au/2023/06/15/golf-course-redevelopment-plans-premature/
21/6/23	Rosssdale GC - Struggling golf course's housing plan hits the rough with neighbours	The Age (and other affiliated papers) - https://www.theage.com.au/national/victoria/struggling-golf-course-s-housing-plan-hits-the-rough-with-neighbours-20230620-p5di1y.html
21/6/23	Rosssdale GC - Fears over troubled Rosssdale Golf Club's land sale push	Herald Sun (and other affiliated papers) - https://www.heraldsun.com.au/news/victoria/fears-over-troubled-rossdale-golf-clubs-land-sale-push/news-story/169a455908f49651b02564ae34d4a4b3
22/6/23	Mordi LXP - Kingston calls for community input in State Govt level crossing plan	Inside Local Government - https://insidelocalgovernment.com.au/kingston-calls-for-community-input-in-state-govt-level-crossing-plan/
22/6/23	Mordi LXP - Community voices critical in Mordialloc crossing removals	The National Tribune - https://www.nationaltribune.com.au/community-voices-critical-in-mordialloc-crossing-removals/
22/6/23	Mordi LXP - Mordialloc Crossing Removals: Community Voices Critical	Mirage News - https://www.miragenews.com/mordialloc-crossing-removals-community-voices-1032116/
24/6/23	Housing Affordability - On houses, red tape is a red herring	The Age - https://ausprint.meltwater.com/print_clip_previewer/443408575?text=on&keyword=on&pdf=new
28/6/23	Community say on rail bridges 'critical'	Bayside News - https://baysidenews.com.au/2023/06/28/community-say-on-rail-bridges-critical/

3/7/23	Kennedy Centre - Kingston flies high with Hawks community sport deal	Inside Local Government - https://insidelocalgovernment.com.au/kingston-flies-high-with-hawks-community-sport-deal/
5/7/23	Aquatic Centre - Concept designs for new pool revealed	Chelsea Mordialloc Mentone News - https://ausprint.meltwater.com/print_clip_previewer/444978016?text=on&keyword=on&pdf=new
6/7/23	Aquatic Centre - Concept designs for new pool revealed	Bayside News - https://baysidenews.com.au/2023/07/06/concept-designs-for-new-pool-revealed/
10/7/23	C203 - Panel releases findings on Kingston's new planning rules	The National Tribune - https://www.nationaltribune.com.au/panel-releases-findings-on-kingston-s-new-planning-rules/
10/7/23	C203 - Panel releases findings on Kingston's new planning rules	Mirage News - https://www.miragenews.com/panel-releases-findings-on-kingstons-new-1043620/
11/7/23	C203 - Panel recommends higher housing limits	Bayside News - https://baysidenews.com.au/2023/07/11/panel-recommends-higher-housing-limits/
12/7/23	Kennedy Centre - Cash for AFL base 'great value' – mayor	Bayside News - https://baysidenews.com.au/2023/07/12/cash-for-afl-base-great-value-mayor/
25/7/23	Soft Plastics - Australian supermarkets look overseas for solutions to REDcycle soft-plastic stockpile woes	ABC - https://www.abc.net.au/news/2023-07-25/redcycle-soft-plastic-australia-supermarket-stockpiles-recycle/102635180
16/8/23	C203 - Kingston lodges positive plan to meet housing crisis demand	The National Tribune - https://www.nationaltribune.com.au/kingston-lodges-positive-plan-to-meet-housing-crisis-demand/
16/8/23	C203 - Kingston Unveils Plan to Address Housing Crisis	Mirage News - https://www.miragenews.com/kingston-unveils-plan-to-address-housing-crisis-1066420/
22/8/23	C203 - Plan to address housing supply 'critical' – mayor	Bayside News - https://baysidenews.com.au/2023/08/22/plan-to-address-housing-supply-critical-mayor/
31/8/23	Mordi LXP - Kingston's vision for Mordialloc/Aspendale crossing removal project	The National Tribune - https://www.nationaltribune.com.au/kingston-s-vision-for-mordialloc-aspendale-crossing-removal-project/

Ordinary Council Meeting

25 September 2023

Agenda Item No: 11.3

QUICK RESPONSE GRANTS

Contact Officer: Stephanie O'Gorman, Team Leader Council Governance

Purpose of Report

To seek Council's consideration of Quick Response Grant applications received.

Disclosure of Officer / Contractor Conflict of Interest

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

RECOMMENDATION

That Council approve the following Quick Response Grant applications:

- Unified Filipino Elderly Association Inc. - \$1500.00
- Bayside Community Information and Support Service Inc - \$550.00
- Multicultural Nature Guides Victoria Inc. - \$1500.00
- Mordialloc Bowls Club Inc. - \$1250.00
- Heatherton Football Netball Club - \$1500.00
- Mentone Public Library - \$1500.00
- Mordialloc College Alumni Association Inc. - \$1500.00

That Council not approve the following Quick Response Grant application:

- Clarinda Seniors Social Group

1. Executive Summary

The Quick Response Grants Program gives individuals and community groups the opportunity to apply for small grants required at short notice to help them achieve their goals and ambitions.

This Program responds to the community's need for a form of grant that is flexible and efficient in terms of the time between application and approval and applies to smaller amounts of funding to a maximum of \$1,500.00.

Quick Response Grants are a category under Council's Community Grants Program.

2. Background

In April 2019 Council revised the Quick Response Grants Guidelines. Grant applications are checked for eligibility in line with a set of criteria outlined in the Guidelines. An application must be submitted to Council and considered for approval at a Council Meeting.

Any not-for-profit group, school or community organisation providing services within the City of Kingston may apply.

Individuals must be a resident of the City of Kingston and participating in an activity in an unpaid capacity and not as a requirement of any formal course of study or of their employment. Individuals can apply for a grant to assist them to participate in a sporting, educational, recreational or cultural activity; other pursuit of a personal development nature; which will have a clear benefit to the community.

Community groups can apply for a grant to assist with the provision of a service, program or activity used by or of benefit to Kingston residents.

3. Discussion

3.1 Assessment and Application Criteria

Applications for Quick Response Grants are assessed against the criteria outlined in the guidelines as follows:

- Are funds needed at short notice or can they wait for the Annual Grants program?
- Does the proposed activity/event/project benefit the City of Kingston residents?
- Has the applicant demonstrated a clear need for funds?
- Has the applicant received any other funding from Council?
- That the organisation is a not-for-profit and has a bank account in the name of organisation.
- Can the project be funded under any other Council grant program?

4. Consultation

4.1 Internal Consultation:

N/A

4.2 Community Consultation:

N/A

4.3 Results/Findings:

N/A

5. Compliance Checklist

5.1 Council Plan Alignment

Strategic Direction: Healthy and inclusive - We are progressive, inclusive and prioritise the wellbeing of all members of our community.

Strategy: Support the inclusion of everyone in community life

5.2 Governance Principles Alignment

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

Principle (i) - the transparency of Council decisions, actions and information is to be ensured.

5.3 Financial Considerations

Projected costings

Not applicable

Budget

An amount of \$55,000 per annum has been allocated for this program.

Staff Resources

Not applicable

5.4 Risk considerations
Not applicable

6. Applications

Name:	Unified Filipino Elderly Association Inc	
Amount requested:	\$1500.00	
Description of Project/Event:	<p>"No Pokies^Yes Karaoke" is an information session about harms caused by gambling and a better, wholesome and enjoyable alternative option to Pokies, Karaoke! The event is in line with the anti-gambling initiative of the City of Kingston.</p> <p>It is hoped that after listening to the information session regarding how gambling harms not just the gamblers, but also the families and the community, that attendees will look for better ways than gambling, of spending their free time as well as being able to advise family members and friends about what they learned from the event.</p>	
How the funds will be used:	Funds will be used for venue hire, catering, rent of some equipment, transportation expenses of volunteers while doing tasks for the event.	
Assessment Criteria:		
• The applicant meets the eligibility criteria		✓
• Funds are needed at short notice		✓
• The activity/event/project benefits the City of Kingston residents		✓
• The applicant has demonstrated a clear need for funds		✓
• The applicant has not received any other funding from Council for this project		✓
• The applicant is an individual or not for profit organisation		✓
• The project cannot be funded under any other Council Grant program		✓
Grants received in current or last financial year		
ANNUAL GRANT	1200	6/09/2021
GRANT	1750	4/02/2022
QUICK RESPONSE GRANT	1500	5/08/2022
CULTURAL DIVERSITY GRANT	450	2/03/2023
GRANT	1236	30/05/2023
Officer Comment:		
This application meets the assessment criteria and is recommended for approval for an amount of \$1500.00.		

**City of Kingston
Ordinary Council Meeting**

Agenda

25 September 2023

Name:	Bayside Community Information and Support Service Inc	
Amount requested:	\$550.00	
Description of Project/Event:	A client of the service who resides in the City of Kingston had their school bag stolen and now needs to replace all items stolen. Replacement of all items is unaffordable, including a laptop and all the textbooks and other items that were taken.	
How the funds will be used:	Purchase of a laptop computer for the client who is year 9.	
Assessment Criteria:		
• The applicant meets the eligibility criteria		✓
• Funds are needed at short notice		✓
• The activity/event/project benefits the City of Kingston residents		✓
• The applicant has demonstrated a clear need for funds		✓
• The applicant has not received any other funding from Council for this project		✓
• The applicant is an individual or not for profit organisation		✓
• The project cannot be funded under any other Council Grant program		✓
Grants received in current or last financial year		
QUICK RESPONSE GRANT	545	JUNE 2023
QUICK RESPONSE GRANT	700	APRIL 2022
Officer Comment:		
This application meets the assessment criteria and is recommended for approval for an amount of \$550.00.		
Note: Applicant has been de-identified for privacy reasons.		

**City of Kingston
Ordinary Council Meeting**

Agenda

25 September 2023

Name:	Multicultural Nature Guides Victoria Inc		
Amount requested:	\$1500.00		
Description of Project/Event:	<p>The project is aiming to arrange monthly gatherings for club members. Many members of the club don't speak English and often misinformed and have no other means of receiving the vital information. A key speaker will be invited to update the members with facts of the current topics that are unfolding and impact their lives. For example, the current situation in their home country which creates great anxiety. The focus of the information will be purely from a prospective of support that Australia is currently offering the families. Other example of topics could be the impact of Covid on elderly living and services that are available for them. The speaker will share facts and allow members to ask questions. This will create space where they can express their concerns, speak to their friends, and hear experts' advice. The project will also aim to provide some entertainment and celebration of their cultural customs and traditions. This is to ensure that members are connected to their music, food and culture, resulting members leaving the gathering feeling uplifted, positive, connected, informed and valued members of Kingston community.</p>		
How the funds will be used:	<ul style="list-style-type: none"> • Venue hire \$300 x 3 =\$900 • Keynote speaker \$300 x 3 =\$900 • Catering \$200 x 3 =\$ 600 • Transportation \$200 x 3 =\$ 600 		
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 for this project • The applicant is an individual or not for profit organisation • The project cannot be funded under any other Council Grant program 		<ul style="list-style-type: none"> ✓ ✓ ✓ ✓ ✓ ✓ ✓
Grants received in current or last financial year			
QUICK RESPONSE GRANT		1500	AUGUST 2022
Officer Comment:			
This application meets the assessment criteria and is recommended for approval for an amount of \$1500.00.			

**City of Kingston
Ordinary Council Meeting**

Agenda

25 September 2023

Name:	Clarinda Seniors Social Group	
Amount requested:	\$800.00	
Description of Project/Event:	The Clarinda Seniors Social Group (CSSG) is seeking a grant for its Christmas party. The CSSG operates at Clarinda Community Centre. The CSSG committee has decided to have its Christmas party for its members on Monday 11 December at 11AM at the Springvale RSL. The Springvale RSL has agreed to cater for CSSG. This will give an opportunity for the elderly members of the CSSG to have good food for the Christmas party. The Christmas party is an event which our elderly members residing in the City of Kingston look forward too. It provides our members living within the City of Kingston an opportunity to enjoy themselves during the festive which is good for the health and wellbeing, as some of our elderly members have limited opportunities during that time of the year.	
How the funds will be used:	The funds will be used towards a contribution towards the Christmas Party that is being organised by CSSG.	
Assessment Criteria:		
• The applicant meets the eligibility criteria		x
• Funds are needed at short notice		✓
• The activity/event/project benefits the City of Kingston residents		✓
• The applicant has demonstrated a clear need for funds		✓
• The applicant has not received any other funding from Council for this project		✓
• The applicant is an individual or not for profit organisation		✓
• The project cannot be funded under any other Council Grant program		✓
Grants received in current or last financial year		
PARTNERSHIP GRANT	1500	16/11/2021
GRANT	3000	26/04/2022
PARTNERSHIP GRANT	1545	12/09/2022
QUICK RESPONSE GRANT	400	9/11/2022
MEAL GRANT	3000	21/11/2022
QUICK RESPONSE GRANT	1100	6/04/2023
PARNTERSHIP GRANT	1591.35	14/08/2023
Officer Comment:		
This application does not meet the assessment criteria and is not recommended for approval as the event is to be held outside the City of Kingston municipality.		

**City of Kingston
Ordinary Council Meeting**

Agenda

25 September 2023

Name:	Mordialloc Bowls Club Inc.	
Amount requested:	\$1250.00	
Description of Project/Event:	Club needs to replace an ageing lap top computer with a new one that will provide the club with the ability to better communicate to its members, the community, Bowls Victoria and Bowls Australia. Presently most of this communication is done using individual private computers. A club owned laptop computer would ensure all information is stored in the one place.	
How the funds will be used:	Funds will be used to provide a new laptop that would give the Secretary the necessary tools to communicate information to members and the community and other clubs, take minutes of board meetings and communicate with Bowls Victoria and Bowls Australia.	
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 for this project • The applicant is an individual or not for profit organisation • The project cannot be funded under any other Council Grant program 	<ul style="list-style-type: none"> ✓ ✓ ✓ ✓ ✓ ✓ ✓
Grants received in current or last financial year		
Nil		
Officer Comment:		
This application meets the assessment criteria and is recommended for approval for an amount of \$1250.00.		

Name:	Heatherton Football Netball Club	
Amount requested:	\$1500.00	
Description of Project/Event:	Replacement of broken down 600 litre upright display refrigerator. Heatherton FNC is a community sporting club that runs a bar and kitchen/canteen for members and supporters (plus other functions and events). During the season our large capacity refrigerator broke down and we have lost essential cold storage integral to the running of the club. The club will be hosting the SFNL Div 4 finals Aug-Sept and we urgently require this essential equipment.	
How the funds will be used:	Fund will be used for the purchase of a second hand 600 litre display refrigerator (New approx. \$2.5k).	
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 for this project • The applicant is an individual or not for profit organisation • The project cannot be funded under any other Council Grant program 	<ul style="list-style-type: none"> ✓ ✓ ✓ ✓ ✓ ✓ ✓
Grants received in current or last financial year		
Nil		
Officer Comment:		
This application meets the assessment criteria and is recommended for approval for an amount of \$1500.00.		

**City of Kingston
Ordinary Council Meeting**

Agenda

25 September 2023

Name:	Mentone Public Library	
Amount requested:	\$1500.00	
Description of Project/Event:	Writing, editing, designing and publishing a book, provisionally titled "A History of Mentone Public Library", outlining the launch, growth, service and wonderful contribution the Mentone Public Library has made to the Kingston Community, coming up for 100 years. This will be released as a key part of the Library's Centenary celebrations on May 6, 2025, a project being developed with the support of Kingston City councillors and staff.	
How the funds will be used:	One-third of the Grant (\$500) is required for expenses to cover the author's costs - travel, searches, fees, printing, scanning, stationery, etc - as she researches every aspect and angle of the story before developing the narrative. Two-thirds (\$1000) will cover the fee paid to a book designer to create a professional, quality layout and design of the publication, essential to make an appealing, enjoyable product.	
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 for this project • The applicant is an individual or not for profit organisation • The project cannot be funded under any other Council Grant program 	<ul style="list-style-type: none"> ✓ ✓ ✓ ✓ ✓ ✓ ✓
Grants received in current or last financial year		
ANNUAL GRANT	1988.14	31/08/2021
QUICK RESPONSE GRANT	1500	13/09/2022
ANNUAL GRANT	400	7/11/2022
ANNUAL GRANT	3500	14/08/2023
Officer Comment:		
This application meets the assessment criteria and is recommended for approval for an amount of \$1500.00.		

**City of Kingston
Ordinary Council Meeting**

Agenda

25 September 2023

Name:	Mordialloc College Alumni Association Inc.	
Amount requested:	\$1500.00	
Description of Project/Event:	The Mordialloc College Alumni Association historical group is working hard to publish a centenary history of the foundation of Mordialloc College through its long history to the present day. The school is the oldest public secondary school in the City of Kingston and thousands of families in the City of Kingston are connected with the long and enduring rich history of the school.	
How the funds will be used:	The funds will be used for the graphic design and printing of the publication.	
Assessment Criteria:		
• The applicant meets the eligibility criteria		✓
• Funds are needed at short notice		✓
• The activity/event/project benefits the City of Kingston residents		✓
• The applicant has demonstrated a clear need for funds		✓
• The applicant has not received any other funding from Council for this project		✓
• The applicant is an individual or not for profit organisation		✓
• The project cannot be funded under any other Council Grant program		✓
Grants received in current or last financial year		
Nil		
Officer Comment:		
This application meets the assessment criteria and is recommended for approval for an amount of \$1500.00.		

Author/s:

Stephanie O'Gorman, Team Leader Council Governance

Reviewed and Approved By:

Kelly Shacklock, Manager Governance Risk and Integrity

Dan Hogan, General Manager Customer and Corporate Support

Ordinary Council Meeting

25 September 2023

Agenda Item No: 11.4

GOVERNANCE RULES

Contact Officer: Stephanie O'Gorman, Team Leader Council Governance

Purpose of Report

This report is presented to Council to adopt amendments to the Governance Rules, following recent community consultation.

Disclosure of Officer / Contractor Conflict of Interest

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

RECOMMENDATION

That Council, having considered feedback from community consultation, adopt the Governance Rules as amended (refer Appendix 1).

1. Executive Summary

Council has conducted a review to amend various provisions of the Governance Rules (the Rules) which includes recent changes to the Local Government Act 2020 (the Act).

Some of the key proposed changes include:

Changes include (but are not limited to) the following matters:

- rules regarding the election of the Mayor to reflect the requirements of the Act
- introducing Councillor statements during Council meetings to address matters of importance to the community
- rules regarding the submission of questions during public question time
- rules regarding the submission of notice of motions
- rules regarding amendments of motions
- rules regarding conditions of entry to Council buildings
- clarifying speaking times for community members/visitors addressing a Council meeting, and
- minor administrative amendments

Council has completed the statutory requirements including conducting community consultation with the feedback presented in section 3 of this report. A detailed document of the community consultation is contained in Appendix 3.

Council received 10 responses which were generally supportive of the amended Rules.

Therefore, it is recommended that Council adopt the Governance Rules as outlined in Appendix 1.

A copy of the Governance Rules Amendments is found in Appendix 2.

2. Background

The Governance Rules (the Rules) were first adopted by Council at the August 2020 Council Meeting, as part of the implementation of the Act. A link to the report adopting the Rules can be found [here](#).

During the pandemic, Council Meetings and Delegated Committee Meetings were conducted in accordance with interim legislation that allowed for Councillor attendance via electronic means of communication. This has led to the review by the State Government of the traditional requirement of in person attendance at Council Meetings. Subsequently, the Act was amended to include reforms relating to virtual council meetings.

At the August 2022 Council Meeting, Council adopted a new version of the Rules that reflected the legislative changes to the Act that allows the conduct of meeting via electronic means of communication, alongside other amendments. A process of community engagement was undertaken prior to adoption in accordance with the Act.

In early 2023, a further review of the Rules was initiated to consider further amendments to the conduct of meetings that was not considered in the prior reviews to the Rules. The proposed amendments were presented to Council at the July Ordinary Council meeting for endorsement to undertake a process of community engagement -

Resolution:

That Council:

1. *Pursuant to section 60(4) of the Local Government Act 2020, proceed with community consultation in relation to the amended Governance Rules as attached in Appendix 1; and*
2. *Receive a report at the September Ordinary Council meeting receiving the results of the community consultation and consider adoption of the final Governance Rules.*

A copy of the report can be found [here](#).

3. Discussion

3.1 Results of community consultation

Council received 10 responses to the proposed Rules. Findings of the community consultation was generally positive to the proposed Rules. Of the survey questions that were proposed:

- 90% of respondents supported Councillor statements.
- 70% supported a 3pm deadline for question time.
- 70% supported the CEO being able to reject a Notice of Motion which is defamatory, vague, unclear in intention or objectionable.
- 66.7% supported the requirement for a name and address to be provided to have a question responded to.
- 60% supported prohibiting questions that were repetitive of a question, matter, issue or principle already answered in this or a previous meeting.
- 60% supported the CEO erecting signage to stipulate conditions of entry for meetings.
- 80% supported prohibiting offensive placards and banners being brought into meetings by the public.

No community members submitted any additional general feedback to the Rules.

4. Consultation

4.1 Internal Consultation:

The Governance Rules were presented to the February, March, May & July meetings of the Governance and Policy Committee to gain feedback and invite suggested amendments outside of the legislative requirements to the Act.

The draft Governance Rules were presented to Councillors at briefing sessions on Monday, 3 May and 10 July for feedback.

4.2 Community Consultation:

The amended Rules were out for community consultation from Wednesday 26 July to Friday 25 August. A page on Your Kingston Your Say proposed major changes of the Governance Rules in the form of a survey for feedback (general feedback on any changes to the Rules was also allowed).

The Rules were distributed to the database of 13k active subscribers on Your Kingston Your Say, which include the 220-member Representative Community Panel.

The following consultation was undertaken:

Group	Method
General community	Advertisements were provided on TV screens at key Council facilities including Customer Counter, Kingston Libraries, Waves Leisure Centre, Family & Children's Hubs. Your Kingston Your Say page and survey. Social media posts on Council's corporate channels Featured in Kingston News e-newsletter.
Advisory Committees	Members of the Strategic Advisory Committees were directly contacted to provide feedback on the draft Rules.
Kingston Representative Panel	Members of the Representative Community Panel were invited to provide feedback.

4.3 Results/Findings:

A breakdown of the results of community consultation is found in section 3 of this report.

5. Compliance Checklist

5.1 Council Plan Alignment

Strategic Direction: Well-governed - Council will be collaborative, accountable, transparent, responsive, well-informed and efficient.

Strategy: Hold ourselves to the highest standard of governance and integrity

Council is committed to complying with its legislative responsibilities under the Act.

5.2 Governance Principles Alignment

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

By adopting the Governance Rules, Council will be complying with the new provisions of the Act.

5.3 Financial Considerations

Projected costings

Not applicable.

Budget

Not applicable.

Staff Resources



Not applicable.



5.4 Risk considerations

Not applicable.

Appendices

Appendix 1 - Draft Governance Rules 2023 (Ref 23/179107)  

Appendix 2 - Governance Rules 2023 amendments (Ref 23/140780)  

Appendix 3 - Governance Rules Consultation Outcomes August 2023 (Ref 23/231986)  

Author/s:

Stephanie O'Gorman, Team Leader Council Governance

Reviewed and Approved By:

Kelly Shacklock, Manager Governance Risk and Integrity

Dan Hogan, General Manager Customer and Corporate Support

11.4

GOVERNANCE RULES

1	Draft Governance Rules 2023.....	361
2	Governance Rules 2023 amendments	425
3	Governance Rules Consultation Outcomes August 2023.....	491



City of
KINGSTON

Governance Rules

20/168524[v2]

GOVERNANCE RULES

Introduction

1. Nature of Rules

These are the Governance Rules of Kingston City Council, made in accordance with section 60 of the *Local Government Act 2020*.

2. Date of Commencement

These Governance Rules commence on 23 August 2022.

3. Contents

These Governance Rules are divided into the following Chapters:

Chapter	Name
Chapter 1	Governance Framework
Chapter 2	Meeting Procedure for Council meetings
Chapter 3	Meeting Procedure for Delegated Committees
Chapter 4	Meeting Procedure for Community Asset Committees
Chapter 5	Disclosure of Conflicts Of Interest
Chapter 6	Miscellaneous
Chapter 7	The Common Seal
Chapter 8	Election Period Policy

4. Definitions

In these Governance Rules, unless the context suggests otherwise the following words and phrases mean:

Act means the *Local Government Act 2020*.

Chief Executive Officer means the Chief Executive Officer of Kingston City Council and includes an Acting Chief Executive Officer.

Community Asset Committee means a Community Asset Committee established under section 65 of the *Act*.

Council means Kingston City Council.

Council meeting has the same meaning as in the *Act* and includes a *Council meeting* conducted remotely.

Council meeting conducted remotely means a *Council meeting* or a joint meeting of councils which is attended by one or more Councillors by electronic means of communication and conducted in accordance with rule 58 of Chapter 2 of these Rules.

Delegated Committee means a Delegated Committee established under section 63 of the *Act*.

Mayor means the Mayor of *Council*.

these Rules means these Governance Rules.



City of
KINGSTON

Chapter 1

Governance Framework

20/168524[v2]

Chapter 1 – Governance Framework

1. Context

These Rules should be read in the context of and in conjunction with:

- (a) the overarching governance principles specified in section 9(2) of the *Act*; and
- (b) the following documents adopted or approved by *Council*:

Good Governance Framework

Public Transparency Policy

2. Decision Making

- (a) In any matter in which a decision must be made by *Council* (including persons acting with the delegated authority of *Council*), *Council* must consider the matter and make a decision:
 - (i) fairly, by giving consideration and making a decision which is balanced, ethical and impartial; and
 - (ii) on the merits, free from favouritism or self-interest and without regard to irrelevant or unauthorised considerations
- (b) *Council* must, when making any decision to which the principles of natural justice apply, adhere to the principles of natural justice (including, without limitation, ensuring that any person whose rights will be directly affected by a decision of *Council* is entitled to communicate their views and have their interests considered).
- (c) Without limiting anything in paragraph (b) of this sub-Rule:
 - (i) before making a decision that will directly affect the rights of a person, *Council* (including any person acting with the delegated authority of *Council*) must identify the person or persons whose rights will be directly affected, give notice of the decision which *Council* must make and ensure that such person or persons have an opportunity to communicate their views and have their interests considered before the decision is made;
 - (ii) if a report to be considered at a *Council meeting* concerns subject-matter which will directly affect the rights of a person or persons, the Report must record whether the person has or persons have been provided with an opportunity to communicate their views and have their interests considered;
 - (iii) if a report to be considered at a *Delegated Committee* meeting concerns subject-matter which will directly affect the rights of a person or persons, the Report must record whether the person has or persons have been provided with an opportunity to communicate their views and have their interests considered; and
 - (iv) if a member of *Council* staff proposes to make a decision under delegation and that decision will directly affect the rights of a person or persons, the member of *Council* staff must, when making that decision, complete a Delegate Report that records that notice of the decision to be made was given to the person or persons and such person or persons were provided with an opportunity to communicate their views and their interests considered.



City of
KINGSTON

Chapter 2

Meeting Procedure for Council Meetings

20/168524[v2]

Chapter 2 – Meeting Procedure for Council meetings

Contents

Part A – Introduction	1
1. Title	1
2. Purpose of this Chapter	1
3. Definitions and Notes.....	1
Part B – Election of Mayor.....	2
4. Election of the <i>Mayor</i>	2
5. Method of Voting.....	2
6. Determining the election of the <i>Mayor</i>	2
7. Election of Deputy Mayor and Chairs of Delegated Committees	3
8. Appointment of Acting Mayor	4
Part C – Meetings Procedure	5
Division 1 – Notices of Meetings	5
9. Dates and Times of Meetings Fixed by <i>Council</i>	5
10. <i>Council</i> May Alter Meeting Dates	5
11. Meetings Not Fixed by <i>Council</i>	5
12. Notice Of Meeting	5
Division 2 – Quorums.....	6
13. Inability To Obtain A Quorum	6
14. Inability To Maintain A Quorum	6
15. Adjourned Meetings.....	6
16. Time limits for Meetings.....	6
17. Cancellation or Postponement of a Meeting	7
Division 3 – Business of Meetings	7
18. <i>Agenda</i> and the Order Of Business.....	7
19. Change To Order Of Business	7
20. Delegate Reports.....	7
21. En Bloc Resolutions.....	8
22. Urgent Business	8
Division 4 – Motions and Debate	8
23. Councillors May Propose Notices Of Motion	8
24. Notice Of Motion	8
25. Requirements for Motions and Amendments	10
26. Procedures with Respect to Motions	11
27. Procedures with Respect to Amendments	11
28. Rules of Debate	12
29. Speaking Times	14
30. Community Members/Visitors Speaking at <i>Meetings</i>	15
Division 5 – Procedural Motions.....	15
31. Procedural Motions.....	15
Division 6 – Rescission Motions.....	18
32. Notice of Rescission	18
33. If Lost	19
34. If Not Moved	19
35. May Be Moved By Any Councillor	19
36. When Not Required	19
Division 7 – Points of Order	19
37. Procedure For Point Of Order	19

20/168524[v2]

38.	Dissent From Chair's Ruling	20
Division 8 – Public Question Time.....		21
39.	Question Time	21
Division 9 – Petitions and Joint Letters		22
40.	Petitions and Joint Letters	22
Division 10 – Voting		22
41.	How a Motion is Determined.....	22
42.	Recount.....	22
43.	Casting Vote	22
44.	By Show Of Hands	22
45.	Procedure For A Division.....	23
46.	Record of Vote	23
Division 11 – Minutes		23
47.	Confirmation of Minutes.....	23
48.	No Debate on Confirmation Of Minutes.....	24
49.	Deferral Of Confirmation Of Minutes	24
50.	Form and Availability of Minutes.....	25
Division 12 – Behaviour		26
51.	Public Behaviour at a Meeting.....	26
52.	<i>Chair</i> May Remove	26
53.	<i>Chair</i> may adjourn disorderly meeting.....	26
54.	Removal from Chamber.....	27
Division 13 – Additional Duties of <i>Chair</i>		27
55.	The <i>Chair's</i> Duties and Discretions	27
Division 14 – Suspension of Standing Orders		27
56.	Suspension of Standing Orders.....	27
Division 15 – Miscellaneous		27
57.	Recording of <i>Meetings</i>	27
Division 16 – Meetings Conducted Remotely		28
58.	Council meetings conducted remotely.....	28
59.	Request to attend Council meetings conducted remotely by electronic means.....	29
60.	Other matters not provided for.....	29

Part A – Introduction

1. Title

This Chapter will be known as the "Governance Rules".

2. Purpose of this Chapter

The purpose of this Chapter is to:

- 2.1 provide for the election of the Mayor and any Deputy Mayor;
- 2.2 provide for the appointment of any Acting Mayor; and
- 2.3 provide for the procedures governing the conduct of *Council meetings*.

3. Definitions and Notes

3.1 In this Chapter:

"*absolute majority*" means the number of Councillors which is greater than half the total number of the Councillors of *Council*;

"*abstain*" means where a Councillor present at the meeting does not vote (is taken to have voted against the question);

"*agenda*" means the notice of a meeting setting out the business to be transacted at the meeting;

"*Chair*" means the Chairperson of a meeting and includes a Councillor who is appointed by resolution to chair a meeting under section 61(3) of the *Act*;

"*defamatory*" means causing serious harm to a person's or Council's reputation across a broader section of the community.

"*minute book*" means the collective record of proceedings of *Council*;

"*municipal district*" means the municipal district of *Council*;

"*notice of motion*" means a notice setting out the text of a motion, which it is proposed to move at the next relevant *Ordinary Council Meeting*

"*notice of rescission*" means a *notice of motion* to rescind a resolution made by *Council*; and

"*Ordinary Council Meeting*" means a *Council Meeting* fixed under Rule 9.

"*Special Council Meeting*" means a *Council Meeting* not fixed by Council under Rule 11

"*written*" includes duplicated, lithographed, photocopied, printed and typed, and extends to both hard copy and soft copy form, and *writing* has a corresponding meaning.

3.2 Introductions to Parts, headings and notes are explanatory notes and do not form part of this Chapter. They are provided to assist understanding.

Part B – Election of Mayor

Introduction: This Part is concerned with the annual election of the *Mayor*. It describes how the *Mayor* is to be elected.

4. Election of the *Mayor*

The election of the Mayor will occur at a *Council Meeting* in accordance with the Act, which is known as the *Annual Statutory Meeting*.

The *Chief Executive Officer* must facilitate the election of the *Mayor* in accordance with the provisions of the Act.

5. Method of Voting

The election of the *Mayor* must be carried out by a show of hands.

6. Determining the election of the *Mayor*

- 6.1 The *Chief Executive Officer* must open the meeting at which the *Mayor* is to be elected, and invite nominations for the office of *Mayor*.
- 6.2 Nominations do not require seconding.
- 6.3 The *Chief Executive Officer* shall ask each nominee, other than when self-nominated, if they accept the nomination.
- 6.4 Once nominations for the office of *Mayor* have been received and accepted, the following provisions will govern the election of the *Mayor*:
- 6.5 If there is only one nomination:
 - 6.5.1 the candidate nominated must be declared to be duly elected;
- 6.6 If there are two candidates (or two remaining candidates after the completion of sub-Rule 6.7)
 - 6.6.1 the Councillors present at the meeting vote for one of the candidates;
 - 6.6.2 in the event of a candidate receiving an *absolute majority* of the votes, that candidate is declared to have been elected;
 - 6.6.3 If neither candidate receives an *absolute majority* of the votes:
 - (a) *Council* may resolve to conduct the meeting at a later date and time;
or
 - (b) A further vote must be taken until one of the candidates receive an absolute majority of votes, at which point that candidate will be declared to be duly elected.
 - (c) If, after two or more further votes are taken and neither candidate receives an absolute majority of votes, the provisions of this sub-Rule 6.6.3 must again be followed.
- 6.7 If there are three or more candidates (or three or more remaining candidates):
 - 6.7.1 the Councillors present at the meeting vote for one of the candidates;

- 6.7.2 In the event of the candidate receiving an absolute majority of votes, that candidate is declared to be duly elected;
- 6.7.3 in the event that no candidate receives an *absolute majority* of the votes, and it is not resolved to conduct a new election at a later date and time, the candidate with the fewest number of votes must be declared to be a defeated candidate. The Councillors present at the meeting must then vote for one of the remaining candidates;
- 6.7.4 if one of the remaining candidates receives an *absolute majority* of the votes, he or she is duly elected. If none of the remaining candidates receives an *absolute majority* of the votes, the process of declaring the candidates with the fewest number of votes a defeated candidate and voting for the remaining candidates must be repeated until one of the candidates receives an *absolute majority* of the votes. That candidate must then be declared to have been duly elected;
- 6.7.5 If two or more candidates have an equal lowest number of votes, the process to determine a defeated candidate will be determined by lot.
- 6.7.6 if a lot is conducted, the *Chief Executive Officer* will have the conduct of the lot and the following provisions will apply:
- (a) each candidate with an equal lowest number of votes will draw one lot;
 - (b) the order of drawing lots will be determined by the alphabetical order of the surnames of the Councillors who received an equal number of votes except that if two or more such Councillors' surnames are identical, the order will be determined by the alphabetical order of the Councillors' first names; and
 - (c) as many identical pieces of paper as there are Councillors who received an equal number of votes must be placed in a receptacle. The word "Defeated" shall be *written* on one of the pieces of paper, and the Councillor who draws the paper with the word "Defeated" *written* on it must be declared the defeated candidate (in which event a further vote must be taken on the remaining candidates until a candidate receives an absolute majority of votes, in which case that candidate will be declared to have been duly elected).

Note: Section 26 of the *Act* requires that before the election of the *Mayor*, a *Council* must determine by resolution whether the *Mayor* is to be elected for a 1 year or 2 year term.

7. Election of Deputy Mayor and *Chairs* of Delegated Committees

Any election for:

- 7.1 any office of Deputy Mayor; or
- 7.2 *Chair* of a *Delegated Committee*

will be regulated by Rules 4-6 (inclusive) of this Chapter, as if the reference to the:

- 7.3 *Chief Executive Officer* is a reference to the *Mayor*; and
- 7.4 *Mayor* is a reference to the Deputy Mayor or the *Chair* of the *Delegated Committee* (as the case may be).

8. Appointment of Acting Mayor

If *Council* has not established an office of Deputy Mayor and it becomes required to appoint an Acting Mayor, it can do so by:

- 8.1 resolving that a specified Councillor be so appointed; or
- 8.2 following the procedure set out in Rules 5 and 6 (inclusive) of this Chapter, at its discretion.

Part C – Meetings Procedure

Introduction: This Part is divided into a number of Divisions. Each Division addresses a distinct aspect of the holding of a meeting. Collectively, the Divisions describe how and when a meeting is convened, when and how business may be transacted at a meeting.

Division 1 – Notices of Meetings

9. Dates and Times of Meetings Fixed by Council

Subject to Rule 11, *Council* must from time to time fix the date, time and place of all *Council meetings* which are known as *Ordinary Council Meetings*.

10. Council May Alter Meeting Dates

Council may change the date, time and place of any *Ordinary Council Meeting* which has been fixed by it and must provide reasonable notice of the change to the public.

11. Meetings Not Fixed by Council

11.1 The *Mayor* or at least 3 Councillors may by a *written* notice call a *Council meeting* which is known as a *Special Council Meeting*.

11.2 The notice must specify the date and time of the *Special Council Meeting* and the business to be transacted (which may include a motion to be presented to the meeting).

11.3 The notice must be given to the *Chief Executive Officer* (or delegate) at least 72 hours prior to the date and time of the *Special Council Meeting*, unless there are urgent or extraordinary circumstances requiring less notice to be provided. The urgent or extraordinary circumstances must be included in the minutes of the meeting.

11.4 The *Chief Executive Officer* must convene the *Special Council Meeting* as specified in the notice.

11.5 Unless all Councillors are present and unanimously agree to deal with any other matter, only the business specified in the *written* notice can be transacted at the *Special Council Meeting*.

12. Notice Of Meeting

12.1 A notice of meeting, incorporating or accompanied by an *agenda* of the business to be dealt with, must be delivered or sent electronically to every Councillor for all *Council meetings* at least 48 hours before the meeting.

12.2 Reasonable notice of each *Council meeting* must be provided to the public. *Council* may do this:

12.2.1 for *Ordinary Council Meetings* by preparing a schedule of meetings annually, twice yearly or from time to time, and arranging publication of such schedule on *Council's* website, social media platforms and, where possible, in a newspaper generally circulating in the *municipal district* either at various times throughout the year, or prior to each such *Council meeting*; and

12.2.2 for *Special Council Meetings* by giving notice on its website and:

- (a) in each of its Customer Service Centres; and/or
- (b) on *Council's* social media platforms.

Division 2 – Quorums

13. Inability To Obtain A Quorum

If after 30 minutes from the scheduled starting time of any *Council meeting*, a quorum cannot be obtained, including as a result of non-compliance by one or more Councillors with sub-rule 59.1:

- 13.1 the meeting will be deemed to have lapsed;
- 13.2 the *Mayor*, or in the absence of the *Mayor*, the Acting *Chair* or *Chief Executive Officer*, must convene another *Council meeting* up to a week later than the time stated in the *agenda* for which will be identical to the *agenda* for the lapsed meeting; and
- 13.3 the *Chief Executive Officer* must give all Councillors *written* notice of the meeting convened by the *Mayor* or (in the absence of the *Mayor*) the Acting *Chair* or *Chief Executive Officer*.

14. Inability To Maintain A Quorum

- 14.1 If during any *Council meeting*, a quorum cannot be maintained, including as a result of non-compliance by one or more Councillors with sub-rule 59.1, then Rule 13 will apply as if the reference to the meeting is a reference to so much of the meeting as remains.
- 14.2 Sub-Rule 14.1 does not apply if the inability to maintain a quorum is because of the number of Councillors who have a conflict of interest in the matter to be considered.

15. Adjourned Meetings

- 15.1 *Council* may adjourn any meeting to another date or time but cannot in the absence of disorder or a threat to the safety of any Councillor or member of Council staff adjourn a meeting in session to another place.
- 15.2 The *Chief Executive Officer* must give *written* notice to each Councillor of the date, time and place to which the meeting stands adjourned and of the business remaining to be considered.
- 15.3 If it is impracticable for the notice given under sub-Rule 15.2 to be in *writing*, the *Chief Executive Officer* must give notice to each Councillor by telephone or in person.

16. Time limits for Meetings

- 16.1 A *Council meeting* must not continue after 3 hours unless a majority of Councillors present vote in favour of it continuing.
- 16.2 In the absence of such continuance, the meeting must stand adjourned to a time, date and place announced by the *Chair* immediately prior to the meeting standing adjourned. In that event, the provisions of sub-Rules 15.2 and 15.3 apply.

17. Cancellation or Postponement of a Meeting

- 17.1 The *Chief Executive Officer*, in consultation with the *Mayor* where such consultation is practicable, may in the case of an emergency necessitating the cancellation or postponement of a *Council meeting*, cancel or postpone a *Council meeting*.
- 17.2 The *Chief Executive Officer* must present to the immediately following *Council meeting* a *written* report on any exercise of the power conferred by sub-Rule 17.1.

Division 3 – Business of Meetings**18. Agenda and the Order Of Business**

To facilitate and maintain open, efficient and effective processes of government, business at *Council meetings* must include:

- 18.1 apologies; and
- 18.2 disclosures of conflicts of interest; and
- 18.3 designation of items of business as confidential in compliance with *these Rules*.

Subject to the above, business at *Ordinary Council Meetings* must also include:

- 18.4 confirmation of *minutes*; and
- 18.5 public question time; and
- 18.6 petitions; and
- 18.7 notices of motion; and
- 18.8 delegates reports, Councillor statements & Presentation of Awards; and
- 18.9 urgent business.

19. Change To Order Of Business

Once an *agenda* has been sent to Councillors, the order of business for that *Council meeting* may be altered by resolution of *Council*.

20. Delegate Reports, Councillor Statements & Presentation of Awards

- 20.1 The *Mayor* and Councillors who are delegates or representatives of *Council* on other bodies may report to the *Council meeting* on issues of importance to *Council*, notwithstanding that the report is not listed on the *agenda*.
- 20.2 A *Councillor* may make one statement on a particular matter of importance to the municipality or to a ward, such as acknowledgment of community groups and community members, advocacy on behalf of ward constituents and statements and positions relevant to their representation and leadership of the municipality.
- 20.3 No motion (except to receive any such report or statement) can be accepted by the *Chair* unless there is a matter raised in it which is resolved in the manner prescribed by Rule 22 to be urgent business.

20.4 At the discretion of the *Chair*, awards may be presented to individuals and community groups at *Council meetings*.

20.5 Debate is not required under this Rule.

21. En Bloc Resolutions

21.1 Subject to sub-Rule 21.2, matters to be considered en bloc can only be considered by resolution of *Council*.

21.2 Items that relate to planning matters (that involve a planning application or a planning scheme amendment) or that involve statutory third-party rights must not be considered en bloc.

22. Urgent Business

22.1 If the *agenda* for a *Council meeting* makes provision for urgent business, business cannot be admitted as urgent business other than by resolution of *Council*, provided that it:

22.1.1 relates to or arises out of a matter which has arisen since distribution of the *agenda*; and

22.1.2 cannot safely or conveniently be deferred until the next *Council meeting*.

22.2 a Councillor proposing business to be admitted as urgent business must make the proposed motion available in order for 22.1.1 & 22.1.2 to be considered.

22.3 Once admitted as an item of urgent business, a motion which does not comply to sub-Rule 25.4 must be rejected by the *Chair*.

Division 4 – Motions and Debate

23. Councillors May Propose Notices Of Motion

Councillors may ensure that an issue is listed on an *agenda* by lodging a *notice of motion*.

24. Notice Of Motion

24.1 A *notice of motion* must be in *writing* signed by a Councillor and be lodged with or sent to the *Chief Executive Officer* (or delegate) by noon 14 clear days before the date of an *Ordinary Council Meeting*, unless sub-rule 24.3 applies.

24.2 A notice of motion submitted in accordance with Rule 24.1 may be amended prior to the preparation of the agenda of the *Ordinary Council Meeting* in a manner that leaves the intention and effect of the *notice of motion* materially undisturbed.

24.3 A *notice of motion* may be sent to the Chief Executive Officer (or delegate) by noon 7 clear days before the date of an *Ordinary Council Meeting* that:

24.3.1 relates to or arises out of a matter which has arisen since the distribution of the draft *agenda* of the *Ordinary Council Meeting* that is presented at a Councillor briefing session; and

24.3.2 the Mayor determines cannot safely or conveniently be deferred until the next Council meeting due to:

(a) safety concerns; or

- (b) time sensitivity; or
 - (c) an impact on the benefit and wellbeing on the municipal community.
- 24.4 A *notice of motion* included in the *agenda* must be accompanied by *written* officer comments addressing the *notice of motion*.
- 24.5 A Councillor should invite feedback from all Councillors on a *notice of motion* prior to lodgement.
- 24.6 The *notice of motion* may include a *written* rationale for the proposed motion to be submitted. The full text of any *notice of motion* and rationale must be included in the *agenda*.
- 24.7 The *Chief Executive Officer* must cause all notices of motion to be numbered, dated and entered in the *notice of motion* register in the order in which they were received.
- 24.8 Any motion which is determined by the *Chair* at an *Ordinary Council Meeting* to be vague or unclear in intention must not be accepted by the *Chair*.
- 24.9 The Chief Executive Officer may reject any *notice of motion* which:
 - 24.9.1 is outside of the legislative powers of Council; or
 - 24.9.2 if passed would result in Council otherwise acting invalidly; or
 - 24.9.3 *defamatory*; or
 - 24.9.4 is vague or unclear in intention; or
 - 24.9.5 objectionable in language or nature;but must:
 - 24.9.6 notify in writing the Councillor who lodged the *notice of motion* the rejection and reasons for the rejection; and
 - 24.9.7 give the Councillor who lodged it an opportunity to amend it prior to rejection, if it is practicable to do so.
- 24.10 Except by leave of *Council*, each *notice of motion* before any meeting must be considered in the order in which they were entered in the *notice of motion* register.
- 24.11 If a Councillor who has given a *notice of motion* is absent from the meeting or fails to move the motion when called upon by the *Chair*, any other Councillor may move the motion.
- 24.12 A *notice of motion* may be moved which differs in wording to the *notice of motion* published in the agenda, provided it leaves the intention and effect of the notice of motion materially undisturbed.
- 24.13 If a *notice of motion* is not moved at the *Council meeting* at which it is listed, it lapses.

- 24.14 If a *notice of motion*, whether amended or not, is lost, a similar motion cannot again be put before the current *Council* for a period of three calendar months from the date it was lost.
- 24.15 A *notice of motion* must call for an officer report if the *notice of motion*:
- 24.15.1 substantially affects the level of *Council* services; or
 - 24.15.2 commits the *Council* to expenditure in excess of \$25,000 and that has not been included in the adopted budget (this includes operational and capital costs); or
 - 24.15.3 establishes or amends a *Council* policy; or
 - 24.15.4 commits *Council* to any contractual arrangement; or
 - 24.15.5 concerns any litigation in respect of which Council is a party.
- 24.16 Where the subject matter of a *notice of motion* is confidential in nature, the *Chief Executive Officer* may designate a *notice of motion* as confidential in accordance with relevant grounds as contained in the *Act*, in which case, the *notice of motion* will be considered in the part of the relevant *Council meeting* that is closed to members of the public.

25. Requirements for Motions and Amendments

- 25.1 A motion may be moved by a Councillor as a formal proposal that the *Council meeting* should resolve on in certain terms.
- 25.2 A motion having been moved and seconded may be amended by leaving out, inserting or adding words in a manner that leave the intention and effect of the motion materially undisturbed.
- 25.3 A motion which purports to be an amendment but which if passed would directly contradict or negate the motion or materially deprive the motion of effect cannot be accepted as an amendment.
- 25.4 A motion or amendment which is proposed by a Councillor at a *Council meeting* must be:
- 25.4.1 clearly expressed and unambiguous; and
 - 25.4.2 not defamatory or objectionable in nature; and
 - 25.4.3 relevant to an item on the *agenda* (unless it relates to an item which has been agreed by the *meeting* as urgent business).
- 25.5 Any motion or amendment which differs in wording from a recommendation or *notice of motion* which is on the *agenda* must, if required by the *Chair*, be *written* out by the proposer, given to the *Chair* and be presented on the screens used for display of the meeting proceedings. If required by a Councillor, a copy must be given to all Councillors present before any further debate takes place on the matter or before the vote on it is taken. The *Chair* may adjourn the *Council meeting* to allow time for these requirements to be met.
- 25.6 Any motion or amendment which does not conform to sub-Rule 25.3 or 25.4 may be rejected by the *Chair*.

- 25.7 An amendment must call for an officer report if the amendment commits *the Council* to expenditure in excess of \$25,000 that has not been included in the adopted budget.

26. Procedures with Respect to Motions

- 26.1 A Councillor proposing to move a motion must first indicate a wish to address the *Chair*.
- 26.2 Once recognised by the *Chair*, the mover must state the motion without speaking to it.
- 26.3 The *Chair* must call for a seconder (other than the mover).
- 26.4 Any motion which is not seconded lapses.
- 26.5 Where the mover intends to move a recommendation as it appears in the *agenda*, they may do so in the following manner, "I move the recommendation on page (state page number) of the *agenda*."
- 26.6 Where the mover intends to move a motion other than a recommendation as it appears in the *agenda*, they must state the motion in full.
- 26.7 Once a motion is seconded, the *Chair* may:
- 26.7.1 invite Councillors to speak in accordance with clause sub-Rule 28.6; or
- 26.7.2 ask whether the motion is opposed and if no opposition is indicated, the *Chair* may then put the motion to the vote without debate; or
- 26.7.3 at any time during the debate ask whether the motion is opposed or is further opposed and if no such opposition is indicated, may put it to the vote without further debate.
- 26.8 Where a motion is in two or more parts, upon request from a Councillor, the *Chair* may at his or her discretion put each part to the vote separately.
- 26.9 If the *Chair* determines to put a motion to the vote separately in accordance with sub-rule 26.8, the mover and seconder must be provided the opportunity to withdraw, to which the process prescribed in sub-rule 26.11 applies.
- 26.10 Subject to Rule 28, a motion must be put to the vote when the *Chair* believes that the issues have been reasonably canvassed in the debate.
- 26.11 The moving or seconding of a motion can be withdrawn. The *Chair* may:
- 26.11.1 seek a substitute mover or seconder; or
- 26.11.2 if there is no willingness to be the substitute mover or seconder, declare the motion as lapsed.

27. Procedures with Respect to Amendments

- 27.1 Any Councillor, including the mover and seconder of a motion, may move or second any amendment to the motion after the completion of the Councillor currently speaking on the matter.

- 27.2 The procedures contained in Rule 28 should be followed to deal with an amendment.
- 27.3 When any amendment is put to the vote and declared carried by the *Chair*, it thereupon becomes the substantive motion and can be further amended.
- 27.4 The mover and seconder of the amendment which is put to the vote and declared carried by the *Chair* own the substantive motion.
- 27.5 Only one amendment can be before the *Council meeting* at a time and until it is put to the vote no further amendment can be proposed, but with the leave of the *Chair* another amendment or motion can be foreshadowed by any Councillor stating in brief terms the nature of it.
- 27.6 Where a proposed amendment from another Councillor is accepted by the mover and seconder, it will form part of the substantive motion and no debate or voting on the amendment is required.

28. Rules of Debate

- 28.1 A Councillor may only speak once on the motion and once on any amendment of a motion subject to sub-Rule 28.2.
- 28.2 The mover of a motion has a right of reply with respect to the debate on his or her motion immediately before the vote is taken, but that right of reply is lost if an amendment to the motion is carried.
- 28.3 Once a right of reply has been exercised, the *Chair* must put the motion to the vote without making comment or permitting any further comment on the motion.
- 28.4 The mover of an amendment has no right of reply.
- 28.5 A Councillor may address the *Council meeting* to explain why the Councillor proposes to *abstain* from the voting on a motion, but shall not then speak in favour or opposition to the motion.
- 28.6 The *Chair* shall invite Councillors to speak on a motion or amendment in the following order:
- 28.6.1 mover (may be reserved to later in the debate);
 - 28.6.2 seconder (may be reserved to later in the debate);
 - 28.6.3 other Councillors; then
 - 28.6.4 mover's right of reply (where applicable).
- 28.7 A Councillor may, when no other Councillor is speaking, ask any question concerning or arising out of the motion or amendment before the *Chair*, but cannot be used to debate the matter further.
- 28.8 The *Chair* has the right to limit questions and direct that debate be commenced or resumed.
- 28.9 A Councillor must not in any debate make any *defamatory*, indecent, abusive, offensive or disorderly statement or comment or a statement or comment which is objectionable in language, substance or nature.

- 28.10 If a statement or comment is made contrary to sub-Rule 28.9, the *Chair* may call upon the Councillor to withdraw it and apologise and if that is required the Councillor concerned must immediately and unreservedly do so.
- 28.11 Debate must always be relevant to the motion before the *Chair*, and, if not, the *Chair* must request the speaker to confine debate to the motion.
- 28.12 If after being requested to confine debate to the motion before the *Chair*, the speaker continues to debate irrelevant matters, the *Chair* may direct the speaker to be seated and not speak further in respect of the motion then before the *Chair*.
- 28.13 A speaker to whom a direction has been given under sub-Rule 28.12 must comply with that direction.
- 28.14 In cases where there is competition for the right to speak at a *Council meeting* then the *Chair* must decide the order in which Councillors will speak.
- 28.15 If a debate is adjourned by motion then the Councillor who moved the adjournment has the right to speak first when the debate is resumed.
- 28.16 A Councillor must not be interrupted except by the *Chair* or upon a point of order being taken.
- 28.17 A Councillor is not deemed to be speaking on the motion or amendment before the meeting when:
- 28.17.1 calling a point of order; or
 - 28.17.2 asking a question; or
 - 28.17.3 foreshadowing a new motion or further amendment; or
 - 28.17.4 making a request under sub-Rule 26.8
- 28.18 When exercising a right of reply, a Councillor must not introduce new material.
- 28.19 At any time during debate a Councillor may foreshadow a motion so as to inform *Council* of his or her intention to move a motion at a later stage in the meeting, but this does not extend any special right to the foreshadowed motion.
- 28.20 A motion foreshadowed may be prefaced with a statement that in the event of a particular motion before the *Chair* being resolved in a certain way, a Councillor intends to move an alternative or additional motion.
- 28.21 A foreshadowed motion is not recorded in the minutes until the foreshadowed motion is formally moved.
- 28.22 The *Chair* is not obliged to accept foreshadowed motions.
- 28.23 If a resolution is made at a *Council meeting*, the substance of the resolution cannot be further discussed at that meeting.
- 28.24 If the *Chair* so determines:
- 28.24.1 any person addressing the *Chair* must refer to the *Chair* as:
 - (a) Mayor; or

- (b) Madam Mayor; or
- (c) Mr Mayor; or
- (d) Deputy Mayor; or
- (e) Madam Deputy Mayor; or
- (f) Mr Deputy Mayor; or
- (g) *Chair*; or
- (h) Madam *Chair*; or
- (i) Mr *Chair*; or
- (j) Acting *Chair*; or
- (k) Mayor (last name); or
- (l) Your Worship

as the case may be;

28.24.2 all Councillors, other than the *Mayor*, must be addressed as

Cr(name).

28.24.3 all members of Council staff, must be addressed as Mr, Ms or Mx

.....(name) as appropriate or by their official title.

28.24.4 The *Chair* may address the *Council meeting* upon any matter under discussion and will not be deemed to have left the *Chair* on such occasions.

28.24.5 Except in cases of sickness or physical disability, a Councillor at any *Council meeting* must stand when speaking.

28.25 Props, visual aids, photographs & audio or video recordings must not be allowed during debate, unless an exception is granted by the *Chair*.

29. Speaking Times

A Councillor must not speak longer than the time set out below, unless granted an extension by resolution:

29.1 mover of a motion or amendment: 4 minutes

29.2 Councillor speaking to a motion or amendment: 3 minutes

29.3 closing statement (right of reply): 2 minutes

29.4 presenter of delegate's report and/or Councillor statement (combined): 3 minutes.

The *Chair* may determine to grant (but not unreasonably refuse) a request from a Councillor for an extension of time for 2 minutes to speak, however any further extension of time must be put to the vote.

30. Community Members/Visitors Speaking at Meetings

- 30.1 No community member/visitor to a *Council meeting* may speak to the meeting, except for:
- 30.1.1 the applicant (or their representative) in relation to an application for a planning permit;
 - 30.1.2 one objector in relation to an application for a planning permit; and
 - 30.1.3 special circumstances, in which leave to speak is granted by the *Chair*.
- 30.2 Any community member/visitor addressing the *Council meeting* cannot speak for more than 4 minutes each (unless granted more time by the *Chair*).
- 30.3 Should there be multiple objectors who wish to address an application for a planning permit, the time allocated to speak may be split. If multiple objectors cannot reach consensus to split the time, the first objector to apply to speak shall be granted speaking rights.
- 30.4 Sub-rule 30.3 also applies to the applicant or their representative.
- 30.5 Subject to sub-rule 60.2, community members/visitors may speak to the meeting in person or by electronic means of communication and must confirm their mode of attendance to the Governance department prior to the Council meeting.

Division 5 – Procedural Motions**31. Procedural Motions**

- 31.1 Unless otherwise prohibited, a procedural motion may be moved after the completion of the Councillor currently speaking on the matter and must be dealt with immediately by the *Chair*.
- 31.2 A procedural motion is one that deals with the conduct or process of the meeting itself.
- 31.3 A procedural motion requires a seconder.
- 31.4 The mover of a procedural motion does not have a right of reply.
- 31.5 A procedural motion cannot be amended.
- 31.6 A procedural motion has precedence on substantive motions and amendments.
- 31.7 Except for a procedural motion to defer an item, a procedural motion, once moved and voted upon has no bearing on any substantive motion currently before the *Council*.
- 31.8 Notwithstanding any other provision in this Chapter, procedural motions must be dealt with in accordance with the following table:

PROCEDURAL MOTIONS TABLE

Procedural Motion	Form	Mover & Secondor	When Motion Prohibited	Effect if Carried	Effect if Lost	Debate Permitted on Motion
1. Deferral of item/debate to later hour and/or date	That this matter be deferred to *am/pm and/or *date	Any Councillor	(a) During the election of a <i>Chair</i> ; (b) When another Councillor is speaking	Motion, amendment or item as presented in the agenda is postponed to the stated time and/or date	Debate continues unaffected	Yes
2. Deferral of item/debate indefinitely	That this matter be deferred until further notice	Any Councillor	(a) During the election of a <i>Chair</i> ; (b) When another Councillor is speaking; or (c) When the motion would have the effect of causing <i>Council</i> to be in breach of a legislative requirement	Motion and any amendment postponed but may be resumed at any later meeting if on the agenda	Debate continues unaffected	Yes
3. Adjournment of meeting to later hour and/or date	That this meeting be adjourned to *am/pm and/or *date	Any Councillor	(a) During the election of a <i>Chair</i> ; (b) When another Councillor is speaking	Motion and amendment is postponed to the stated time and/or date	Debate continues unaffected	Yes
4. Adjournment of meeting indefinitely	That this meeting be adjourned until further notice	Any Councillor	(a) During the election of a <i>Chair</i> ; (b) When another Councillor is speaking; or (c) When the motion would have the effect of causing <i>Council</i> to be in breach of a legislative requirement	Motion and any amendment postponed but may be resumed at any later meeting if on the agenda	Debate continues unaffected	Yes

20/168524[V2]

16

Procedural Motion	Form	Mover & Seconder	When Motion Prohibited	Effect if Carried	Effect if Lost	Debate Permitted on Motion
5. The closure	That the motion be now put	Any Councillor	During nominations for <i>Chair</i>	Motion or amendment in respect of which the closure is carried is put to the vote immediately without debate of this motion, subject to any Councillor exercising his or her right to ask any question concerning or arising out of the motion	Debate continues unaffected	No

20/168524[V2]

17

Division 6 – Rescission Motions

32. Notice of Rescission

- 32.1 A Councillor may propose a *notice of rescission* to rescind or alter a previous resolution, provided:
- 32.1.1 it has been signed and dated by at least four Councillors;
 - 32.1.2 the resolution proposed to be rescinded or altered has not been acted on; and
 - 32.1.3 the *notice of rescission* is delivered to the *Chief Executive Officer* no later than 5.00pm on the second day after the resolution proposed to be rescinded or altered was carried, setting out -
 - (a) the resolution to be rescinded or altered; and
 - (b) the meeting and date when the resolution was carried.

It should be remembered that a notice of rescission is a form of notice of motion.

Accordingly, all provisions in this Chapter regulating notices of motion equally apply to notices of rescission.

- 32.2 A resolution will be deemed to have been acted on if:
- 32.2.1 its contents have or substance has been communicated in *writing* to a person whose interests are materially affected by it; or
 - 32.2.2 a statutory process has been commenced
- so as to vest enforceable rights in or obligations on *Council* or any other person.
- 32.3 The *Chief Executive Officer* or an appropriate member of Council staff must defer implementing a resolution which:
- 32.3.1 has not been acted on; and
 - 32.3.2 is the subject of a *notice of rescission* which has been delivered to the *Chief Executive Officer* in accordance with sub-Rule 32.1.3,
- unless deferring implementation of the resolution would have the effect of depriving the resolution of efficacy.

By way of example, assume that, on a Monday evening, Council resolves to have legal representation at a planning appeal to be heard on the following Monday. Assume also that, immediately after that resolution is made, a Councillor lodges a notice of motion to rescind that resolution. Finally, assume that the notice of rescission would not be dealt with until the next Monday evening (being the evening of the day on which the planning appeal is to be heard).

In these circumstances, deferring implementation of the resolution would have the effect of depriving the resolution of efficacy. This is because the notice of rescission would not

be debated until after the very thing contemplated by the resolution had come and gone. In other words, by the time the notice of rescission was dealt with the opportunity for legal representation at the planning appeal would have been lost.

Sub-Rule 32.3 would, in such circumstances, justify the Chief Executive Officer or an appropriate member of Council staff actioning the resolution rather than deferring implementation of it.

33. If Lost

If a motion for rescission is lost, a similar motion may not be put before *Council* for at least three calendar months from the date it was last lost, unless *Council* resolves that the *notice of motion* be re-listed at a future meeting.

34. If Not Moved

If a motion for rescission is not moved at the meeting at which it is listed, it lapses.

35. May Be Moved By Any Councillor

A motion for rescission listed on an *agenda* may be moved by any Councillor present but may not be amended.

36. When Not Required

- 36.1 Where *Council* intends to review, amend or update one or more of its policies, a notice to rescind or alter a previous resolution is not required. The new decision, despite being inconsistent with the earlier decision, reflects *Council's* changed policy position and does not rescind or amend the earlier decision.
- 36.2 Notwithstanding sub-Rule 36.1, an appropriate course of action should be the submission of a *notice of motion*, in accordance with sub-Rule 25.1 of this Chapter requesting an officer report regarding the proposed policy change.

Division 7 – Points of Order

37. Procedure For Point Of Order

- 37.1 A point of order cannot be taken for the sole purpose of:
- 37.1.1 expressing a mere difference of opinion; or
 - 37.1.2 contradicting a speaker; or
 - 37.1.3 disrupting the meeting.
- 37.2 A point of order is an objection that the motion, amendment or statement made is:
- 37.2.1 contrary to *these Rules* or the provisions of the *Act*; or
 - 37.2.2 defamatory; or
 - 37.2.3 irrelevant; or

- 37.2.4 improper; or
 - 37.2.5 obscene; or
 - 37.2.6 abusive or objectionable language or behaviour; or
 - 37.2.7 outside *Council's* powers; or
 - 37.2.8 contrary to the relevant Standards of Conduct requiring the treatment of all Councillors and members of the public with dignity, fairness, objectivity, courtesy and respect.
- 37.3 A Councillor may take a *point of order* by stating briefly the matter which is the subject of the *point of order* and the ground in sub-Rule 37.2 upon which the point of order is being made.
- 37.4 When a point of order is called the Councillor speaking at the time must stop (unless asked by the *Chair* for an explanation), until the *Chair* rules upon it.
- 37.5 The *Chair* may not take a point of order.
- 37.6 The *Chair* may adjourn the *Council meeting* to consider a point of order which has been taken and shall rule upon it as soon as possible and before the business of the *Council meeting* proceeds further.
- 37.7 The *Chair* must, when ruling upon a point of order, state the provision of *these Rules* or other legislation, rule, custom or practice upon which they are basing the ruling. The *Chair's* determination is, subject to sub-Rule 38.2, final.

38. Dissent From *Chair's* Ruling

- 38.1 When the *Chair* makes a ruling during a *Council meeting* a Councillor may move a motion to the effect that the meeting dissent from the *Chair's* ruling as follows:
- "That the *Chair's* ruling [setting out that ruling or part of that ruling] be dissented from".
- 38.2 When a motion of dissent is moved and is seconded the following procedures must be followed:
- 38.2.1 the *Chair* asks the mover, then the seconder, to speak to their motion and the matter is then further debated as required. The matter is put to the vote and the *Chair* announces the result; and
 - 38.2.3 the *Chair* is bound by the result of the motion of dissent - if it is passed then his or her previous ruling is changed so that it conforms to the motion of dissent, if it is defeated then his or her previous ruling stands.
- 38.3 The defeat of the *Chair's* ruling is in no way a motion of censure or non- confidence in the *Chair* and must not be so regarded by the meeting.

Division 8 – Public Question Time

39. Question Time

- 39.1 There must be a public question time at every *Ordinary Council Meeting* to enable members of the public to submit questions to *Council*.
- 39.2 Sub-Rule 39.1 does not apply during any period when a meeting is closed to members of the public in accordance with section 66(2) of the *Act*.
- 39.3 Visitors present at an *Ordinary Council Meeting* may submit questions to be answered during the meeting.
- 39.4 Questions must be submitted to the *Council* by 3.00pm on the day of the *Ordinary Council Meeting* by:
- 39.4.1 submitting an online question form on the *Council's* website or via email following the instructions on *Council's* website; or
- 39.4.2 placing a hard copy question form in the allocated Question Box.
- 39.5 Questions submitted must include the person's full name as well as their address or email in order for a response to be provided.
- 39.6 At the discretion of the *Chair*, questions may be answered verbally during the "Public Question Time" segment by a Councillor or a member of Council staff present at the *Ordinary Council Meeting* or later in writing. Questions submitted late must be either dealt with at the next *Ordinary Council Meeting* or at the discretion of the *Chief Executive Officer* may be answered in writing.
- 39.7 Individual members of the public are permitted to ask a maximum of two questions during any one Public Question Time.
- 39.8 All questions and answers must be as brief as possible. Any preamble to a question will not be read out unless the *Chair* considers it appropriate.
- 39.9 Like questions may be grouped together and a single answer provided.
- 39.10 A question must not be read and an answer must only be given to the *Council meeting* if the *Chair* or *Chief Executive Officer* has determined that the relevant question:
- 39.10.1 does not relate to a matter beyond or outside *Council's* powers; and
- 39.10.2 is not defamatory, indecent, abusive or objectionable; and
- 39.10.3 is not repetitive of a question, matter, issue or principle already answered (whether at that meeting or an earlier one); and
- 39.10.4 is not asked to be derogatory of or to embarrass a Councillor, a member of Council staff or a member of the community; and
- 39.10.5 does not relate to a matter already considered and resolved upon by *Council*.
- 39.11 No debate on questions asked or answers given is permitted.

Division 9 – Petitions and Joint Letters

40. Petitions and Joint Letters

- 40.1 Subject to sub-Rule 40.3 every petition or joint letter presented to *Council* shall be *written* (other than in pencil), typed or printed, containing the request of the petitioners or signatories, and be signed by at least 12 people.
- 40.2 Petitions must be lodged by 5.00pm seven (7) clear calendar days before the date of the *Council meeting*.
- 40.3 *Council* may by resolution accept an electronic petition received via an online website if it is satisfied that the petition is authentic and from a legitimate website.
- 40.4 A petition or joint letter addressed to *Council* or any member personally which requires a decision of or directions from *Council* must be referred to the *Chief Executive Officer*.
- 40.5 Notwithstanding sub-Rule 40.4, where a petition or joint letter presented to a *Council meeting* relates to an item of business on the *agenda*, the petition or joint letter may be considered by *Council* as part of its deliberations on the item.

Division 10 – Voting

41. How a Motion is Determined

To determine a motion before a meeting, the *Chair* must first call for those in favour of the motion, then those opposed to the motion and those *abstaining* and must then declare the result to the meeting.

42. Recount

The *Chair* may direct that a vote be recounted to be satisfied of the result.

43. Casting Vote

In the event of a tied vote, the *Chair* must exercise a casting vote.

44. By Show Of Hands

Voting on any matter is by show of hands.

45. Procedure For A Division

- 45.1 At any *Council meeting*, a division may be called by a Councillor immediately after the *Chair* has put any motion, amendment or other question to the vote and has announced the result of that vote.
- 45.2 A division cannot be called once consideration of the next item on the *agenda* has commenced.
- 45.3 The calling of a division has set aside the result of the voting announced by the *Chair*.
- 45.4 The result of a division supersedes the result of the original vote and a Councillor may change their previous vote when a division is called.
- 45.5 When a division has been called, the *Chair* must:
- 45.5.1 ask Councillors voting in the affirmative to stand and announce the names of those Councillors, then
 - 45.5.2 ask for those voting in the negative to stand and announce the names of those Councillors; then
 - 45.5.3 ask for those *abstaining* from voting to stand and announce the names of those Councillors.
- 45.6 The names of Councillors voting in the affirmative and in the negative and Councillors *abstaining* from voting must be recorded in the minutes of the *Council meeting*.
- 45.7 The *Chair* must announce the result of the vote immediately before the division is taken.

46. Record of Vote

- 46.1 Notwithstanding Rule 45, at any *Council meeting* a Councillor may ask that their name be recorded in the minutes of how they voted, immediately after the *Chair* has put any motion, amendment or other question to the vote and has announced the result of that vote.

Division 11 – Minutes**47. Confirmation of Minutes**

- 47.1 At every *Council meeting* the minutes of the preceding meeting(s) must be dealt with as follows:
- 47.1.1 a copy of the minutes must be delivered to each Councillor no later than 48 hours before the meeting;
 - 47.1.2 if no Councillor indicates opposition, the minutes must be declared to be confirmed;
 - 47.1.3 if a Councillor indicates opposition to the minutes:
 - (a) he or she must specify the item(s) to which he or she objects;

- (b) the objected item(s) must be considered separately and in the order in which they appear in the minutes;
- (c) the Councillor objecting must move accordingly without speaking to the motion;
- (d) the motion must be seconded;
- (e) the *Chair* must ask:
"Is the motion opposed?"
- (f) if no Councillor indicates opposition, then the *Chair* must declare the motion carried without discussion and then ask the second of the questions described in sub-Rule 47.1.3(k);
- (g) if a Councillor indicates opposition, then the *Chair* must call on the mover to address the meeting;
- (h) after the mover has addressed the meeting, the seconder may address the meeting;
- (i) after the seconder has addressed the meeting (or after the mover has addressed the meeting if the seconder does not address the meeting), the *Chair* must invite debate by calling on any Councillor who wishes to speak to the motion, providing an opportunity to alternate between those wishing to speak against the motion and those wishing to speak for the motion;
- (j) if, after the mover has addressed the meeting, the *Chair* invites debate and no Councillor speaks to the motion, the *Chair* must put the motion; and
- (k) the *Chair* must, after all objections have been dealt with, ultimately ask:
"The question is that the minutes be confirmed" or
"The question is that the minutes, as amended, be confirmed",
and he or she must put the question to the vote accordingly;

47.1.4 a resolution of *Council* must confirm the minutes and the minutes must, if practicable, be signed by the *Chair* of the meeting at which they have been confirmed;

47.1.5 the minutes must be entered in the *minute book* and each item in the *minute book* must be entered consecutively; and

48. No Debate on Confirmation Of Minutes

No discussion or debate on the confirmation of minutes is permitted except where their accuracy as a record of the proceedings of the meeting to which they relate is questioned.

49. Deferral Of Confirmation Of Minutes

Council may defer the confirmation of minutes until later in the *Council meeting* or until the next meeting if considered appropriate.

50. Form and Availability of Minutes

- 50.1 The *Chief Executive Officer* (or other person authorised by the *Chief Executive Officer* to attend the meeting and to take the minutes of such meeting) must keep minutes of each *Council meeting*, and those minutes must record:
- 50.1.1 the date, place, time and nature of the meeting, the time of its commencement and conclusion and the time of any adjournment and resumption of the meeting;
 - 50.1.2 the names of the Councillors present and the names of any Councillors who apologised in advance for their non-attendance;
 - 50.1.3 the names of the members of Council staff present;
 - 50.1.4 any disclosure of a conflict of interest made by a Councillor, including the explanation given by the Councillor under Chapter 5 and whether, under Chapter 5, the conflict of interest was indicated to be a general conflict of interest or a material conflict of interest;
 - 50.1.5 arrivals and departures (including temporary departures) of Councillors during the course of the meeting;
 - 50.1.6 each motion and amendment moved (including motions and amendments that lapse for the want of a seconder);
 - 50.1.7 the vote cast by each Councillor upon a division (including Councillors *abstaining*);
 - 50.1.8 the vote cast by any Councillor who has requested that their vote be recorded in the minutes as voting in the negative;
 - 50.1.9 a summary of any questions asked in accordance with Rule 39 (public question time) and a summation of the answer given verbally at the meeting;
 - 50.1.10 an indication of any formal submission made verbally pursuant to a statutory right by a community member/visitor;
 - 50.1.11 the failure of a quorum;
 - 50.1.12 any adjournment of the meeting and the reasons for that adjournment; and
 - 50.1.13 the time at which standing orders were suspended and resumed.
- 50.2 The *Chief Executive Officer* or Manager Governance must ensure that the minutes of any *Council meeting* are:
- 50.2.1 published on *Council's* website; and
 - 50.2.2 available for inspection at *Council's* office during normal business hours.
- 50.3 Nothing in sub-Rule 50.2 requires *Council* or the *Chief Executive Officer* to make public any minutes relating to a *Council meeting* or part of a *Council meeting* closed to members of the public in accordance with section 66 of the *Act*.

Division 12 – Behaviour & Public Attendance

51. Public Attendance at Council Meetings

- 51.1 Where Council meetings are held in *Council* buildings, conditions of entry may apply to ensure community safety. The *Chief Executive Officer* may from time to time, erect signage stipulating conditions of entry to *Council* Buildings in accordance with the Community Local Law. Conditions may include sign in requirements and proof of identification.
- 51.2 The *Chief Executive Officer* must ensure that any information gathered which is required under the conditions of entry will be managed in accordance with the Privacy and Data Protection Act 2014 or such other applicable pieces of legislation and related policies.

52. Public Behaviour at a Meeting

- 52.1 A member of the public present at a *Council meeting* must not disrupt the meeting.
- 52.2 Community members/visitors at *Council meetings*:
- 52.2.1 must not interject or take part in the debate; and
- 52.2.2 must preserve silence in the gallery at all times during a *Council meeting*; and
- 52.2.3 must not operate photographic, audio or video recording equipment or any other recording device at any *Council meeting*.
- 52.2.4 must not bring into or attempt to bring into the *Council* meeting any offensive material placed on placards, banners, posters or other signage.
- 52.3 Any member of the public must extend the courtesy and respect to *Council* and the processes under which it operates and must take direction from the *Chair* whenever called on to do so.

53. Chair May Remove

The *Chair* may order and cause the removal of any person, other than a Councillor, who disrupts any meeting or fails to comply with a direction given under sub-Rule 52.3.

It is intended that this power be exercisable by the Chair, without the need for any Council resolution. The Chair may choose to order the removal of a person whose actions immediately threaten the stability of the meeting or wrongly threatens the Chair's authority in chairing the meeting.

54. Chair may adjourn disorderly meeting

If the *Chair* is of the opinion that disorder (including a security matter) at the *Council* table or in the gallery makes it desirable to adjourn the *Council meeting*, the *Chair* may adjourn the meeting to a later time on the same day or to some later day as the *Chair* thinks proper. In that event, the provisions of sub-Rules 15.2 and 15.3 apply.

55. Removal from Chamber

The *Chair*, or *Council* in the case of a suspension, may ask the *Chief Executive Officer*, an authorised officer or a member of the Victoria Police to remove from the Chamber any person who acts in breach of this Chapter and whom the *Chair* has ordered to be removed from the gallery under Rule 53.

Division 13 – Additional Duties of *Chair***56. The *Chair's* Duties and Discretions**

In addition to the duties and discretions provided in this Chapter, the *Chair*:

- 56.1 must not accept any motion, question or statement which is derogatory, or defamatory of any Councillor, member of Council staff, or member of the community; and
- 56.2 must call to order any person who is disruptive or unruly during any meeting.

Division 14 – Suspension of Standing Orders**57. Suspension of Standing Orders**

- 57.1 To expedite the business of a meeting, *Council* may suspend standing orders.

The suspension of standing orders should be used to enable full discussion of any issue without the constraints of formal meeting procedure.

Its purpose is to enable the formalities of meeting procedure to be temporarily disposed of while an issue is discussed.

- 57.2 The suspension of standing orders should not be used purely to dispense with the processes and protocol of the government of *Council*. An appropriate motion would be:

"That standing orders be suspended to enable discussion on....."

- 57.3 No motion can be accepted by the *Chair* or lawfully be dealt with during any suspension of standing orders.

- 57.4 Once the discussion has taken place and before any motions can be put, the resumption of standing orders will be necessary. An appropriate motion would be:

"That standing orders be resumed."

Division 15 – Miscellaneous**58. Recording of *Meetings***

- 58.1 In accordance with the Recording of Public *Council Meetings* Policy, the *Chief Executive Officer* (or other persons authorised by the *Chief Executive Officer*) may record on suitable video or audio recording equipment all the proceedings of a *Council meeting*.

Division 16 – Meetings Conducted Remotely

Council is permitted by the Act to hold meetings by electronic means, and a Council meeting will be open to the public if members of the public are able to attend it in person, or if it is broadcasted live on Council's website.

Where a meeting is conducted remotely, the Rules will be modified in accordance with this Division.

59. Council meetings conducted remotely

- 59.1 Where a Councillor attends a Council meeting conducted remotely by electronic means of communication, the Councillor must be able to:
- 59.1.1 hear the proceedings of the Council meeting;
 - 59.1.2 see all Councillors and members of Council staff also attending the Council meeting, at least while the Councillor or member of Council staff is speaking;
 - 59.1.3 be seen by all time by all Councillors, members of Council staff and members of the public also attending the Council meeting; and
 - 59.1.4 be heard when they speak.
- 59.2 If the conditions of sub-rule 59.1 cannot be met by one or more Councillors attending a Council meeting conducted remotely by electronic means of communication, whether because of technical difficulties or otherwise, but a quorum is still present, the:
- 59.2.1 Council meeting will proceed; and
 - 59.2.2 Councillor (or Councillors) will be treated as being absent from the Council meeting,
- unless the Council meeting is adjourned in accordance with these Rules.
- 59.3 Nothing in this rule 59 prevents a Councillor from joining (or re-joining) a *Council meeting* conducted remotely by electronic means of communication at the time that they achieve compliance with sub-rule 59.1, even if that *Council meeting* has already commenced or continued in their absence.
- 59.4 The *Chief Executive Officer* must ensure that a *Council meeting* conducted remotely is broadcast live continuously on Council's website.
- 59.5 Nothing in sub-rule 58.4 requires any portion of a *Council meeting* conducted remotely that is closed to the public under section 66(1) of the Act to be broadcast live on Council's website.
- 59.6 If the live broadcast of a *Council meeting* conducted remotely is interrupted for any reason, the *Chief Executive Officer* must immediately inform the *Council meeting* and the *Council meeting* is adjourned and, except for a resolution of Council made under sub-rule 59.6.2, no further business can be conducted until:
- 59.6.1 the live broadcast can be reinstated; or
 - 59.6.2 such later date and time fixed by resolution of *Council*, in which case rule 15 applies.

60. Notification of attendance at Council meetings conducted remotely by electronic means

- 60.1 A Councillor who wishes to attend a *Council meeting* by electronic means of communication must notify the Mayor and/or *Chief Executive Officer* as soon as practicable prior to the meeting. The Mayor and/or *Chief Executive Officer* will notify all Councillors.
- 60.2 Should the Mayor and/or *Chief Executive Officer* receive notice from all Councillors of their wish to attend by electronic means of communication in accordance with sub-rule 60.1, public notice will be provided that the meeting will be held entirely by electronic means of communication and the methods of viewing and participation.

61. Other matters not provided for

Where any of these Rules has not been expressly modified, and requires modification, to operate at a Council meeting conducted remotely, the *Chair* with the cooperation of the meeting, may modify so much of these Rules as is necessary to permit the Council meeting conducted remotely to proceed and to facilitate the more efficient and effective transaction of the business.



City of
KINGSTON

Chapter 3

Meeting Procedure for Delegated Committees

Chapter 3 – Meeting Procedure for Delegated Committees

1. Meeting Procedure Generally

If *Council* establishes a *Delegated Committee*:

- 1.1 all of the provisions of Chapter 2 apply to *meetings* of the *Delegated Committee*; and
- 1.2 any reference in Chapter 2 to:
 - 1.2.1 a *Council meeting* is to be read as a reference to a *Delegated Committee* meeting;
 - 1.2.2 a Councillor is to be read as a reference to a member of the *Delegated Committee*; and
 - 1.2.3 the Mayor is to be read as a reference to the *Chair*^{*} of the *Delegated Committee*.
- 1.3 For the avoidance of doubt, sub-rule 12.2.1 of Chapter 2 of these Rules applies to a *Delegated Committee* in regards to the notice of meeting.

2. Meeting Procedure Can Be Varied

Notwithstanding Rule 1, if *Council* establishes a *Delegated Committee* that is not composed solely of Councillors:

- 2.1 *Council* may; or
- 2.2 the *Delegated Committee* may, with the approval of *Council*

resolve that any or all of the provisions of Chapter 2 are not to apply to a meeting of the *Delegated Committee*, in which case the provision or those provisions will not apply until *Council* resolves, or the *Delegated Committee* with the approval of *Council* resolves, otherwise.

^{*} The Mayor or Council may appoint a *Councillor* to be the chair of a *Delegated Committee* in accordance with s.19 (1) (a) or s.63 (2) (a) of the *Local Government Act 2020*. If this is enacted, a *Councillor* appointed by the Mayor or Council as *Chair* is to be read as a reference to the *Chair* of the *Delegated Committee*.



City of
KINGSTON

Chapter 4

Meeting Procedure for Community Asset Committees

Chapter 4 – Meeting Procedure for Community Asset Committees

1. Introduction

In this Chapter, “Instrument of Delegation” means an instrument of delegation made by the *Chief Executive Officer* under section 47(1)(b) of the *Act*.

2. Meeting Procedure

Unless anything in the instrument of delegation provides otherwise, the conduct of a meeting of a *Community Asset Committee* is in the discretion of the *Community Asset Committee*.



City of
KINGSTON

Chapter 5

Disclosure of Conflicts of Interest

Chapter 5 – Disclosure of Conflicts of Interest

1. Introduction

The following Rules in this Chapter apply only upon Division 1A of Part 4 of the *Local Government Act 1989* being repealed.[†]

2. Definition

In this Chapter:

- 2.1 “meeting conducted under the auspices of *Council*” means a meeting of the kind described in section 131(1) of the Act, and includes a meeting referred to in Rule 1 of Chapter 6 (whether such a meeting is known as a ‘Councillor Briefing’ or by some other name); and
- 2.2 a member of a *Delegated Committee* includes a Councillor.

3. Disclosure of a Conflict of Interest at a *Council meeting*

A Councillor who has a conflict of interest in a matter being considered at a *Council meeting* at which the Councillor:

- 3.1 is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the *Council meeting* immediately before the matter is considered, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest; or
- 3.2 intends to be present must disclose that conflict of interest by providing to the *Chief Executive Officer* before the *Council meeting* commences a written notice:
- 3.2.1 advising of the conflict of interest, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest;
- 3.2.2 explaining the nature of the conflict of interest; and
- 3.2.3 detailing, if the nature of the conflict of interest involves a Councillor’s relationship with or a gift from another person, the:
- (a) name of the other person;
 - (b) nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and
 - (c) nature of that other person’s interest in the matter,

and then immediately before the matter is considered at the meeting announcing to those present that he or she has a conflict of interest and that a written notice has been given to the *Chief Executive Officer* under this sub-Rule.

The Councillor must, in either event, leave the *Council meeting* immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

[†] At the time of making these Rules the date on which Division 1A of Part 4 of the *Local Government Act 1989* is expected to be repealed is 24 October 2020.

4. Disclosure of Conflict of Interest at a Delegated Committee Meeting

A member of a *Delegated Committee* who has a conflict of interest in a matter being considered at a *Delegated Committee* meeting at which he or she:

- 4.1 is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the *Delegated Committee* meeting immediately before the matter is considered, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest; or
- 4.2 intends to be present must disclose that conflict of interest by providing to the *Chief Executive Officer* before the *Delegated Committee* meeting commences a written notice:
 - 4.2.1 advising of the conflict of interest, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest;
 - 4.2.2 explaining the nature of the conflict of interest; and
 - 4.2.3 detailing, if the nature of the conflict of interest involves a member of a *Delegated Committee*'s relationship with or a gift from another person the:
 - (a) name of the other person;
 - (b) nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and
 - 4.2.4 nature of that other person's interest in the matter,

and then immediately before the matter is considered at the meeting announcing to those present that he or she has a conflict of interest and that a written notice has been given to the *Chief Executive Officer* under this sub-Rule.

The member of a *Delegated Committee* must, in either event, leave the *Delegated Committee* meeting immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

5. Disclosure of a Conflict of Interest at a Community Asset Committee Meeting

A Councillor who has a conflict of interest in a matter being considered at a *Community Asset Committee* meeting at which the Councillor:

- 5.1 is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the *Community Asset Committee* meeting immediately before the matter is considered, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest; or
- 5.2 intends to be present must disclose that conflict of interest by providing to the *Chief Executive Officer* before the *Community Asset Committee* meeting commences a written notice:
 - 5.2.1 advising of the conflict of interest, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest;
 - 5.2.2 explaining the nature of the conflict of interest; and

5.2.3 detailing, if the nature of the conflict of interest involves a member of a Councillor's relationship with or a gift from another person the:

- (a) name of the other person;
- (b) nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and

5.2.4 nature of that other person's interest in the matter,

and then immediately before the matter is considered at the meeting announcing to those present that he or she has a conflict of interest and that a written notice has been given to the *Chief Executive Officer* under this sub-Rule.

The Councillor must, in either event, leave the *Committee Asset Committee* meeting immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

6. Disclosure at a Meeting Conducted Under the Auspices of Council

A Councillor who has a conflict of interest in a matter being considered by a meeting held under the auspices of *Council* at which the Councillor is present must:

- 6.1 disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the meeting immediately before the matter is considered, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest;
- 6.2 absent himself or herself from any discussion of the matter; and
- 6.3 as soon as practicable after the meeting concludes provide to the *Chief Executive Officer* a written notice recording that the disclosure was made and accurately summarising the explanation given to those present at the meeting, or have the disclosure recorded in the minutes or notes of the meeting.

7. Disclosure by Members of Council Staff Preparing Reports for Meetings

7.1 A member of Council staff who, in their capacity as a member of Council staff, has a conflict of interest in a matter in respect of which the member of staff is preparing or contributing to the preparation of a Report for the consideration of a:

- 7.1.1 *Council meeting*;
- 7.1.2 *Delegated Committee* meeting;
- 7.1.3 *Community Asset Committee* meeting

must, immediately upon becoming aware of the conflict of interest, provide a written notice to the *Chief Executive Officer* disclosing the conflict of interest, explaining the nature of the conflict of interest and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest.

7.2 The *Chief Executive Officer* must ensure that the Report referred to in sub-Rule 7.1 records the fact that a member of Council staff disclosed a conflict of interest in the subject-matter of the Report.

7.3 If the member of Council staff referred to in sub-Rule 7.1 is the *Chief Executive Officer*:

- 7.3.1 the written notice referred to in sub-Rule 7.1 must be given to the *Mayor*; and
- 7.3.2 the obligation imposed by sub-Rule 7.2 may be discharged by any other member of Council staff responsible for the preparation of the Report.

8. Disclosure of Conflict of Interest by Members of Council Staff in the Exercise of Delegated Power

- 8.1 A member of Council staff who has a conflict of interest in a matter requiring a decision to be made by the member of Council staff as delegate must, immediately upon becoming aware of the conflict of interest, provide a written notice to the *Chief Executive Officer* explaining the nature of the conflict of interest.
- 8.2 If the member of Council staff referred to in sub-Rule 8.1 is the *Chief Executive Officer* the written notice must be given to the *Mayor*.

9. Disclosure by a Member of Council Staff in the Exercise of a Statutory Function

- 9.1 A member of Council staff who has a conflict of interest in a matter requiring a statutory function to be performed under an Act by the member of Council staff must, upon becoming aware of the conflict of interest, immediately provide a written notice to the *Chief Executive Officer* explaining the nature of the conflict of interest, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest.
- 9.2 If the member of Council staff referred to in sub-Rule 9.1 is the *Chief Executive Officer* the written notice must be given to the *Mayor*.

10. Conflict of Interest Exemptions

- 10.1 The following exemptions are in accordance with section 129 of the Act, and apply to all disclosures of conflict of interest and all relevant persons outlined in this Chapter.
- 10.2 A conflict of interest does not arise if any of the following applies:
 - 10.2.1 the conflict of interest is so remote or insignificant that it could not be reasonably regarded as capable of influencing the actions or decisions of the relevant person in relation to the matter;
 - 10.2.2 the interest that would give rise to a conflict of interest is held in common with a substantial proportion of the residents, ratepayers or electors of the *municipal district* and does not exceed the interest held by the other residents, ratepayers or electors;
 - 10.2.3 the relevant person does not know the circumstances that give rise to the conflict of interest, and could not be reasonably expected to know those circumstances;
 - 10.2.4 the interest only arises because the relevant person is the representative of the *Council* on a not-for-profit organisation that has an interest in the matter and the relevant person receives no personal advantage from the not-for-profit organisation;
 - 10.2.5 the interest only arises because a family member of the relevant person is a member but not an office-holder of a not-for-profit organisation;
 - 10.2.6 the interest only arises because the relevant person is a member of a not-for-profit organisation that has expressed an opinion or advocated for an outcome in regard to the matter;

10.2.7 the interest arises in relation to a decision by a Councillor on a matter or in a circumstance that is prescribed to be exempt by the regulations made under the *Act*.

11. Retention of Written Notices

The *Chief Executive Officer* must retain all written notices received under this Chapter for a period of three years.



City of
KINGSTON

Chapter 6

Miscellaneous

Chapter 6 – Miscellaneous

1. Informal Meetings of Councillors

1.1 If there is a meeting of Councillors that:

- 1.1.1 is scheduled or planned for the purpose of discussing the business of *Council* or briefing Councillors; and
- 1.1.2 is attended by at least 6 Councillors; and
- 1.1.3 is attended by at least one member of Council staff; and
- 1.1.4 is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting;

or

If there is a meeting of a Councillor or Councillors that is subject to the Planning Interactions Policy;

the *Chief Executive Officer* must ensure that a summary of the matters discussed at the meeting are:

- (a) tabled at the next convenient *Council meeting*; and
- (b) recorded in the minutes of that *Council meeting*.

2. Confidential Information

- 2.1 If, after the repeal of section 77(2)(c) of the *Local Government Act 1989*, the *Chief Executive Officer* is of the opinion that information relating to a meeting is confidential information within the meaning of the *Act*, the *Chief Executive Officer* may designate the information as confidential and advise Councillors and/or members of Council staff in writing accordingly.
- 2.2 Information which has been designated by the *Chief Executive Officer* as confidential information within the meaning of the *Act*, and in respect of which advice has been given to Councillors and/or members of Council staff in writing accordingly, will be presumed to be confidential information.



City of
KINGSTON

Chapter 7

The Common Seal

Chapter 7 – The Common Seal

1. The Common Seal and Sealing Clause

- 1.1 The common seal may be used only on the authority of *Council* and a person must not use it without that authority.
- 1.2 The *Chief Executive Officer* must keep the common seal in safe custody.
- 1.3 The form of the common seal and sealing clause is to be as detailed in Rule 2 below or to like effect.
- 1.4 Every document to which the common seal is affixed must be signed by 1 Councillor and the *Chief Executive Officer*, unless sub Rule 1.5 applies.
- 1.5 *Council* may delegate to the *Chief Executive Officer* the authority to affix the *common seal* to any group or class of documents and in such cases the document only requires the signature of the *Chief Executive Officer* to attest the affixing of the *common seal*.

2. Form of Common Seal

Unless *Council* resolves otherwise, the form of the common seal will be as follows:

The **Common Seal** of the Kingston City Council was hereunto affixed in the presence of:

..... **Councillor**

An image of the
Common Seal
appears here

..... **Chief Executive Officer**



City of
KINGSTON

Chapter 8

Election Period Policy

Election Period Policy

Contents

1. Purpose of the Policy	45
2. Scope	46
3. Definitions	46
4. Responsible Executive	46
5. Policy owner	46
6. Related Documents	46
7. Delegation Authority	46
8. Policy Statement	46
9. Policy Details	47
10. Decision Guidelines	56
11. Transition/Translation arrangements	57
12. Review	57

VERSION NO / APPROVAL / DATE	Version 1 – Adopted by Council 25 June 2005 Version 2 – Adopted by Council 24 September 2015 Version 3 - Adopted by Council 22 February 2016 Version 4 – Adopted by Council 25 May 2020
TRIM REF:	20/69765
REVIEW	Policy to be reviewed by June 2023
RESPONSIBLE EXECUTIVE	General Manager Corporate Services
POLICY OWNER	Manager Governance

1. Purpose of the Policy

The period preceding elections is defined in the Local Government Act 2020 (the Act) as the 'Election Period'. Section 69 of the Act requires Council to develop, adopt and keep an Election Period Policy and to be included in Council's Governance Rules. The purpose of the Election Period Policy (the Policy) is to ensure that the business of local government in the City of Kingston continues throughout an election period in a responsible and transparent manner. This policy prescribes actions and procedures the organisation will implement in observance of statutory requirements and established election period conventions in the interests of a fair election generally, during the election period. This Policy builds on the minimum statutory standards to enhance the accountability of the Council, Councillors and Council staff during the election period.

2. Scope

The Policy applies to Councillors and Council staff during an election period prior to a General Election and by-election.

The election period for 2020 commences at 12.00pm on 22 September 2020 and ceases at 6.00pm on 24 October 2020.

3. Definitions

Where terms used in this policy are defined in the Act, their use in this policy is consistent with the definitions set out in the Act.

4. Responsible Executive

General Manager Corporate Services

5. Policy owner

Manager Governance

6. Related Documents

Council Expenses Policy

Ward Councillor Meetings Policy

Local Government Victoria Governance Practice Note No. 5 dated 9 March 2012

Local Government Act 2020 (Vic)

Councillor Code of Conduct

7. Delegation Authority

N/A

8. Policy Statement

During the election period the business of Council continues, and ordinary matters of administration still need to be addressed. The policy establishes a series of election period practices which aim to ensure that actions of the current Council do not bind an incoming Council and limit its freedom of action.

This policy covers:

- Prohibited decisions that are made by the Council during the election period;
- Scheduling consideration and announcement of Prohibited decisions;
- Significant decisions;
- Use of the Council's resources including material published by Council
- Access to information
- Council's online presence including social media
- Media
- Attendance and participation at Council organised activities and events
- Public Consultation during the election period.
- Proceedings of Councillor Conduct Panels

9. Policy Details

9.1. Roles and Responsibilities

9.1.1. Responsibility of Councillors

Councillors should be mindful of their responsibilities in relation to improper use of position as outlined in the Act. Sections 123 and 124 of the Act* prohibit Councillors from misusing or inappropriately making use of their position. A breach of section 123 attracts serious penalties including possible imprisonment. Section 123 in relation to the election period ensures a fair election is held where council resources are not used for campaigning by sitting Councillors to increase advantage over other candidates or to influence voters.

*sections 76D and 76E of the *Local Government Act 1989* until repeal date on 24 October 2020.

9.1.2 Role of the Chief Executive Officer

The Chief Executive Officer will ensure, as far as possible, that all Councillors and Officers are informed of the application of this policy at least 30 days prior to the commencement of the election period. The Chief Executive Officer will issue guidelines to staff on their responsibilities in respect to the implementation of this Policy.

9.2. Policy Decisions during the Election Period

Some decision making is impacted during the election period for a general election.

Specifically, Prohibited Decisions cannot be made during this period.

The Chief Executive Officer will ensure, as far as possible, that matters of Council business requiring what would otherwise be prohibited decisions are scheduled for Council to enable resolution prior to the commencement of the election period or deferred where appropriate for determination by the incoming Council.

9.3. Prohibited Decisions

Prohibited decisions are specified in section 69(2) of the Act, and decisions made in contravention of this section during the election period are invalid.

Further information about whether a decision falls within the list below is available by speaking with the Manager Governance.

Prohibited decisions include decisions under section 69(2)(d) of the Act - decisions which Council considers should not be made during the election period.

This policy nominates significant decisions as decisions which Council considers should not generally be made. These are decisions which:

- significantly affect the municipality; or
- unreasonably bind the incoming Council.

In the case of a decision that significantly affects the municipality or unreasonably binds the incoming Council, a number of factors will need to be considered including:

- The urgency of the issue (that is, can it wait until after the election);
- The possibility of financial and/or legal repercussion if it is deferred;
- Whether the decision is likely to be controversial; and
- The best interests of Council

Examples include decisions concerning community grants and direct funding to community organisations, major planning and development decisions and changes to the strategic objectives or strategies in the Council Plan.

The following table illustrates what will constitute Prohibited Decisions.

Proposed Council Decision	Is it allowed?	Source
Employment or remuneration of a Chief Executive Officer under section 45, other than a decision to appoint an acting Chief Executive Officer	No *	This is prohibited by s69(2)(a) of the Act
Committing the Council to expenditure exceeding 1% of the Council's income from general rates, municipal charges and service rates and charges in the preceding financial	No *	This is prohibited by s69(2)(b) of the Act

year (estimated at \$1.42M for 2018/19)		
A decision which Council considers could be reasonably deferred until the next Council is in place	No.	This is prohibited by s69(2)(c) of the Act
Significant decisions, being decisions that significantly affect the municipality or unreasonably bind the incoming Council (such as decisions community grants and direct funding to community organisations, major planning and development decisions and changes to the strategic objectives or strategies in the Council Plan)	Generally, No.	This is prohibited by s69(2)(d) of the Act
A decision that would enable the use of Council's resources in a way that is intended to influence, or is likely to influence, voting at an election.	No	This is prohibited by s69(3) of the Act

- * In accordance with s69 of the Act, any person who suffers any loss or damage as a result of acting in good faith on a Council decision that is a matter under this proposed policy decision is entitled to compensation from the Council for that loss or damage.

9.4. Public Consultation during the election period

Public consultation" means a process that involves an invitation or invitations to individuals, groups or organisations, or the community generally, to comment on an issue or proposed action or proposed policy and includes discussion of that matter with the public.

- Public consultation may be undertaken during the election period to facilitate the day to day business of Council, however, consultation on any contentious or politically sensitive matter will not commence, or continue to occur, during the election period

- The above does not apply to public consultation required pursuant to the Planning and Environment Act 1987

All public consultation that is likely to run into the election period must have prior approval from the Manager Governance. Where approved, the results will not be reported to the Council until after the election period, unless the CEO decides otherwise.

9.5. Council Events

Council organised events and functions held during the election period will only be those essential to the everyday operation of the Council. This may be varied by a Council resolution or where prior approval has been given by the Chief Executive Officer. Where events do occur, Councillors should be advised that they are representing the Council and should not use the opportunity for electioneering.

9.6. Council Publications during the election period

Section 304 of the Act imposes limitations on Council publications. This is to ensure that Council does not publish electoral material with public funds that may influence, or be seen to influence, voting in an election.

9.6.1. S304 Prohibition on publishing materials during the election period

It is prohibited for a Councillor or a member of Council staff to use Council resources:

- (a) To print, publish or distribute; or
- (b) To cause, permit or authorise to be printed, published or distributed on behalf of, or purporting to be on behalf of Council;

any electoral material, unless the electoral material only contains information about the election process or is otherwise with, or under, any Act or regulation.

Failing to comply with this clause carries an offence of up to 60 penalty units (\$9,913.20 in the 2018/2019 financial year) under section 304 of the Act.

Best practice is for Council to avoid all publication activity during the election period except where essential for the conduct of Council operations. Where printing, publishing or distributing any material during the election period, certification from a panel consisting of General Manager Corporate Services, Manager Governance and Manager Communications & Community Relations is required for all publications. Publication should be read broadly to include electronic information and web-based productions.

Certification may be required prior to the election period if the material is to be distributed during the election period.

The procedure for certifying publications is:

Process:

All publications are sent to Communications and Community Relations (including job advertisements that are normally sent to People Support);

- General Manager Corporate Services, Manager Governance and Manager Communications & Community Relations are responsible to check that no election material is present unless it is factual election process information.
- Governance is responsible for maintaining the record of certification and certified documents.

Councillors are however, able to publish campaign material on their own behalf, but cannot purport for that material to be originating from, or authorised by, Council or the City of Kingston (e.g. By use of Council logos or official City of Kingston Councillor photos). The controls do not cover newspaper advertisements which simply announce the holding of a meeting or the election process itself.

9.6.2 Kingston City Council online presence including social media

Council has a number of social media sites including several Twitter feeds and Facebook pages (Kingston City Council site is the main corporate site; there are also separate pages for Kingston Arts, Libraries, Leisure Centres, Kingston Business and Youth which are managed by the relevant Council departments). Council's Communications and Community Relations department monitors Kingston City Council's corporate Facebook site and Twitter feeds between the hours of 9.00am and 5.30pm on weekdays (excluding public holidays). Any publication on social media sites like Facebook, Twitter and blog sites, which are auspiced by Council, will be subject to the certification process outlined in clause 9.5.1. Council auspiced social media must not be used for election campaigning.

The ability for members of the public to post comments on Council's social media sites such as Facebook and Twitter will continue during the election period, but will be monitored (during business hours, afterhours and weekends) by the Governance and Communications and Community Relations teams, who will have the editing access to remove any material posted by the public that is:

- a) content posted by a candidate irrespective of content
- b) content that makes reference to a candidate, or
- c) the 2020 election – unless it is a query about the election process itself.

At the start of the election period information on Council's website (or any other Council communication platforms) about Councillors who are candidates will be restricted to name, ward and contact details. Any new material published on council's website during the election period must be subject to the certification process in clause 9.5.1. Council agendas

and minutes of meetings do not require certification if published in the usual way on the website. Any references to the election will only relate to the election process.

9.6.3. Council Publications

Any Council publication which is potentially affected by this policy will be subject to the certification process in clause 9.5.1 to ensure that any circulated, displayed or otherwise publicly available material during the election period does not contain material that may be construed as “electoral matter”.

Council will review its brochures and pamphlets in Customer Service Centres and remove any which might contain electoral matter prior to the election period.

Any references to Councillors in Council publications printed, published or distributed during the election period must not include promotional text.

a. Kingston Your City (KYC)

Edition(s) of KYC published during the election period will contain only general information pertaining to the election process. It will not contain any photograph of a candidate or Councillor, or any statement by a candidate or Councillor. Articles will minimise references to specific Councillors and will not identify any Councillor in a manner that could promote a Councillor as an election candidate. The “Ward Columns” section will not appear in this edition(s).

b. Email

Emails that are part of the normal conduct of Council business should not require certification. However, emails with multiple addressees, used for broad communication with the community, should at all times be arranged via the Communications Team. These will be sent via MailChimp (or similar) and should be subject to the certification process.

c. Correspondence

Mass mail outs or identical letters sent to a large number of people by or on behalf of Council must be subject to the certification process.

Council staff should not prepare Councillors’ private mail or electoral correspondence and such material must not be printed on Council stationery or using Council equipment.

d. Title of Councillor

Councillors may use the title “Councillor” in their election material, as they continue to hold that position during the election period. To avoid confusion, Councillors should be advised to ensure that any election publication using the title “Councillor” clearly indicates that it is their own material and does not represent Council.

e. Events

Material printed or disseminated during the election period to publicise a function or event must be subject to the certification process. Function or events for the purpose of electioneering must not be resourced or publicised by Council.

f. Photo boards

Public photo boards containing photographs of current Councillors on display at Council premises will be removed during the election period.

g. Annual Report

Council is statutorily required to produce an Annual Report which may occur during the election period. This publication is not considered an 'advertisement, handbill, pamphlet or notice' and does not require certification.

The annual report must not include material that is electioneering or that publicises the attributes or achievements of individual Councillors.

A summary version of the annual report is regarded as a pamphlet and must be subject to the certification process in clause 9.5.1.

In an election year, the Mayor must present the annual report at a Council meeting on a day not later than the day before election day, in accordance with section 100 of the Act.

A text version is lodged with the Minister of Local Government as soon as practicable after the end of the financial year.

Printed copies of the text version of the Annual Report will only be distributed upon request until the expiration of the election period.

9.7. Council Resources

It is prohibited under the Act for a Councillor or member of Council staff to use resources in a way that is intended to, or likely to influence the result of an election. Failing to comply with this clause carries an offence of up to 60 penalty units (\$9,913.20 in the 2018/2019 financial year) under section 304 of the Act.

Council will ensure that due propriety is observed in the use of all Council resources, and Council staff are required to exercise appropriate discretion in that regard. Council staff should avoid assisting Councillors in ways that could create a perception that they are being used for electoral purposes. In any circumstances where the use of Council resources might be construed as being related to a candidate's election campaign, advice will be sought from the General Manager Corporate Services, Manager Governance and Manager Communications & Community Relations.

9.7.1. Council Resources

Council resources (including offices, staff, hospitality services, equipment, computer, tablet PC, all media material including photos and official Council social media accounts, stationery and mayoral vehicle) should be used exclusively for normal Council business during the

election period by Councillors and Council staff and shall not be used in connection with an election campaign.

It should be noted that the prohibition on the use of Council resources for electoral purposes is not restricted to the election period.

9.7.2. Support to the Mayor, Deputy Mayor and Councillors

No member of Council staff, including the Executive Assistant to the Mayor, will be asked to undertake tasks connected directly or indirectly with a Councillor's election campaign.

9.7.3. Expenses Incurred by Councillors

Reimbursement of Councillor expenses incurred during the election period should only apply to costs incurred in the performance of normal Council duties, in accordance with the Council Expenses Policy. It is not for campaigning and for expenses that could be perceived as supporting or being in connection with a candidate's election campaign.

9.7.4. Mobile phones

Mobile phone costs associated with electioneering will not be paid by Council. Councillors will be required to provide a signed declaration prior to Council paying mobile phone bills that relate to mobile phone calls made during the election period. All calls in relation to election campaigning are of a private nature, not incurred in undertaking normal Council business, and will not be reimbursed.

Councillors with their own private mobile phones may continue to seek reimbursement of telephone expenses incurred in undertaking Council business related calls. Councillors will be required to declare that those expenses were incurred in undertaking normal Council business.

9.7.5. Travel and Accommodation

During the election period Councillors shall not participate in any interstate or overseas travel in their capacity as a Councillor. In circumstances where it is imperative that the Mayor (or nominee) represent Council on a delegation or forum, Council may by resolution approve such attendance. If consideration by Council is impractical the Chief Executive Officer may determine the issue.

9.8. Ward matters

Ward meetings will not be held within six months before an election.

9.9. Media and media services

Council's media services (though the Communications and Community Relations team) are intended to promote Council activity or initiatives and must not be used in any way that might favour a candidate.

9.9.1. Media Advice

Any requests for media advice or assistance from Councillors during the election period will be channelled through the Chief Executive Officer. No media advice or assistance will be provided in relation to election issues or in regard to publicity that involves a Councillor or Councillors.

9.9.2. Media releases/spokespersons

Media releases will not refer to a Councillor or Councillors. Where it is necessary to identify a spokesperson in relation to an issue, the Chief Executive Officer will determine the appropriate person.

9.9.3. Publicity campaigns

During the election period, publicity campaigns, other than for the purpose of conducting the election will be avoided where possible. Where a publicity campaign is deemed necessary for a Council activity, it must be approved by the Chief Executive Officer. In any event, Council publicity during the election period will be restricted to communicating normal Council activities and initiatives.

9.9.4. Council Branding and Logos

No Council logos, letterheads, or other corporate branding will be used for, or linked to, a candidate's election campaign.

9.9.5. Councillors

Councillors will not use their position as elected representatives or their access to Council staff and other Council resources to gain media attention in support of an election campaign.

9.9.6. Speeches

Any publication or distribution of Councillors' speeches by the Council must be subject to the certification process as prescribed at clause 9.5.1. Council staff and resources should not be used to prepare or publish speeches that contain electoral matter.

9.9.7. Council employees

During the election period no Council employee may make any public statement that relates to an election issue, unless approved in advance by the Chief Executive Officer.

9.10. Information

Councillors shall continue to receive information necessary to fulfil their existing role as a Councillor during the election period.

Neither Councillors nor candidates will receive information or advice from Council staff that might be perceived to support election campaigns and there shall be complete transparency in the provision of all information and advice during the election period. Information and briefing material prepared by staff/ contractor conducting elections on behalf of Council during the

election period will only relate to factual matters or to existing Council services. Such information will not relate to policy development, new projects or matters that are the subject of public or election debate or might be perceived to be connected with a candidate's election campaign.

No other information other than what would normally be made available to any member of the general public upon request is to be provided to a Councillor

No information other than what would normally be made available to any member of the general public upon request is to be provided to a candidate who is not a Councillor.

9.10.1. Information Request Register

All election process related enquires from candidates, whether sitting Councillors or not, will be directed to the Returning Officer or where the matter is outside the responsibilities of the Returning Officer, to the Manager Governance.

An Information Request Register will be maintained by the Governance department during the Election Period. This Register will be a public document that records all requests relating to electoral matters and non-routine requests for information by Councillors and candidates, and the response given to those requests.

9.10.2. Equal Accessibility to Information for Candidates

To ensure all candidates have equal access to information held by Council during the election, where a request for information is granted by the Governance Department as recorded in the Information Request Register (see 9.9.1) it will be made publicly available on Council's website for all candidates and the public to access.

9.11. By- Elections

The content of this policy shall be observed during any by-election, except that:

- a Clauses 9.2 and 9.3 (which restrict Council decision making) shall not apply;
- b Provisions of relevance to the municipality as a whole shall be limited in application to the ward of the subject by-election.

For the avoidance of doubt, it is prohibited during a by-election for any Council decision-making, Councillor or member of Council staff to use Council resources in a way that -

- a is intended to; or
- b is likely to -

affect voting or the result of an election.

10. Decision Guidelines

None.

11. Transition/Translation arrangements

Not applicable.

12. Review

Policy to be reviewed by June 2023.



City of
KINGSTON

Governance Rules

20/168524[v2]

GOVERNANCE RULES

Introduction

1. Nature of Rules

These are the Governance Rules of Kingston City Council, made in accordance with section 60 of the *Local Government Act 2020*.

2. Date of Commencement

These Governance Rules commence on 23 August 2022.

3. Contents

These Governance Rules are divided into the following Chapters:

Chapter	Name
Chapter 1	Governance Framework
Chapter 2	Meeting Procedure for Council meetings
Chapter 3	Meeting Procedure for Delegated Committees
Chapter 4	Meeting Procedure for Community Asset Committees
Chapter 5	Disclosure of Conflicts Of Interest
Chapter 6	Miscellaneous
Chapter 7	The Common Seal
Chapter 8	Election Period Policy

4. Definitions

In these Governance Rules, unless the context suggests otherwise the following words and phrases mean:

Act means the *Local Government Act 2020*.

Chief Executive Officer means the Chief Executive Officer of Kingston City Council and includes an Acting Chief Executive Officer.

Community Asset Committee means a Community Asset Committee established under section 65 of the *Act*.

Council means Kingston City Council.

Council meeting has the same meaning as in the *Act* and includes a *Council meeting* conducted remotely.

Council meeting conducted remotely means a *Council meeting* or a joint meeting of councils which is attended by one or more Councillors by electronic means of communication and conducted in accordance with rule 58 of Chapter 2 of these Rules.

Delegated Committee means a Delegated Committee established under section 63 of the *Act*.

Mayor means the Mayor of *Council*.

these Rules means these Governance Rules.



City of
KINGSTON

Chapter 1

Governance Framework

20/168524[v2]

Chapter 1 – Governance Framework

1. Context

These Rules should be read in the context of and in conjunction with:

- (a) the overarching governance principles specified in section 9(2) of the *Act*; and
- (b) the following documents adopted or approved by *Council*:

Good Governance Framework

Public Transparency Policy

2. Decision Making

- (a) In any matter in which a decision must be made by *Council* (including persons acting with the delegated authority of *Council*), *Council* must consider the matter and make a decision:
 - (i) fairly, by giving consideration and making a decision which is balanced, ethical and impartial; and
 - (ii) on the merits, free from favouritism or self-interest and without regard to irrelevant or unauthorised considerations
- (b) *Council* must, when making any decision to which the principles of natural justice apply, adhere to the principles of natural justice (including, without limitation, ensuring that any person whose rights will be directly affected by a decision of *Council* is entitled to communicate their views and have their interests considered).
- (c) Without limiting anything in paragraph (b) of this sub-Rule:
 - (i) before making a decision that will directly affect the rights of a person, *Council* (including any person acting with the delegated authority of *Council*) must identify the person or persons whose rights will be directly affected, give notice of the decision which *Council* must make and ensure that such person or persons have an opportunity to communicate their views and have their interests considered before the decision is made;
 - (ii) if a report to be considered at a *Council meeting* concerns subject-matter which will directly affect the rights of a person or persons, the Report must record whether the person has or persons have been provided with an opportunity to communicate their views and have their interests considered;
 - (iii) if a report to be considered at a *Delegated Committee* meeting concerns subject-matter which will directly affect the rights of a person or persons, the Report must record whether the person has or persons have been provided with an opportunity to communicate their views and have their interests considered; and
 - (iv) if a member of *Council* staff proposes to make a decision under delegation and that decision will directly affect the rights of a person or persons, the member of *Council* staff must, when making that decision, complete a Delegate Report that records that notice of the decision to be made was given to the person or persons and such person or persons were provided with an opportunity to communicate their views and their interests considered.



City of
KINGSTON

Chapter 2

Meeting Procedure for Council Meetings

20/168524[v2]

Chapter 2 – Meeting Procedure for Council meetings

Contents

Part A – Introduction	1
1. Title	1
2. Purpose of this Chapter	1
3. Definitions and Notes.....	1
Part B – Election of Mayor.....	2
4. Election of the <i>Mayor</i>	2
5. Method of Voting.....	2
6. Determining the election of the <i>Mayor</i>	2
7. Election of Deputy Mayor and Chairs of Delegated Committees	4
8. Appointment of Acting Mayor	4
Part C – Meetings Procedure	5
Division 1 – Notices of Meetings	5
9. Dates and Times of Meetings Fixed by <i>Council</i>	5
10. <i>Council</i> May Alter Meeting Dates	5
11. Meetings Not Fixed by <i>Council</i>	5
12. Notice Of Meeting	5
Division 2 – Quorums.....	6
13. Inability To Obtain A Quorum	6
14. Inability To Maintain A Quorum	6
15. Adjourned Meetings.....	6
16. Time limits for Meetings.....	6
17. Cancellation or Postponement of a Meeting	7
Division 3 – Business of Meetings	7
18. <i>Agenda</i> and the Order Of Business.....	7
19. Change To Order Of Business	7
20. Delegate Reports.....	7
21. En Bloc Resolutions.....	8
22. Urgent Business	8
Division 4 – Motions and Debate	8
23. Councillors May Propose Notices Of Motion	8
24. Notice Of Motion	8
25. Requirements for Motions and Amendments	10
26. Procedures with Respect to Motions	11
27. Procedures with Respect to Amendments	12
28. Rules of Debate	12
29. Speaking Times	14
30. Community Members/Visitors Speaking at <i>Meetings</i>	15
Division 5 – Procedural Motions.....	15
31. Procedural Motions.....	15
Division 6 – Rescission Motions.....	19
32. Notice of Rescission	19
33. If Lost	20
34. If Not Moved	20
35. May Be Moved By Any Councillor	20
36. When Not Required	20
Division 7 – Points of Order	20
37. Procedure For Point Of Order	20

20/168524[v2]

38.	Dissent From Chair's Ruling	21
Division 8 – Public Question Time.....		22
39.	Question Time	22
Division 9 – Petitions and Joint Letters		23
40.	Petitions and Joint Letters	23
Division 10 – Voting		23
41.	How a Motion is Determined.....	23
42.	Recount.....	23
43.	Casting Vote	23
44.	By Show Of Hands	23
45.	Procedure For A Division.....	24
46.	Record of Vote	24
Division 11 – Minutes		24
47.	Confirmation of Minutes.....	24
48.	No Debate on Confirmation Of Minutes.....	25
49.	Deferral Of Confirmation Of Minutes	25
50.	Form and Availability of Minutes.....	26
Division 12 – Behaviour		27
51.	Public Behaviour at a Meeting.....	27
52.	<i>Chair</i> May Remove	27
53.	<i>Chair</i> may adjourn disorderly meeting.....	27
54.	Removal from Chamber.....	28
Division 13 – Additional Duties of <i>Chair</i>		28
55.	The <i>Chair's</i> Duties and Discretions	28
Division 14 – Suspension of Standing Orders		28
56.	Suspension of Standing Orders.....	28
Division 15 – Miscellaneous		28
57.	Recording of <i>Meetings</i>	28
Division 16 – Meetings Conducted Remotely		29
58.	Council meetings conducted remotely.....	29
59.	Request to attend Council meetings conducted remotely by electronic means.....	30
60.	Other matters not provided for.....	30

Part A – Introduction

1. Title

This Chapter will be known as the "Governance Rules".

2. Purpose of this Chapter

The purpose of this Chapter is to:

- 2.1 provide for the election of the Mayor and any Deputy Mayor;
- 2.2 provide for the appointment of any Acting Mayor; and
- 2.3 provide for the procedures governing the conduct of *Council meetings*.

3. Definitions and Notes

3.1 In this Chapter:

"*absolute majority*" means the number of Councillors which is greater than half the total number of the Councillors of *Council*;

"*abstain*" means where a Councillor present at the meeting does not vote (is taken to have voted against the question);

"*agenda*" means the notice of a meeting setting out the business to be transacted at the meeting;

"*Chair*" means the Chairperson of a meeting and includes a Councillor who is appointed by resolution to chair a meeting under section 61(3) of the *Act*;

"*defamatory*" means causing serious harm to a person's or Council's reputation across a broader section of the community.

"*minute book*" means the collective record of proceedings of *Council*;

"*municipal district*" means the municipal district of *Council*;

"*notice of motion*" means a notice setting out the text of a motion, which it is proposed to move at the next relevant *Ordinary Council Meeting*

"*notice of rescission*" means a *notice of motion* to rescind a resolution made by *Council*; and

"*Ordinary Council Meeting*" means a *Council Meeting* fixed under Rule 9.

"*Special Council Meeting*" means a *Council Meeting* not fixed by Council under Rule 11

"*written*" includes duplicated, lithographed, photocopied, printed and typed, and extends to both hard copy and soft copy form, and *writing* has a corresponding meaning.

3.2 Introductions to Parts, headings and notes are explanatory notes and do not form part of this Chapter. They are provided to assist understanding.

Part B – Election of Mayor

Introduction: This Part is concerned with the annual election of the *Mayor*. It describes how the *Mayor* is to be elected.

4. Election of the *Mayor*

The election of the Mayor will occur at a *Council Meeting* in accordance with the Act, which is known as the *Annual Statutory Meeting*.

The *Chief Executive Officer* must facilitate the election of the *Mayor* in accordance with the provisions of the Act.

5. Method of Voting

The election of the *Mayor* must be carried out by a show of hands.

6. Determining the election of the *Mayor*

6.1 The *Chief Executive Officer* must open the meeting at which the *Mayor* is to be elected, and invite nominations for the office of *Mayor*.

6.2 Nominations do not require seconding.

6.3 The *Chief Executive Officer* shall ask each nominee, other than when self-nominated, if they accept the nomination.

6.4 Once nominations for the office of *Mayor* have been received and accepted, the following provisions will govern the election of the *Mayor*:

6.5 If there is only one nomination:

6.5.1 ~~if there is only one nomination,~~ the candidate nominated must be declared to be duly elected;

6.6 If there are two candidates (or two remaining candidates after the completion of sub-Rule 6.7)

6.6.1 ~~if there is more than one nomination,~~ the Councillors present at the meeting ~~must~~ vote for one of the candidates;

6.6.2 in the event of a candidate receiving an *absolute majority* of the votes, that candidate is declared to have been elected;

6.6.3 If neither candidate receives an *absolute majority* of the votes:

(a) *Council* may resolve to conduct the meeting at a later date and time;
or

(b) A further vote must be taken until one of the candidates receive an *absolute majority* of votes, at which point that candidate will be declared to be duly elected.

(c) If, after two or more further votes are taken and neither candidate receives an *absolute majority* of votes, the provisions of this sub-Rule 6.6.3 must again be followed.

- 6.7 If there are three or more candidates (or three or more remaining candidates):
- 6.7.1 the Councillors present at the meeting vote for one of the candidates;
- 6.7.2 In the event of the candidate receiving an absolute majority of votes, that candidate is declared to be duly elected;
- 6.7.3 in the event that no candidate receives an *absolute majority* of the votes, and it is not resolved to conduct a new election at a later date and time, the candidate with the fewest number of votes must be declared to be a defeated candidate. The Councillors present at the meeting must then vote for one of the remaining candidates;
- 6.7.4 if one of the remaining candidates receives an *absolute majority* of the votes, he or she is duly elected. If none of the remaining candidates receives an *absolute majority* of the votes, the process of declaring the candidates with the fewest number of votes a defeated candidate and voting for the remaining candidates must be repeated until one of the candidates receives an *absolute majority* of the votes. That candidate must then be declared to have been duly elected;
- ~~6.7.5 in the event of two or more candidates having an equality of votes and one of them having to be declared:~~
- ~~(a) a defeated candidate; and~~
- ~~(b) duly elected~~
- ~~the declaration will be determined by lot.~~
- 6.7.5 If two or more candidates have an equal lowest number of votes, the process to determine a defeated candidate will be determined by lot.
- 6.7.6 if a lot is conducted, the *Chief Executive Officer* will have the conduct of the lot and the following provisions will apply:
- (a) each candidate with an equal lowest number of votes will draw one lot;
- (b) the order of drawing lots will be determined by the alphabetical order of the surnames of the Councillors who received an equal number of votes except that if two or more such Councillors' surnames are identical, the order will be determined by the alphabetical order of the Councillors' first names; and
- (c) as many identical pieces of paper as there are Councillors who received an equal number of votes must be placed in a receptacle. ~~If the lot is being conducted to determine who is a defeated candidate,~~ The word "Defeated" shall be *written* on one of the pieces of paper, and the Councillor who draws the paper with the word "Defeated" *written* on it must be declared the defeated candidate (in which event a further vote must be taken on the remaining candidates ~~unless there is only one candidate remaining,~~ until a candidate receives an absolute majority of votes, in which case that candidate will be declared to have been duly elected).

Note: Section 26 of the *Act* requires that before the election of the *Mayor*, a *Council* must determine by resolution whether the *Mayor* is to be elected for a 1 year or 2 year term.

7. Election of Deputy Mayor and *Chairs* of Delegated Committees

Any election for:

- 7.1 any office of Deputy Mayor; or
- 7.2 *Chair* of a *Delegated Committee*

will be regulated by Rules 4-6 (inclusive) of this Chapter, as if the reference to the:

- 7.3 *Chief Executive Officer* is a reference to the *Mayor*; and
- 7.4 *Mayor* is a reference to the Deputy Mayor or the *Chair* of the *Delegated Committee* (as the case may be).

8. Appointment of Acting Mayor

If *Council* has not established an office of Deputy Mayor and it becomes required to appoint an Acting Mayor, it can do so by:

- 8.1 resolving that a specified Councillor be so appointed; or
- 8.2 following the procedure set out in Rules 5 and 6 (inclusive) of this Chapter, at its discretion.

Part C – Meetings Procedure

Introduction: This Part is divided into a number of Divisions. Each Division addresses a distinct aspect of the holding of a meeting. Collectively, the Divisions describe how and when a meeting is convened, when and how business may be transacted at a meeting.

Division 1 – Notices of Meetings

9. Dates and Times of Meetings Fixed by Council

Subject to Rule 11, *Council* must from time to time fix the date, time and place of all *Council meetings* which are known as *Ordinary Council Meetings*.

10. Council May Alter Meeting Dates

Council may change the date, time and place of any *Ordinary Council Meeting* which has been fixed by it and must provide reasonable notice of the change to the public.

11. Meetings Not Fixed by Council

11.1 The *Mayor* or at least 3 Councillors may by a *written* notice call a *Council meeting* which is known as a *Special Council Meeting*.

11.2 The notice must specify the date and time of the *Special Council Meeting* and the business to be transacted (which may include a motion to be presented to the meeting).

11.3 The notice must be given to the *Chief Executive Officer* (or delegate) at least 72 hours prior to the date and time of the *Special Council Meeting*, unless there are urgent or extraordinary circumstances requiring less notice to be provided. The urgent or extraordinary circumstances must be included in the minutes of the meeting.

11.4 The *Chief Executive Officer* must convene the *Special Council Meeting* as specified in the notice.

11.5 Unless all Councillors are present and unanimously agree to deal with any other matter, only the business specified in the *written* notice can be transacted at the *Special Council Meeting*.

12. Notice Of Meeting

12.1 A notice of meeting, incorporating or accompanied by an *agenda* of the business to be dealt with, must be delivered or sent electronically to every Councillor for all *Council meetings* at least 48 hours before the meeting.

12.2 Reasonable notice of each *Council meeting* must be provided to the public. *Council* may do this:

12.2.1 for *Ordinary Council Meetings* by preparing a schedule of meetings annually, twice yearly or from time to time, and arranging publication of such schedule on *Council's* website, social media platforms and, where possible, in a newspaper generally circulating in the *municipal district* either at various times throughout the year, or prior to each such *Council meeting*; and

12.2.2 for *Special Council Meetings* by giving notice on its website and:

- (a) in each of its Customer Service Centres; and/or
- (b) on *Council's* social media platforms.

Division 2 – Quorums

13. Inability To Obtain A Quorum

If after 30 minutes from the scheduled starting time of any *Council meeting*, a quorum cannot be obtained, including as a result of non-compliance by one or more Councillors with sub-rule 59.1:

- 13.1 the meeting will be deemed to have lapsed;
- 13.2 the *Mayor*, or in the absence of the *Mayor*, the Acting *Chair* or *Chief Executive Officer*, must convene another *Council meeting* up to a week later than the time stated in the *agenda* for which will be identical to the *agenda* for the lapsed meeting; and
- 13.3 the *Chief Executive Officer* must give all Councillors *written* notice of the meeting convened by the *Mayor* or (in the absence of the *Mayor*) the Acting *Chair* or *Chief Executive Officer*.

14. Inability To Maintain A Quorum

- 14.1 If during any *Council meeting*, a quorum cannot be maintained, including as a result of non-compliance by one or more Councillors with sub-rule 59.1, then Rule 45 13 will apply as if the reference to the meeting is a reference to so much of the meeting as remains.
- 14.2 Sub-Rule 14.1 does not apply if the inability to maintain a quorum is because of the number of Councillors who have a conflict of interest in the matter to be considered.

15. Adjourned Meetings

- 15.1 *Council* may adjourn any meeting to another date or time but cannot in the absence of disorder or a threat to the safety of any Councillor or member of Council staff adjourn a meeting in session to another place.
- 15.2 The *Chief Executive Officer* must give *written* notice to each Councillor of the date, time and place to which the meeting stands adjourned and of the business remaining to be considered.
- 15.3 If it is impracticable for the notice given under sub-Rule 15.2 to be in *writing*, the *Chief Executive Officer* must give notice to each Councillor by telephone or in person.

16. Time limits for Meetings

- 16.1 A *Council meeting* must not continue after 3 hours unless a majority of Councillors present vote in favour of it continuing.
- 16.2 In the absence of such continuance, the meeting must stand adjourned to a time, date and place announced by the *Chair* immediately prior to the meeting standing adjourned. In that event, the provisions of sub-Rules 15.2 and 15.3 apply.

17. Cancellation or Postponement of a Meeting

- 17.1 The *Chief Executive Officer*, in consultation with the *Mayor* where such consultation is practicable, may in the case of an emergency necessitating the cancellation or postponement of a *Council meeting*, cancel or postpone a *Council meeting*.
- 17.2 The *Chief Executive Officer* must present to the immediately following *Council meeting* a written report on any exercise of the power conferred by sub-Rule 17.1.

Division 3 – Business of Meetings**18. Agenda and the Order Of Business**

To facilitate and maintain open, efficient and effective processes of government, business at *Council meetings* must include:

- 18.1 apologies; and
- 18.2 disclosures of conflicts of interest; and
- 18.3 designation of items of business as confidential in compliance with *these Rules*.

Subject to the above, business at *Ordinary Council Meetings* must also include:

- 18.4 confirmation of *minutes*; and
- 18.5 public question time; and
- 18.6 petitions; and
- 18.7 notices of motion; and
- 18.8 delegates reports, **Councillor statements & Presentation of Awards**; and
- 18.9 urgent business.

19. Change To Order Of Business

Once an *agenda* has been sent to Councillors, the order of business for that *Council meeting* may be altered by resolution of *Council*.

20. Delegate Reports, **Councillor Statements & Presentation of Awards**

- 20.1 The *Mayor* and Councillors who are delegates or representatives of *Council* on other bodies may report to the *Council meeting* on issues of importance to *Council*, notwithstanding that the report is not listed on the *agenda*.
- 20.2 **A Councillor may make one statement on a particular matter of importance to the municipality or to a ward, such as acknowledgment of community groups and community members, advocacy on behalf of ward constituents and statements and positions relevant to their representation and leadership of the municipality.**
- 20.3 No motion (except to receive any such report **or statement**) can be accepted by the *Chair* unless there is a matter raised in it which is resolved in the manner prescribed by Rule 22 to be urgent business.

20.4 At the discretion of the *Chair*, awards may be presented to individuals and community groups at *Council meetings*.

20.5 Debate is not required under this Rule.

21. En Bloc Resolutions

21.1 Subject to sub-Rule 21.2, matters to be considered en bloc can only be considered by resolution of *Council*.

21.2 Items that relate to planning matters (that involve a planning application or a planning scheme amendment) or that involve statutory third-party rights must not be considered en bloc.

22. Urgent Business

22.1 If the *agenda* for a *Council meeting* makes provision for urgent business, business cannot be admitted as urgent business other than by resolution of *Council* ~~and only then if it~~, provided that it:

22.1.1 relates to or arises out of a matter which has arisen since distribution of the *agenda*; and

22.1.2 cannot safely or conveniently be deferred until the next *Council meeting*.

22.2 a Councillor proposing business to be admitted as urgent business must make the proposed motion available in order for 22.1.1 & 22.1.2 to be considered.

22.3 Once admitted as an item of urgent business, a motion which does not comply to sub-Rule 25.4 must be rejected by the *Chair*.

22.2 ~~An item of urgent business can be admitted at a *Special Council Meeting*, if all Councillors are present and unanimously agree to deal with it.~~

22.3 ~~An item of urgent business may be ruled out of order by the *Chair* if they consider it does not conform to Rule 22.1.~~

Division 4 – Motions and Debate

23. Councillors May Propose Notices Of Motion

Councillors may ensure that an issue is listed on an *agenda* by lodging a *notice of motion*.

24. Notice Of Motion

24.1 A *notice of motion* must be in *writing* signed by a Councillor and be lodged with or sent to the *Chief Executive Officer* (or delegate) by noon 14 clear days before the date of an *Ordinary Council Meeting*, unless sub-rule 24.2 24.3 applies.

24.2 A notice of motion submitted in accordance with Rule 24.1 may be amended prior to the preparation of the agenda of the *Ordinary Council Meeting* in a manner that leaves the intention and effect of the *notice of motion* materially undisturbed.

24.3 A *notice of motion* may be sent to the Chief Executive Officer (or delegate) by noon 7 clear days before the date of an *Ordinary Council Meeting* that:

- 24.3.1 relates to or arises out of a matter which has arisen since the distribution of the draft *agenda* of the *Ordinary Council Meeting* that is presented at a Councillor briefing session; and
- 24.3.2 the Mayor determines cannot safely or conveniently be deferred until the next Council meeting due to:
- (a) safety concerns; or
 - (b) time sensitivity; or
 - (c) an impact on the benefit and wellbeing on the municipal community.
- 24.4 A *notice of motion* included in the *agenda* must be accompanied by *written* officer comments addressing the *notice of motion*.
- 24.5 A Councillor should invite feedback from all Councillors on a *notice of motion* prior to lodgement.
- 24.6 The *notice of motion* may include a *written* rationale for the proposed motion to be submitted. The full text of any *notice of motion* and rationale must be included in the *agenda*.
- 24.7 The *Chief Executive Officer* must cause all notices of motion to be numbered, dated and entered in the *notice of motion* register in the order in which they were received.
- 24.8 Any motion which is determined by the *Chair* at an *Ordinary Council Meeting* to be vague or unclear in intention must not be accepted by the *Chair*.
- 24.9 The Chief Executive Officer may reject any *notice of motion* which:
- 24.9.1 is outside of the legislative powers of Council; or
 - 24.9.2 if passed would result in Council otherwise acting invalidly; or
 - 24.9.3 *defamatory; or*
 - 24.9.4 *is vague or unclear in intention; or*
 - 24.9.5 *objectionable in language or nature;*
- but must:
- 24.9.6 notify in writing the Councillor who lodged the *notice of motion* the rejection and reasons for the rejection; and
 - 24.9.7 give the Councillor who lodged it an opportunity to amend it prior to rejection, if it is practicable to do so.
- 24.10 Except by leave of *Council*, each *notice of motion* before any meeting must be considered in the order in which they were entered in the *notice of motion* register.
- 24.11 If a Councillor who has given a *notice of motion* is absent from the meeting or fails to move the motion when called upon by the *Chair*, any other Councillor may move the motion.

- 24.12 A *notice of motion* may be moved which differs in wording to the *notice of motion* published in the agenda, provided it leaves the intention and effect of the *notice of motion* materially undisturbed.
- 24.13 If a *notice of motion* is not moved at the *Council meeting* at which it is listed, it lapses.
- 24.14 If a *notice of motion*, whether amended or not, is lost, a similar motion cannot again be put before the current *Council* for a period of three calendar months from the date it was lost.
- 24.15 A *notice of motion* must call for an officer report if the *notice of motion*:
- 24.15.1 substantially affects the level of *Council* services; or
 - 24.15.2 commits the *Council* to expenditure in excess of \$25,000 and that has not been included in the adopted budget (this includes operational and capital costs); or
 - 24.15.3 establishes or amends a *Council* policy; or
 - 24.15.4 commits *Council* to any contractual arrangement; or
 - 24.15.5 concerns any litigation in respect of which *Council* is a party.
- 24.16 Where the subject matter of a *notice of motion* is confidential in nature, the *Chief Executive Officer* may designate a *notice of motion* as confidential in accordance with relevant grounds as contained in the *Act*, in which case, the *notice of motion* will be considered in the part of the relevant *Council meeting* that is closed to members of the public.

25. Requirements for Motions and Amendments

- 25.1 A motion may be moved by a Councillor as a formal proposal that the *Council meeting* should resolve on in certain terms.
- 25.2 A motion having been moved and seconded may be amended by leaving out, inserting or adding words in a manner that leave the intention and effect of the motion materially undisturbed.
- 25.3 A motion which purports to be an amendment but which if passed would directly contradict or negate the motion or materially deprive the motion of effect cannot be accepted as an amendment.
- 25.4 A motion or amendment which is proposed by a Councillor at a *Council meeting* must be:
- 25.4.1 clearly expressed and unambiguous; and
 - 25.4.2 not defamatory or objectionable in nature; and
 - 25.4.3 relevant to an item on the *agenda* (unless it relates to an item which has been agreed by the *meeting* as urgent business).
- 25.5 Any motion or amendment which differs in wording from a recommendation or *notice of motion* which is on the *agenda* must, if required by the *Chair*, be *written* out by the proposer, given to the *Chair* and be presented on the screens used for display of the meeting proceedings. If required by a Councillor, a copy must be

given to all Councillors present before any further debate takes place on the matter or before the vote on it is taken. The *Chair* may adjourn the *Council meeting* to allow time for these requirements to be met.

- 25.6 Any motion or amendment which does not conform to sub-Rule 25.3 or 25.4 may be rejected by the *Chair*.
- 25.7 An amendment must call for an officer report if the amendment commits *the Council* to expenditure in excess of \$25,000 that has not been included in the adopted budget.

26. Procedures with Respect to Motions

- 26.1 A Councillor proposing to move a motion must first indicate a wish to address the *Chair*.
- 26.2 Once recognised by the *Chair*, the mover must state the motion without speaking to it.
- 26.3 The *Chair* must call for a seconder (other than the mover).
- 26.4 Any motion which is not seconded lapses.
- 26.5 Where the mover intends to move a recommendation as it appears in the *agenda*, they may do so in the following manner, "I move the recommendation on page (state page number) of the *agenda*."
- 26.6 Where the mover intends to move a motion other than a recommendation as it appears in the *agenda*, they must state the motion in full.
- 26.7 Once a motion is seconded, the *Chair* may:
- 26.7.1 invite Councillors to speak in accordance with clause sub-Rule 28.6; or
 - 26.7.2 ask whether the motion is opposed and if no opposition is indicated, the *Chair* may then put the motion to the vote without debate; or
 - 26.7.3 at any time during the debate ask whether the motion is opposed or is further opposed and if no such opposition is indicated, may put it to the vote without further debate.
- 26.8 Where a motion is in two or more parts, upon request from a Councillor, the *Chair* may at his or her discretion put each part to the vote separately.
- 26.9 If the *Chair* determines to put a motion to the vote separately in accordance with sub-rule 26.8, the mover and seconder must be provided the opportunity to withdraw, to which the process prescribed in sub-rule 26.11 applies.
- 26.10 Subject to Rule 28, a motion must be put to the vote when the *Chair* believes that the issues have been reasonably canvassed in the debate.
- 26.11 The moving or seconding of a motion can be withdrawn. The *Chair* may:
- 26.11.1 seek a substitute mover or seconder; or
 - 26.11.2 if there is no willingness to be the substitute mover or seconder, declare the motion as lapsed.

27. Procedures with Respect to Amendments

- 27.1 Any Councillor, including the mover and seconder of a motion, may move or second any amendment to the motion after the completion of the Councillor currently speaking on the matter.
- 27.2 The procedures contained in Rule 28 should be followed to deal with an amendment.
- 27.3 When any amendment is put to the vote and declared carried by the *Chair*, it thereupon becomes the substantive motion and can be further amended.
- 27.4 The mover and seconder of the amendment which is put to the vote and declared carried by the *Chair* own the substantive motion.
- 27.5 Only one amendment can be before the *Council meeting* at a time and until it is put to the vote no further amendment can be proposed, but with the leave of the *Chair* another amendment or motion can be foreshadowed by any Councillor stating in brief terms the nature of it.
- 27.6 Where a proposed alteration amendment from another Councillor is accepted by the mover and seconder, it will form part of the substantive motion and no debate or voting on the amendment is required such alteration amendment shall not be regarded as an amendment to the motion.

28. Rules of Debate

- 28.1 A Councillor may only speak once on the motion and once on any amendment of a motion subject to sub-Rule 28.2.
- 28.2 The mover of a motion has a right of reply with respect to the debate on his or her motion immediately before the vote is taken, but that right of reply is lost if an amendment to the motion is carried.
- 28.3 Once a right of reply has been exercised, the *Chair* must put the motion to the vote without making comment or permitting any further comment on the motion.
- 28.4 The mover of an amendment has no right of reply.
- 28.5 A Councillor may address the *Council meeting* to explain why the Councillor proposes to *abstain* from the voting on a motion, but shall not then speak in favour or opposition to the motion.
- 28.6 The *Chair* shall invite Councillors to speak on a motion or amendment in the following order:
- 28.6.1 mover (may be reserved to later in the debate);
- 28.6.2 seconder (may be reserved to later in the debate);
- 28.6.3 other Councillors; then
- 28.6.4 mover's right of reply (where applicable).
- 28.7 A Councillor may, when no other Councillor is speaking, ask any question concerning or arising out of the motion or amendment before the *Chair*, but cannot be used to debate the matter further.

- 28.8 The *Chair* has the right to limit questions and direct that debate be commenced or resumed.
- 28.9 A Councillor must not in any debate make any *defamatory*, indecent, abusive, offensive or disorderly statement or comment or a statement or comment which is objectionable in language, substance or nature.
- 28.10 If a statement or comment is made contrary to sub-Rule 28.9, the *Chair* may call upon the Councillor to withdraw it and apologise and if that is required the Councillor concerned must immediately and unreservedly do so.
- 28.11 Debate must always be relevant to the motion before the *Chair*, and, if not, the *Chair* must request the speaker to confine debate to the motion.
- 28.12 If after being requested to confine debate to the motion before the *Chair*, the speaker continues to debate irrelevant matters, the *Chair* may direct the speaker to be seated and not speak further in respect of the motion then before the *Chair*.
- 28.13 A speaker to whom a direction has been given under sub-Rule 28.12 must comply with that direction.
- 28.14 In cases where there is competition for the right to speak at a *Council meeting* then the *Chair* must decide the order in which Councillors will speak.
- 28.15 If a debate is adjourned by motion then the Councillor who moved the adjournment has the right to speak first when the debate is resumed.
- 28.16 A Councillor must not be interrupted except by the *Chair* or upon a point of order being taken.
- 28.17 A Councillor is not deemed to be speaking on the motion or amendment before the meeting when:
- 28.17.1 calling a point of order; or
 - 28.17.2 asking a question; or
 - 28.17.3 foreshadowing a new motion or further amendment; or
 - 28.17.4 making a request under sub-Rule 26.8
- 28.18 When exercising a right of reply, a Councillor must not introduce new material.
- 28.19 At any time during debate a Councillor may foreshadow a motion so as to inform *Council* of his or her intention to move a motion at a later stage in the meeting, but this does not extend any special right to the foreshadowed motion.
- 28.20 A motion foreshadowed may be prefaced with a statement that in the event of a particular motion before the *Chair* being resolved in a certain way, a Councillor intends to move an alternative or additional motion.
- 28.21 A foreshadowed motion is not recorded in the minutes until the foreshadowed motion is formally moved.
- 28.22 The *Chair* is not obliged to accept foreshadowed motions.
- 28.23 If a resolution is made at a *Council meeting*, the substance of the resolution cannot be further discussed at that meeting.

28.24 If the *Chair* so determines:

28.24.1 any person addressing the *Chair* must refer to the *Chair* as:

- (a) Mayor; or
- (b) Madam Mayor; or
- (c) Mr Mayor; or
- (d) Deputy Mayor; or
- (e) Madam Deputy Mayor; or
- (f) Mr Deputy Mayor; or
- (g) *Chair*; or
- (h) Madam *Chair*; or
- (i) Mr *Chair*; or
- (j) Acting *Chair*; or
- (k) Mayor (last name); or
- (l) Your Worship

as the case may be;

28.24.2 all Councillors, other than the *Mayor*, must be addressed as

Cr(name).

28.24.3 all members of Council staff, must be addressed as Mr, Ms or Mx

.....(name) as appropriate or by their official title.

28.24.4 The *Chair* may address the *Council meeting* upon any matter under discussion and will not be deemed to have left the *Chair* on such occasions.

28.24.5 Except in cases of sickness or physical disability, a Councillor at any *Council meeting* must stand when speaking.

28.25 Props, visual aids, photographs & audio or video recordings must not be allowed during debate, unless an exception is granted by the *Chair*.

29. Speaking Times

A Councillor must not speak longer than the time set out below, unless granted an extension by resolution:

- 29.1 mover of a motion or amendment: 4 minutes
- 29.2 Councillor speaking to a motion or amendment: 3 minutes
- 29.3 closing statement (right of reply): 2 minutes

29.4 presenter of delegate's report **and/or Councillor statement (combined)**: 3 minutes.

The *Chair* may determine to grant (but not unreasonably refuse) a request from a Councillor for an extension of time for 2 minutes to speak, however any further extension of time must be put to the vote.

30. Community Members/Visitors Speaking at Meetings

- 30.1 No community member/visitor to a *Council meeting* may speak to the meeting, except for:
- 30.1.1 the applicant (or their representative) in relation to an application for a planning permit;
 - 30.1.2 one objector in relation to an application for a planning permit; and
 - 30.1.3 special circumstances, in which leave to speak is granted by the *Chair*.
- 30.2 **The applicant and objector** Any community member/visitor addressing the *Council meeting* cannot speak for more than 4 minutes each (unless granted more time by the *Chair*).
- 30.3 Should there be multiple objectors who wish to address an application for a planning permit, the time allocated to speak may be split. If multiple objectors cannot reach consensus to split the time, the first objector to apply to speak shall be granted speaking rights.
- 30.4 Sub-rule 30.3 also applies to the applicant or their representative.
- 30.5 Subject to sub-rule 60.2, community members/visitors may speak to the meeting in person or by electronic means of communication and must confirm their mode of attendance to the Governance department prior to the Council meeting.

Division 5 – Procedural Motions

31. Procedural Motions

- 31.1 Unless otherwise prohibited, a procedural motion may be moved after the completion of the Councillor currently speaking on the matter and must be dealt with immediately by the *Chair*.
- 31.2 A procedural motion is one that deals with the conduct or process of the meeting itself.
- 31.3 A procedural motion requires a seconder.
- 31.4 The mover of a procedural motion does not have a right of reply.
- 31.5 A procedural motion cannot be amended.
- 31.6 A procedural motion has precedence on substantive motions and amendments.
- 31.7 Except for a procedural motion to defer an item, a procedural motion, once moved and voted upon has no bearing on any substantive motion currently before the *Council*.
- 31.8 Notwithstanding any other provision in this Chapter, procedural motions must be dealt with in accordance with the following table:

20/168524[v2]

16

PROCEDURAL MOTIONS TABLE

Procedural Motion	Form	Mover & Secondor	When Motion Prohibited	Effect if Carried	Effect if Lost	Debate Permitted on Motion
1. Deferral of item/debate to later hour and/or date	That this matter be deferred to *am/pm and/or *date	Any Councillor	(a) During the election of a <i>Chair</i> ; (b) When another Councillor is speaking	Motion, and amendment or item as presented in the agenda is postponed to the stated time and/or date	Debate continues unaffected	Yes
2. Deferral of item/debate indefinitely	That this matter be deferred until further notice	Any Councillor	(a) During the election of a <i>Chair</i> ; (b) When another Councillor is speaking; or (c) When the motion would have the effect of causing <i>Council</i> to be in breach of a legislative requirement	Motion and any amendment postponed but may be resumed at any later meeting if on the agenda	Debate continues unaffected	Yes
3. Adjournment of meeting to later hour and/or date	That this meeting be adjourned to *am/pm and/or *date	Any Councillor	(a) During the election of a <i>Chair</i> ; (b) When another Councillor is speaking	Motion and amendment is postponed to the stated time and/or date	Debate continues unaffected	Yes
4. Adjournment of meeting indefinitely	That this meeting be adjourned until further notice	Any Councillor	(a) During the election of a <i>Chair</i> ; (b) When another Councillor is speaking; or (c) When the motion would have the effect of causing <i>Council</i> to be in breach of a legislative requirement	Motion and any amendment postponed but may be resumed at any later meeting if on the agenda	Debate continues unaffected	Yes

20/168524[V2]

Procedural Motion	Form	Mover & Seconder	When Motion Prohibited	Effect if Carried	Effect if Lost	Debate Permitted on Motion
5. The closure	That the motion be now put	Any Councillor	During nominations for <i>Chair</i>	Motion or amendment in respect of which the closure is carried is put to the vote immediately without debate of this motion, subject to any Councillor exercising his or her right to ask any question concerning or arising out of the motion	Debate continues unaffected	No

20/168524[V2]

18

Division 6 – Rescission Motions

32. Notice of Rescission

- 32.1 A Councillor may propose a *notice of rescission* to rescind or alter a previous resolution, provided:
- 32.1.1 it has been signed and dated by at least four Councillors;
 - 32.1.2 the resolution proposed to be rescinded or altered has not been acted on; and
 - 32.1.3 the *notice of rescission* is delivered to the *Chief Executive Officer* no later than 5.00pm on the second day after the resolution proposed to be rescinded or altered was carried, setting out -
 - (a) the resolution to be rescinded or altered; and
 - (b) the meeting and date when the resolution was carried.

It should be remembered that a notice of rescission is a form of notice of motion.

Accordingly, all provisions in this Chapter regulating notices of motion equally apply to notices of rescission.

- 32.2 A resolution will be deemed to have been acted on if:
- 32.2.1 its contents have or substance has been communicated in *writing* to a person whose interests are materially affected by it; or
 - 32.2.2 a statutory process has been commenced
- so as to vest enforceable rights in or obligations on *Council* or any other person.
- 32.3 The *Chief Executive Officer* or an appropriate member of Council staff must defer implementing a resolution which:
- 32.3.1 has not been acted on; and
 - 32.3.2 is the subject of a *notice of rescission* which has been delivered to the *Chief Executive Officer* in accordance with sub-Rule 32.1.3,
- unless deferring implementation of the resolution would have the effect of depriving the resolution of efficacy.

By way of example, assume that, on a Monday evening, Council resolves to have legal representation at a planning appeal to be heard on the following Monday. Assume also that, immediately after that resolution is made, a Councillor lodges a notice of motion to rescind that resolution. Finally, assume that the notice of rescission would not be dealt with until the next Monday evening (being the evening of the day on which the planning appeal is to be heard).

In these circumstances, deferring implementation of the resolution would have the effect of depriving the resolution of efficacy. This is because the notice of rescission would not

be debated until after the very thing contemplated by the resolution had come and gone. In other words, by the time the notice of rescission was dealt with the opportunity for legal representation at the planning appeal would have been lost.

Sub-Rule 32.3 would, in such circumstances, justify the Chief Executive Officer or an appropriate member of Council staff actioning the resolution rather than deferring implementation of it.

33. If Lost

If a motion for rescission is lost, a similar motion may not be put before *Council* for at least three calendar months from the date it was last lost, unless *Council* resolves that the *notice of motion* be re-listed at a future meeting.

34. If Not Moved

If a motion for rescission is not moved at the meeting at which it is listed, it lapses.

35. May Be Moved By Any Councillor

A motion for rescission listed on an *agenda* may be moved by any Councillor present but may not be amended.

36. When Not Required

- 36.1 Where *Council* intends to review, amend or update one or more of its policies, a notice to rescind or alter a previous resolution is not required. The new decision, despite being inconsistent with the earlier decision, reflects *Council's* changed policy position and does not rescind or amend the earlier decision.
- 36.2 Notwithstanding sub-Rule 36.1, an appropriate course of action should be the submission of a *notice of motion*, in accordance with sub-Rule 25.1 of this Chapter requesting an officer report regarding the proposed policy change.

Division 7 – Points of Order

37. Procedure For Point Of Order

- 37.1 A point of order cannot be taken for the sole purpose of:
- 37.1.1 expressing a mere difference of opinion; or
 - 37.1.2 contradicting a speaker; or
 - 37.1.3 disrupting the meeting.
- 37.2 A point of order is an objection that the motion, amendment or statement made is:
- 37.2.1 contrary to *these Rules* or the provisions of the *Act*; or
 - 37.2.2 defamatory; or
 - 37.2.3 irrelevant; or

- 37.2.4 improper; or
- 37.2.5 obscene; or
- 37.2.6 abusive or objectionable language or behaviour; or
- 37.2.7 outside *Council's* powers; or

37.2.8 contrary to the relevant Standards of Conduct requiring the treatment of all Councillors and members of the public with dignity, fairness, objectivity, courtesy and respect.

- 37.3 A Councillor may take a *point of order* by stating briefly the matter which is the subject of the *point of order* and the ground in sub-Rule 37.2 upon which the point of order is being made.
- 37.4 When a point of order is called the Councillor speaking at the time must stop (unless asked by the *Chair* for an explanation), until the *Chair* rules upon it.
- 37.5 The *Chair* may not take a point of order.
- 37.6 The *Chair* may adjourn the *Council meeting* to consider a point of order which has been taken and shall rule upon it as soon as possible and before the business of the *Council meeting* proceeds further.
- 37.7 The *Chair* must, when ruling upon a point of order, state the provision of *these Rules* or other legislation, rule, custom or practice upon which they are basing the ruling. The *Chair's* determination is, subject to sub-Rule 38.2, final.

38. Dissent From *Chair's* Ruling

- 38.1 When the *Chair* makes a ruling during a *Council meeting* a Councillor may move a motion to the effect that the meeting dissent from the *Chair's* ruling as follows:
 - "That the *Chair's* ruling [setting out that ruling or part of that ruling] be dissented from".
- 38.2 When a motion of dissent is moved and is seconded the following procedures must be followed:
 - 38.2.1 the *Chair* asks the mover, then the seconder, to speak to their motion and the matter is then further debated as required. The matter is put to the vote and the *Chair* announces the result; and
 - 38.2.3 the *Chair* is bound by the result of the motion of dissent - if it is passed then his or her previous ruling is changed so that it conforms to the motion of dissent, if it is defeated then his or her previous ruling stands.
- 38.3 The defeat of the *Chair's* ruling is in no way a motion of censure or non- confidence in the *Chair* and must not be so regarded by the meeting.

Division 8 – Public Question Time

39. Question Time

- 39.1 There must be a public question time at every *Ordinary Council Meeting* to enable members of the public to submit questions to *Council*.
- 39.2 Sub-Rule 39.1 does not apply during any period when a meeting is closed to members of the public in accordance with section 66(2) of the *Act*.
- 39.3 Visitors present at an *Ordinary Council Meeting* may submit questions to be answered during the meeting.
- 39.4 Questions must be submitted to the *Council* by 3.00pm on the day of the *Ordinary Council Meeting* by:
- 39.4.1 submitting an online question form on the *Council's* website or via email following the instructions on *Council's* website; or
- 39.4.2 placing a hard copy question form in the allocated Question Box.
- ~~39.4.1 submitting an online question form on the *Council's* website or via email following the instructions on *Council's* website by 3.00 pm on the day of the *Ordinary Council Meeting*; or~~
- ~~39.4.2 placing a hard copy question form in the Question Box situated in the *Council Chamber* foyer by 7.30pm on the day of the *Ordinary Council Meeting* (if the meeting is conducted in person).~~
- 39.5 Questions submitted must include the person's full name as well as their address or email in order for a response to be provided.
- 39.6 At the discretion of the *Chair*, questions may be answered verbally during the "Public Question Time" segment by a Councillor or a member of Council staff present at the *Ordinary Council Meeting* or later in writing. Questions submitted late must be either dealt with at the next *Ordinary Council Meeting* or at the discretion of the *Chief Executive Officer* may be answered in writing.
- 39.7 Individual members of the public are permitted to ask a maximum of two questions during any one Public Question Time.
- 39.8 All questions and answers must be as brief as possible. Any preamble to a question will not be read out unless the *Chair* considers it appropriate.
- 39.9 Like questions may be grouped together and a single answer provided.
- 39.10 A question must not be read and an answer must only be given to the *Council meeting* if the *Chair* or *Chief Executive Officer* has determined that the relevant question:
- 39.10.1 does not relate to a matter beyond or outside *Council's* powers; and
- 39.10.2 is not defamatory, indecent, abusive or objectionable; and
- 39.10.3 is not repetitive of a question, matter, issue or principle already answered (whether at that meeting or an earlier one); and

39.10.4 is not asked to be derogatory of or to embarrass a Councillor, a member of Council staff or a member of the community; and

39.10.5 does not relate to a matter already considered and resolved upon by *Council*.

39.11 No debate on questions asked or answers given is permitted.

Division 9 – Petitions and Joint Letters

40. Petitions and Joint Letters

40.1 Subject to sub-Rule 40.3 every petition or joint letter presented to *Council* shall be *written* (other than in pencil), typed or printed, containing the request of the petitioners or signatories, and be signed by at least 12 people.

40.2 Petitions must be lodged by 5.00pm seven (7) clear calendar days before the date of the *Council meeting*.

40.3 *Council* may by resolution accept an electronic petition received via an online website if it is satisfied that the petition is authentic and from a legitimate website.

40.4 A petition or joint letter addressed to *Council* or any member personally which requires a decision of or directions from *Council* must be referred to the *Chief Executive Officer*.

40.5 Notwithstanding sub-Rule 40.4, where a petition or joint letter presented to a *Council meeting* relates to an item of business on the *agenda*, the petition or joint letter may be considered by *Council* as part of its deliberations on the item.

Division 10 – Voting

41. How a Motion is Determined

To determine a motion before a meeting, the *Chair* must first call for those in favour of the motion, then those opposed to the motion and those *abstaining* and must then declare the result to the meeting.

42. Recount

The *Chair* may direct that a vote be recounted to be satisfied of the result.

43. Casting Vote

In the event of a tied vote, the *Chair* must exercise a casting vote.

44. By Show Of Hands

Voting on any matter is by show of hands.

45. Procedure For A Division

- 45.1 At any *Council meeting*, a division may be called by a Councillor immediately after the *Chair* has put any motion, amendment or other question to the vote and has announced the result of that vote.
- 45.2 A division cannot be called once consideration of the next item on the *agenda* has commenced.
- 45.3 The calling of a division has set aside the result of the voting announced by the *Chair*.
- 45.4 The result of a division supersedes the result of the original vote and a Councillor may change their previous vote when a division is called.
- 45.5 When a division has been called, the *Chair* must:
- 45.5.1 ask Councillors voting in the affirmative to stand and announce the names of those Councillors, then
 - 45.5.2 ask for those voting in the negative to stand and announce the names of those Councillors; then
 - 45.5.3 ask for those *abstaining* from voting to stand and announce the names of those Councillors.
- 45.6 The names of Councillors voting in the affirmative and in the negative and Councillors *abstaining* from voting must be recorded in the minutes of the *Council meeting*.
- 45.7 The *Chair* must announce the result of the vote immediately before the division is taken.

46. Record of Vote

- 46.1 Notwithstanding Rule 45, at any *Council meeting* a Councillor may ask that their name be recorded in the minutes of how they voted, immediately after the *Chair* has put any motion, amendment or other question to the vote and has announced the result of that vote.

Division 11 – Minutes**47. Confirmation of Minutes**

- 47.1 At every *Council meeting* the minutes of the preceding meeting(s) must be dealt with as follows:
- 47.1.1 a copy of the minutes must be delivered to each Councillor no later than 48 hours before the meeting;
 - 47.1.2 if no Councillor indicates opposition, the minutes must be declared to be confirmed;
 - 47.1.3 if a Councillor indicates opposition to the minutes:
 - (a) he or she must specify the item(s) to which he or she objects;

- (b) the objected item(s) must be considered separately and in the order in which they appear in the minutes;
- (c) the Councillor objecting must move accordingly without speaking to the motion;
- (d) the motion must be seconded;
- (e) the *Chair* must ask:
"Is the motion opposed?"
- (f) if no Councillor indicates opposition, then the *Chair* must declare the motion carried without discussion and then ask the second of the questions described in sub-Rule 47.1.3(k);
- (g) if a Councillor indicates opposition, then the *Chair* must call on the mover to address the meeting;
- (h) after the mover has addressed the meeting, the seconder may address the meeting;
- (i) after the seconder has addressed the meeting (or after the mover has addressed the meeting if the seconder does not address the meeting), the *Chair* must invite debate by calling on any Councillor who wishes to speak to the motion, providing an opportunity to alternate between those wishing to speak against the motion and those wishing to speak for the motion;
- (j) if, after the mover has addressed the meeting, the *Chair* invites debate and no Councillor speaks to the motion, the *Chair* must put the motion; and
- (k) the *Chair* must, after all objections have been dealt with, ultimately ask:
"The question is that the minutes be confirmed" or
"The question is that the minutes, as amended, be confirmed",
and he or she must put the question to the vote accordingly;

47.1.4 a resolution of *Council* must confirm the minutes and the minutes must, if practicable, be signed by the *Chair* of the meeting at which they have been confirmed;

47.1.5 the minutes must be entered in the *minute book* and each item in the *minute book* must be entered consecutively; and

48. No Debate on Confirmation Of Minutes

No discussion or debate on the confirmation of minutes is permitted except where their accuracy as a record of the proceedings of the meeting to which they relate is questioned.

49. Deferral Of Confirmation Of Minutes

Council may defer the confirmation of minutes until later in the *Council meeting* or until the next meeting if considered appropriate.

50. Form and Availability of Minutes

- 50.1 The *Chief Executive Officer* (or other person authorised by the *Chief Executive Officer* to attend the meeting and to take the minutes of such meeting) must keep minutes of each *Council meeting*, and those minutes must record:
- 50.1.1 the date, place, time and nature of the meeting, the time of its commencement and conclusion and the time of any adjournment and resumption of the meeting;
 - 50.1.2 the names of the Councillors present and the names of any Councillors who apologised in advance for their non-attendance;
 - 50.1.3 the names of the members of Council staff present;
 - 50.1.4 any disclosure of a conflict of interest made by a Councillor, including the explanation given by the Councillor under Chapter 5 and whether, under Chapter 5, the conflict of interest was indicated to be a general conflict of interest or a material conflict of interest;
 - 50.1.5 arrivals and departures (including temporary departures) of Councillors during the course of the meeting;
 - 50.1.6 each motion and amendment moved (including motions and amendments that lapse for the want of a seconder);
 - 50.1.7 the vote cast by each Councillor upon a division (including Councillors *abstaining*);
 - 50.1.8 the vote cast by any Councillor who has requested that their vote be recorded in the minutes as voting in the negative;
 - 50.1.9 a summary of any questions asked in accordance with Rule 39 (public question time) and a summation of the answer given verbally at the meeting;
 - 50.1.10 an indication of any formal submission made verbally pursuant to a statutory right by a community member/visitor;
 - 50.1.11 the failure of a quorum;
 - 50.1.12 any adjournment of the meeting and the reasons for that adjournment; and
 - 50.1.13 the time at which standing orders were suspended and resumed.
- 50.2 The *Chief Executive Officer* or Manager Governance must ensure that the minutes of any *Council meeting* are:
- 50.2.1 published on *Council's* website; and
 - 50.2.2 available for inspection at *Council's* office during normal business hours.
- 50.3 Nothing in sub-Rule 50.2 requires *Council* or the *Chief Executive Officer* to make public any minutes relating to a *Council meeting* or part of a *Council meeting* closed to members of the public in accordance with section 66 of the *Act*.

Division 12 – Behaviour & Public Attendance

51. Public Attendance at Council Meetings

- 51.1 Where Council meetings are held in *Council* buildings, conditions of entry may apply to ensure community safety. The *Chief Executive Officer* may from time to time, erect signage stipulating conditions of entry to *Council* Buildings in accordance with the Community Local Law. Conditions may include sign in requirements and proof of identification.
- 51.2 The *Chief Executive Officer* must ensure that any information gathered which is required under the conditions of entry will be managed in accordance with the Privacy and Data Protection Act 2014 or such other applicable pieces of legislation and related policies.

52. Public Behaviour at a Meeting

- 52.1 A member of the public present at a *Council meeting* must not disrupt the meeting.
- 52.2 Community members/visitors at *Council meetings*:
- 52.2.1 must not interject or take part in the debate; and
- 52.2.2 must preserve silence in the gallery at all times during a *Council meeting*; and
- 52.2.3 must not operate photographic, audio or video recording equipment or any other recording device at any *Council meeting*.
- 52.2.4 must not bring into or attempt to bring into the *Council meeting* any offensive material placed on placards, banners, posters or other signage.
- 52.3 Any member of the public must extend the courtesy and respect to *Council* and the processes under which it operates and must take direction from the *Chair* whenever called on to do so.

53. Chair May Remove

The *Chair* may order and cause the removal of any person, other than a Councillor, who disrupts any meeting or fails to comply with a direction given under sub-Rule 52.3.

It is intended that this power be exercisable by the Chair, without the need for any Council resolution. The Chair may choose to order the removal of a person whose actions immediately threaten the stability of the meeting or wrongly threatens the Chair's authority in chairing the meeting.

54. Chair may adjourn disorderly meeting

If the *Chair* is of the opinion that disorder (including a security matter) at the *Council* table or in the gallery makes it desirable to adjourn the *Council meeting*, the *Chair* may adjourn the meeting to a later time on the same day or to some later day as the *Chair* thinks proper. In that event, the provisions of sub-Rules 15.2 and 15.3 apply.

55. Removal from Chamber

The *Chair*, or *Council* in the case of a suspension, may ask the *Chief Executive Officer*, an authorised officer or a member of the Victoria Police to remove from the Chamber any person who acts in breach of this Chapter and whom the *Chair* has ordered to be removed from the gallery under Rule 53.

Division 13 – Additional Duties of *Chair***56. The *Chair's* Duties and Discretions**

In addition to the duties and discretions provided in this Chapter, the *Chair*:

- 56.1 must not accept any motion, question or statement which is derogatory, or defamatory of any Councillor, member of Council staff, or member of the community; and
- 56.2 must call to order any person who is disruptive or unruly during any meeting.

Division 14 – Suspension of Standing Orders**57. Suspension of Standing Orders**

- 57.1 To expedite the business of a meeting, *Council* may suspend standing orders.

The suspension of standing orders should be used to enable full discussion of any issue without the constraints of formal meeting procedure.

Its purpose is to enable the formalities of meeting procedure to be temporarily disposed of while an issue is discussed.

- 57.2 The suspension of standing orders should not be used purely to dispense with the processes and protocol of the government of *Council*. An appropriate motion would be:
- "That standing orders be suspended to enable discussion on....."
- 57.3 No motion can be accepted by the *Chair* or lawfully be dealt with during any suspension of standing orders.
- 57.4 Once the discussion has taken place and before any motions can be put, the resumption of standing orders will be necessary. An appropriate motion would be:
- "That standing orders be resumed."

Division 15 – Miscellaneous**58. Recording of *Meetings***

- 58.1 In accordance with the Recording of Public *Council Meetings* Policy, the *Chief Executive Officer* (or other persons authorised by the *Chief Executive Officer*) may record on suitable video or audio recording equipment all the proceedings of a *Council meeting*.

Division 16 – Meetings Conducted Remotely

Council is permitted by the Act to hold meetings by electronic means, and a Council meeting will be open to the public if members of the public are able to attend it in person, or if it is broadcasted live on Council's website.

*Where a meeting is conducted remotely, the Rules will be modified in accordance with ~~rule 58~~ **this Division**.*

59. Council meetings conducted remotely

- 59.1 Where a Councillor attends a Council meeting conducted remotely by electronic means of communication, the Councillor must be able to:
- 59.1.1 hear the proceedings of the Council meeting;
 - 59.1.2 see all Councillors and members of Council staff also attending the Council meeting, at least while the Councillor or member of Council staff is speaking;
 - 59.1.3 be seen by all time by all Councillors, members of Council staff and members of the public also attending the Council meeting; and
 - 59.1.4 be heard when they speak.
- 59.2 If the conditions of sub-rule 59.1 cannot be met by one or more Councillors attending a Council meeting conducted remotely by electronic means of communication, whether because of technical difficulties or otherwise, but a quorum is still present, the:
- 59.2.1 Council meeting will proceed; and
 - 59.2.2 Councillor (or Councillors) will be treated as being absent from the Council meeting,
- unless the Council meeting is adjourned in accordance with these Rules.
- 59.3 Nothing in this rule 59 prevents a Councillor from joining (or re-joining) a *Council meeting* conducted remotely by electronic means of communication at the time that they achieve compliance with sub-rule 59.1, even if that *Council meeting* has already commenced or continued in their absence.
- 59.4 The *Chief Executive Officer* must ensure that a *Council meeting* conducted remotely is broadcast live continuously on Council's website.
- 59.5 Nothing in sub-rule 58.4 requires any portion of a *Council meeting* conducted remotely that is closed to the public under section 66(1) of the Act to be broadcast live on Council's website.
- 59.6 If the live broadcast of a *Council meeting* conducted remotely is interrupted for any reason, the *Chief Executive Officer* must immediately inform the *Council meeting* and the *Council meeting* is adjourned and, except for a resolution of Council made under sub-rule 59.6.2, no further business can be conducted until:
- 59.6.1 the live broadcast can be reinstated; or
 - 59.6.2 such later date and time fixed by resolution of *Council*, in which case rule 15 applies.

60. Notification of attendance at Council meetings conducted remotely by electronic means

- 60.1 A Councillor who wishes to attend a *Council meeting* by electronic means of communication must notify the Mayor and/or *Chief Executive Officer* as soon as practicable prior to the meeting. The Mayor and/or *Chief Executive Officer* will notify all Councillors.
- 60.2 Should the Mayor and/or *Chief Executive Officer* receive notice from all Councillors of their wish to attend by electronic means of communication in accordance with sub-rule 60.1, public notice will be provided that the meeting will be held entirely by electronic means of communication and the methods of viewing and participation.

61. Other matters not provided for

Where any of these Rules has not been expressly modified, and requires modification, to operate at a Council meeting conducted remotely, the *Chair* with the cooperation of the meeting, may modify so much of these Rules as is necessary to permit the Council meeting conducted remotely to proceed and to facilitate the more efficient and effective transaction of the business.



City of
KINGSTON

Chapter 3

Meeting Procedure for Delegated Committees

Chapter 3 – Meeting Procedure for Delegated Committees

1. Meeting Procedure Generally

If *Council* establishes a *Delegated Committee*:

- 1.1 all of the provisions of Chapter 2 apply to *meetings* of the *Delegated Committee*; and
- 1.2 any reference in Chapter 2 to:
 - 1.2.1 a *Council meeting* is to be read as a reference to a *Delegated Committee* meeting;
 - 1.2.2 a Councillor is to be read as a reference to a member of the *Delegated Committee*; and
 - 1.2.3 the Mayor is to be read as a reference to the *Chair*^{*} of the *Delegated Committee*.
- 1.3 For the avoidance of doubt, sub-rule 12.2.1 of Chapter 2 of these Rules applies to a *Delegated Committee* in regards to the notice of meeting.

2. Meeting Procedure Can Be Varied

Notwithstanding Rule 1, if *Council* establishes a *Delegated Committee* that is not composed solely of Councillors:

- 2.1 *Council* may; or
- 2.2 the *Delegated Committee* may, with the approval of *Council*

resolve that any or all of the provisions of Chapter 2 are not to apply to a meeting of the *Delegated Committee*, in which case the provision or those provisions will not apply until *Council* resolves, or the *Delegated Committee* with the approval of *Council* resolves, otherwise.

* The Mayor or Council may appoint a Councillor to be the chair of a *Delegated Committee* in accordance with s.19 (1) (a) or s.63 (2) (a) of the *Local Government Act 2020*. If this is enacted, a Councillor appointed by the Mayor or Council as *Chair* is to be read as a reference to the *Chair* of the *Delegated Committee*.



City of
KINGSTON

Chapter 4

Meeting Procedure for Community Asset Committees

Chapter 4 – Meeting Procedure for Community Asset Committees

1. Introduction

In this Chapter, “Instrument of Delegation” means an instrument of delegation made by the *Chief Executive Officer* under section 47(1)(b) of the *Act*.

2. Meeting Procedure

Unless anything in the instrument of delegation provides otherwise, the conduct of a meeting of a *Community Asset Committee* is in the discretion of the *Community Asset Committee*.



City of
KINGSTON

Chapter 5

Disclosure of Conflicts of Interest

Chapter 5 – Disclosure of Conflicts of Interest

1. Introduction

The following Rules in this Chapter apply only upon Division 1A of Part 4 of the *Local Government Act 1989* being repealed.[†]

2. Definition

In this Chapter:

- 2.1 “meeting conducted under the auspices of *Council*” means a meeting of the kind described in section 131(1) of the Act, and includes a meeting referred to in Rule 1 of Chapter 6 (whether such a meeting is known as a ‘Councillor Briefing’ or by some other name); and
- 2.2 a member of a *Delegated Committee* includes a Councillor.

3. Disclosure of a Conflict of Interest at a *Council meeting*

A Councillor who has a conflict of interest in a matter being considered at a *Council meeting* at which the Councillor:

- 3.1 is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the *Council meeting* immediately before the matter is considered, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest; or
- 3.2 intends to be present must disclose that conflict of interest by providing to the *Chief Executive Officer* before the *Council meeting* commences a written notice:
- 3.2.1 advising of the conflict of interest, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest;
- 3.2.2 explaining the nature of the conflict of interest; and
- 3.2.3 detailing, if the nature of the conflict of interest involves a Councillor’s relationship with or a gift from another person, the:
- (a) name of the other person;
 - (b) nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and
 - (c) nature of that other person’s interest in the matter,

and then immediately before the matter is considered at the meeting announcing to those present that he or she has a conflict of interest and that a written notice has been given to the *Chief Executive Officer* under this sub-Rule.

The Councillor must, in either event, leave the *Council meeting* immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

[†] At the time of making these Rules the date on which Division 1A of Part 4 of the *Local Government Act 1989* is expected to be repealed is 24 October 2020.

4. Disclosure of Conflict of Interest at a Delegated Committee Meeting

A member of a *Delegated Committee* who has a conflict of interest in a matter being considered at a *Delegated Committee* meeting at which he or she:

- 4.1 is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the *Delegated Committee* meeting immediately before the matter is considered, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest; or
- 4.2 intends to be present must disclose that conflict of interest by providing to the *Chief Executive Officer* before the *Delegated Committee* meeting commences a written notice:
 - 4.2.1 advising of the conflict of interest, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest;
 - 4.2.2 explaining the nature of the conflict of interest; and
 - 4.2.3 detailing, if the nature of the conflict of interest involves a member of a *Delegated Committee*'s relationship with or a gift from another person the:
 - (a) name of the other person;
 - (b) nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and
 - 4.2.4 nature of that other person's interest in the matter,

and then immediately before the matter is considered at the meeting announcing to those present that he or she has a conflict of interest and that a written notice has been given to the *Chief Executive Officer* under this sub-Rule.

The member of a *Delegated Committee* must, in either event, leave the *Delegated Committee* meeting immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

5. Disclosure of a Conflict of Interest at a Community Asset Committee Meeting

A Councillor who has a conflict of interest in a matter being considered at a *Community Asset Committee* meeting at which the Councillor:

- 5.1 is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the *Community Asset Committee* meeting immediately before the matter is considered, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest; or
- 5.2 intends to be present must disclose that conflict of interest by providing to the *Chief Executive Officer* before the *Community Asset Committee* meeting commences a written notice:
 - 5.2.1 advising of the conflict of interest, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest;
 - 5.2.2 explaining the nature of the conflict of interest; and

5.2.3 detailing, if the nature of the conflict of interest involves a member of a Councillor's relationship with or a gift from another person the:

- (a) name of the other person;
- (b) nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and

5.2.4 nature of that other person's interest in the matter,

and then immediately before the matter is considered at the meeting announcing to those present that he or she has a conflict of interest and that a written notice has been given to the *Chief Executive Officer* under this sub-Rule.

The Councillor must, in either event, leave the *Committee Asset Committee* meeting immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

6. Disclosure at a Meeting Conducted Under the Auspices of Council

A Councillor who has a conflict of interest in a matter being considered by a meeting held under the auspices of *Council* at which the Councillor is present must:

- 6.1 disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the meeting immediately before the matter is considered, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest;
- 6.2 absent himself or herself from any discussion of the matter; and
- 6.3 as soon as practicable after the meeting concludes provide to the *Chief Executive Officer* a written notice recording that the disclosure was made and accurately summarising the explanation given to those present at the meeting, or have the disclosure recorded in the minutes or notes of the meeting.

7. Disclosure by Members of Council Staff Preparing Reports for Meetings

7.1 A member of Council staff who, in their capacity as a member of Council staff, has a conflict of interest in a matter in respect of which the member of staff is preparing or contributing to the preparation of a Report for the consideration of a:

- 7.1.1 *Council meeting*;
- 7.1.2 *Delegated Committee* meeting;
- 7.1.3 *Community Asset Committee* meeting

must, immediately upon becoming aware of the conflict of interest, provide a written notice to the *Chief Executive Officer* disclosing the conflict of interest, explaining the nature of the conflict of interest and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest.

7.2 The *Chief Executive Officer* must ensure that the Report referred to in sub-Rule 7.1 records the fact that a member of Council staff disclosed a conflict of interest in the subject-matter of the Report.

7.3 If the member of Council staff referred to in sub-Rule 7.1 is the *Chief Executive Officer*:

- 7.3.1 the written notice referred to in sub-Rule 7.1 must be given to the *Mayor*; and
- 7.3.2 the obligation imposed by sub-Rule 7.2 may be discharged by any other member of Council staff responsible for the preparation of the Report.

8. Disclosure of Conflict of Interest by Members of Council Staff in the Exercise of Delegated Power

- 8.1 A member of Council staff who has a conflict of interest in a matter requiring a decision to be made by the member of Council staff as delegate must, immediately upon becoming aware of the conflict of interest, provide a written notice to the *Chief Executive Officer* explaining the nature of the conflict of interest.
- 8.2 If the member of Council staff referred to in sub-Rule 8.1 is the *Chief Executive Officer* the written notice must be given to the *Mayor*.

9. Disclosure by a Member of Council Staff in the Exercise of a Statutory Function

- 9.1 A member of Council staff who has a conflict of interest in a matter requiring a statutory function to be performed under an Act by the member of Council staff must, upon becoming aware of the conflict of interest, immediately provide a written notice to the *Chief Executive Officer* explaining the nature of the conflict of interest, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest.
- 9.2 If the member of Council staff referred to in sub-Rule 9.1 is the *Chief Executive Officer* the written notice must be given to the *Mayor*.

10. Conflict of Interest Exemptions

- 10.1 The following exemptions are in accordance with section 129 of the Act, and apply to all disclosures of conflict of interest and all relevant persons outlined in this Chapter.
- 10.2 A conflict of interest does not arise if any of the following applies:
 - 10.2.1 the conflict of interest is so remote or insignificant that it could not be reasonably regarded as capable of influencing the actions or decisions of the relevant person in relation to the matter;
 - 10.2.2 the interest that would give rise to a conflict of interest is held in common with a substantial proportion of the residents, ratepayers or electors of the *municipal district* and does not exceed the interest held by the other residents, ratepayers or electors;
 - 10.2.3 the relevant person does not know the circumstances that give rise to the conflict of interest, and could not be reasonably expected to know those circumstances;
 - 10.2.4 the interest only arises because the relevant person is the representative of the *Council* on a not-for-profit organisation that has an interest in the matter and the relevant person receives no personal advantage from the not-for-profit organisation;
 - 10.2.5 the interest only arises because a family member of the relevant person is a member but not an office-holder of a not-for-profit organisation;
 - 10.2.6 the interest only arises because the relevant person is a member of a not-for-profit organisation that has expressed an opinion or advocated for an outcome in regard to the matter;

10.2.7 the interest arises in relation to a decision by a Councillor on a matter or in a circumstance that is prescribed to be exempt by the regulations made under the *Act*.

11. Retention of Written Notices

The *Chief Executive Officer* must retain all written notices received under this Chapter for a period of three years.



City of
KINGSTON

Chapter 6

Miscellaneous

Chapter 6 – Miscellaneous

1. Informal Meetings of Councillors

1.1 If there is a meeting of Councillors that:

- 1.1.1 is scheduled or planned for the purpose of discussing the business of *Council* or briefing Councillors; and
- 1.1.2 is attended by at least 6 Councillors; and
- 1.1.3 is attended by at least one member of Council staff; and
- 1.1.4 is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting;

or

If there is a meeting of a Councillor or Councillors that is subject to the Planning Interactions Policy;

the *Chief Executive Officer* must ensure that a summary of the matters discussed at the meeting are:

- (a) tabled at the next convenient *Council meeting*; and
- (b) recorded in the minutes of that *Council meeting*.

2. Confidential Information

- 2.1 If, after the repeal of section 77(2)(c) of the *Local Government Act 1989*, the *Chief Executive Officer* is of the opinion that information relating to a meeting is confidential information within the meaning of the *Act*, the *Chief Executive Officer* may designate the information as confidential and advise Councillors and/or members of Council staff in writing accordingly.
- 2.2 Information which has been designated by the *Chief Executive Officer* as confidential information within the meaning of the *Act*, and in respect of which advice has been given to Councillors and/or members of Council staff in writing accordingly, will be presumed to be confidential information.



City of
KINGSTON

Chapter 7

The Common Seal

Chapter 7 – The Common Seal

1. The Common Seal and Sealing Clause

- 1.1 The common seal may be used only on the authority of *Council* and a person must not use it without that authority.
- 1.2 The *Chief Executive Officer* must keep the common seal in safe custody.
- 1.3 The form of the common seal and sealing clause is to be as detailed in Rule 2 below or to like effect.
- 1.4 Every document to which the common seal is affixed must be signed by 1 Councillor and the *Chief Executive Officer*, unless sub Rule 1.5 applies.
- 1.5 *Council* may delegate to the *Chief Executive Officer* the authority to affix the *common seal* to any group or class of documents and in such cases the document only requires the signature of the *Chief Executive Officer* to attest the affixing of the *common seal*.

2. Form of Common Seal

Unless *Council* resolves otherwise, the form of the common seal will be as follows:

The **Common Seal** of the Kingston City Council was hereunto affixed in the presence of:

..... **Councillor**

An image of the
Common Seal
appears here

..... **Chief Executive Officer**



City of
KINGSTON

Chapter 8

Election Period Policy

Election Period Policy

Contents

1. Purpose of the Policy	46
2. Scope	47
3. Definitions	47
4. Responsible Executive	47
5. Policy owner	47
6. Related Documents	47
7. Delegation Authority	47
8. Policy Statement	47
9. Policy Details	48
10. Decision Guidelines	57
11. Transition/Translation arrangements	58
12. Review	58

VERSION NO / APPROVAL / DATE	Version 1 – Adopted by Council 25 June 2005 Version 2 – Adopted by Council 24 September 2015 Version 3 - Adopted by Council 22 February 2016 Version 4 – Adopted by Council 25 May 2020
TRIM REF:	20/69765
REVIEW	Policy to be reviewed by June 2023
RESPONSIBLE EXECUTIVE	General Manager Corporate Services
POLICY OWNER	Manager Governance

1. Purpose of the Policy

The period preceding elections is defined in the Local Government Act 2020 (the Act) as the 'Election Period'. Section 69 of the Act requires Council to develop, adopt and keep an Election Period Policy and to be included in Council's Governance Rules. The purpose of the Election Period Policy (the Policy) is to ensure that the business of local government in the City of Kingston continues throughout an election period in a responsible and transparent manner. This policy prescribes actions and procedures the organisation will implement in observance of statutory requirements and established election period conventions in the interests of a fair election generally, during the election period. This Policy builds on the minimum statutory standards to enhance the accountability of the Council, Councillors and Council staff during the election period.

2. Scope

The Policy applies to Councillors and Council staff during an election period prior to a General Election and by-election.

The election period for 2020 commences at 12.00pm on 22 September 2020 and ceases at 6.00pm on 24 October 2020.

3. Definitions

Where terms used in this policy are defined in the Act, their use in this policy is consistent with the definitions set out in the Act.

4. Responsible Executive

General Manager Corporate Services

5. Policy owner

Manager Governance

6. Related Documents

Council Expenses Policy

Ward Councillor Meetings Policy

Local Government Victoria Governance Practice Note No. 5 dated 9 March 2012

Local Government Act 2020 (Vic)

Councillor Code of Conduct

7. Delegation Authority

N/A

8. Policy Statement

During the election period the business of Council continues, and ordinary matters of administration still need to be addressed. The policy establishes a series of election period practices which aim to ensure that actions of the current Council do not bind an incoming Council and limit its freedom of action.

This policy covers:

- Prohibited decisions that are made by the Council during the election period;
- Scheduling consideration and announcement of Prohibited decisions;
- Significant decisions;
- Use of the Council's resources including material published by Council
- Access to information
- Council's online presence including social media
- Media
- Attendance and participation at Council organised activities and events
- Public Consultation during the election period.
- Proceedings of Councillor Conduct Panels

9. Policy Details

9.1. Roles and Responsibilities

9.1.1. Responsibility of Councillors

Councillors should be mindful of their responsibilities in relation to improper use of position as outlined in the Act. Sections 123 and 124 of the Act* prohibit Councillors from misusing or inappropriately making use of their position. A breach of section 123 attracts serious penalties including possible imprisonment. Section 123 in relation to the election period ensures a fair election is held where council resources are not used for campaigning by sitting Councillors to increase advantage over other candidates or to influence voters.

*sections 76D and 76E of the *Local Government Act 1989* until repeal date on 24 October 2020.

9.1.2 Role of the Chief Executive Officer

The Chief Executive Officer will ensure, as far as possible, that all Councillors and Officers are informed of the application of this policy at least 30 days prior to the commencement of the election period. The Chief Executive Officer will issue guidelines to staff on their responsibilities in respect to the implementation of this Policy.

9.2. Policy Decisions during the Election Period

Some decision making is impacted during the election period for a general election.

Specifically, Prohibited Decisions cannot be made during this period.

The Chief Executive Officer will ensure, as far as possible, that matters of Council business requiring what would otherwise be prohibited decisions are scheduled for Council to enable resolution prior to the commencement of the election period or deferred where appropriate for determination by the incoming Council.

9.3. Prohibited Decisions

Prohibited decisions are specified in section 69(2) of the Act, and decisions made in contravention of this section during the election period are invalid.

Further information about whether a decision falls within the list below is available by speaking with the Manager Governance.

Prohibited decisions include decisions under section 69(2)(d) of the Act - decisions which Council considers should not be made during the election period.

This policy nominates significant decisions as decisions which Council considers should not generally be made. These are decisions which:

- significantly affect the municipality; or
- unreasonably bind the incoming Council.

In the case of a decision that significantly affects the municipality or unreasonably binds the incoming Council, a number of factors will need to be considered including:

- The urgency of the issue (that is, can it wait until after the election);
- The possibility of financial and/or legal repercussion if it is deferred;
- Whether the decision is likely to be controversial; and
- The best interests of Council

Examples include decisions concerning community grants and direct funding to community organisations, major planning and development decisions and changes to the strategic objectives or strategies in the Council Plan.

The following table illustrates what will constitute Prohibited Decisions.

Proposed Council Decision	Is it allowed?	Source
Employment or remuneration of a Chief Executive Officer under section 45, other than a decision to appoint an acting Chief Executive Officer	No *	This is prohibited by s69(2)(a) of the Act
Committing the Council to expenditure exceeding 1% of the Council's income from general rates, municipal charges and service rates and charges in the preceding financial	No *	This is prohibited by s69(2)(b) of the Act

year (estimated at \$1.42M for 2018/19)		
A decision which Council considers could be reasonably deferred until the next Council is in place	No.	This is prohibited by s69(2)(c) of the Act
Significant decisions, being decisions that significantly affect the municipality or unreasonably bind the incoming Council (such as decisions community grants and direct funding to community organisations, major planning and development decisions and changes to the strategic objectives or strategies in the Council Plan)	Generally, No.	This is prohibited by s69(2)(d) of the Act
A decision that would enable the use of Council's resources in a way that is intended to influence, or is likely to influence, voting at an election.	No	This is prohibited by s69(3) of the Act

- * In accordance with s69 of the Act, any person who suffers any loss or damage as a result of acting in good faith on a Council decision that is a matter under this proposed policy decision is entitled to compensation from the Council for that loss or damage.

9.4. Public Consultation during the election period

Public consultation" means a process that involves an invitation or invitations to individuals, groups or organisations, or the community generally, to comment on an issue or proposed action or proposed policy and includes discussion of that matter with the public.

- Public consultation may be undertaken during the election period to facilitate the day to day business of Council, however, consultation on any contentious or politically sensitive matter will not commence, or continue to occur, during the election period

- The above does not apply to public consultation required pursuant to the Planning and Environment Act 1987

All public consultation that is likely to run into the election period must have prior approval from the Manager Governance. Where approved, the results will not be reported to the Council until after the election period, unless the CEO decides otherwise.

9.5. Council Events

Council organised events and functions held during the election period will only be those essential to the everyday operation of the Council. This may be varied by a Council resolution or where prior approval has been given by the Chief Executive Officer. Where events do occur, Councillors should be advised that they are representing the Council and should not use the opportunity for electioneering.

9.6. Council Publications during the election period

Section 304 of the Act imposes limitations on Council publications. This is to ensure that Council does not publish electoral material with public funds that may influence, or be seen to influence, voting in an election.

9.6.1. S304 Prohibition on publishing materials during the election period

It is prohibited for a Councillor or a member of Council staff to use Council resources:

- (a) To print, publish or distribute; or
- (b) To cause, permit or authorise to be printed, published or distributed on behalf of, or purporting to be on behalf of Council;

any electoral material, unless the electoral material only contains information about the election process or is otherwise with, or under, any Act or regulation.

Failing to comply with this clause carries an offence of up to 60 penalty units (\$9,913.20 in the 2018/2019 financial year) under section 304 of the Act.

Best practice is for Council to avoid all publication activity during the election period except where essential for the conduct of Council operations. Where printing, publishing or distributing any material during the election period, certification from a panel consisting of General Manager Corporate Services, Manager Governance and Manager Communications & Community Relations is required for all publications. Publication should be read broadly to include electronic information and web-based productions.

Certification may be required prior to the election period if the material is to be distributed during the election period.

The procedure for certifying publications is:

Process:

All publications are sent to Communications and Community Relations (including job advertisements that are normally sent to People Support);

- General Manager Corporate Services, Manager Governance and Manager Communications & Community Relations are responsible to check that no election material is present unless it is factual election process information.
- Governance is responsible for maintaining the record of certification and certified documents.

Councillors are however, able to publish campaign material on their own behalf, but cannot purport for that material to be originating from, or authorised by, Council or the City of Kingston (e.g. By use of Council logos or official City of Kingston Councillor photos). The controls do not cover newspaper advertisements which simply announce the holding of a meeting or the election process itself.

9.6.2 Kingston City Council online presence including social media

Council has a number of social media sites including several Twitter feeds and Facebook pages (Kingston City Council site is the main corporate site; there are also separate pages for Kingston Arts, Libraries, Leisure Centres, Kingston Business and Youth which are managed by the relevant Council departments). Council's Communications and Community Relations department monitors Kingston City Council's corporate Facebook site and Twitter feeds between the hours of 9.00am and 5.30pm on weekdays (excluding public holidays). Any publication on social media sites like Facebook, Twitter and blog sites, which are auspiced by Council, will be subject to the certification process outlined in clause 9.5.1. Council auspiced social media must not be used for election campaigning.

The ability for members of the public to post comments on Council's social media sites such as Facebook and Twitter will continue during the election period, but will be monitored (during business hours, afterhours and weekends) by the Governance and Communications and Community Relations teams, who will have the editing access to remove any material posted by the public that is:

- a) content posted by a candidate irrespective of content
- b) content that makes reference to a candidate, or
- c) the 2020 election – unless it is a query about the election process itself.

At the start of the election period information on Council's website (or any other Council communication platforms) about Councillors who are candidates will be restricted to name, ward and contact details. Any new material published on council's website during the election period must be subject to the certification process in clause 9.5.1. Council agendas

and minutes of meetings do not require certification if published in the usual way on the website. Any references to the election will only relate to the election process.

9.6.3. Council Publications

Any Council publication which is potentially affected by this policy will be subject to the certification process in clause 9.5.1 to ensure that any circulated, displayed or otherwise publicly available material during the election period does not contain material that may be construed as “electoral matter”.

Council will review its brochures and pamphlets in Customer Service Centres and remove any which might contain electoral matter prior to the election period.

Any references to Councillors in Council publications printed, published or distributed during the election period must not include promotional text.

a. Kingston Your City (KYC)

Edition(s) of KYC published during the election period will contain only general information pertaining to the election process. It will not contain any photograph of a candidate or Councillor, or any statement by a candidate or Councillor. Articles will minimise references to specific Councillors and will not identify any Councillor in a manner that could promote a Councillor as an election candidate. The “Ward Columns” section will not appear in this edition(s).

b. Email

Emails that are part of the normal conduct of Council business should not require certification. However, emails with multiple addressees, used for broad communication with the community, should at all times be arranged via the Communications Team. These will be sent via MailChimp (or similar) and should be subject to the certification process.

c. Correspondence

Mass mail outs or identical letters sent to a large number of people by or on behalf of Council must be subject to the certification process.

Council staff should not prepare Councillors’ private mail or electoral correspondence and such material must not be printed on Council stationery or using Council equipment.

d. Title of Councillor

Councillors may use the title “Councillor” in their election material, as they continue to hold that position during the election period. To avoid confusion, Councillors should be advised to ensure that any election publication using the title “Councillor” clearly indicates that it is their own material and does not represent Council.

e. Events

Material printed or disseminated during the election period to publicise a function or event must be subject to the certification process. Function or events for the purpose of electioneering must not be resourced or publicised by Council.

f. Photo boards

Public photo boards containing photographs of current Councillors on display at Council premises will be removed during the election period.

g. Annual Report

Council is statutorily required to produce an Annual Report which may occur during the election period. This publication is not considered an 'advertisement, handbill, pamphlet or notice' and does not require certification.

The annual report must not include material that is electioneering or that publicises the attributes or achievements of individual Councillors.

A summary version of the annual report is regarded as a pamphlet and must be subject to the certification process in clause 9.5.1.

In an election year, the Mayor must present the annual report at a Council meeting on a day not later than the day before election day, in accordance with section 100 of the Act.

A text version is lodged with the Minister of Local Government as soon as practicable after the end of the financial year.

Printed copies of the text version of the Annual Report will only be distributed upon request until the expiration of the election period.

9.7. Council Resources

It is prohibited under the Act for a Councillor or member of Council staff to use resources in a way that is intended to, or likely to influence the result of an election. Failing to comply with this clause carries an offence of up to 60 penalty units (\$9,913.20 in the 2018/2019 financial year) under section 304 of the Act.

Council will ensure that due propriety is observed in the use of all Council resources, and Council staff are required to exercise appropriate discretion in that regard. Council staff should avoid assisting Councillors in ways that could create a perception that they are being used for electoral purposes. In any circumstances where the use of Council resources might be construed as being related to a candidate's election campaign, advice will be sought from the General Manager Corporate Services, Manager Governance and Manager Communications & Community Relations.

9.7.1. Council Resources

Council resources (including offices, staff, hospitality services, equipment, computer, tablet PC, all media material including photos and official Council social media accounts, stationery and mayoral vehicle) should be used exclusively for normal Council business during the

election period by Councillors and Council staff and shall not be used in connection with an election campaign.

It should be noted that the prohibition on the use of Council resources for electoral purposes is not restricted to the election period.

9.7.2. Support to the Mayor, Deputy Mayor and Councillors

No member of Council staff, including the Executive Assistant to the Mayor, will be asked to undertake tasks connected directly or indirectly with a Councillor's election campaign.

9.7.3. Expenses Incurred by Councillors

Reimbursement of Councillor expenses incurred during the election period should only apply to costs incurred in the performance of normal Council duties, in accordance with the Council Expenses Policy. It is not for campaigning and for expenses that could be perceived as supporting or being in connection with a candidate's election campaign.

9.7.4. Mobile phones

Mobile phone costs associated with electioneering will not be paid by Council. Councillors will be required to provide a signed declaration prior to Council paying mobile phone bills that relate to mobile phone calls made during the election period. All calls in relation to election campaigning are of a private nature, not incurred in undertaking normal Council business, and will not be reimbursed.

Councillors with their own private mobile phones may continue to seek reimbursement of telephone expenses incurred in undertaking Council business related calls. Councillors will be required to declare that those expenses were incurred in undertaking normal Council business.

9.7.5. Travel and Accommodation

During the election period Councillors shall not participate in any interstate or overseas travel in their capacity as a Councillor. In circumstances where it is imperative that the Mayor (or nominee) represent Council on a delegation or forum, Council may by resolution approve such attendance. If consideration by Council is impractical the Chief Executive Officer may determine the issue.

9.8. Ward matters

Ward meetings will not be held within six months before an election.

9.9. Media and media services

Council's media services (though the Communications and Community Relations team) are intended to promote Council activity or initiatives and must not be used in any way that might favour a candidate.

9.9.1. Media Advice

Any requests for media advice or assistance from Councillors during the election period will be channelled through the Chief Executive Officer. No media advice or assistance will be provided in relation to election issues or in regard to publicity that involves a Councillor or Councillors.

9.9.2. Media releases/spokespersons

Media releases will not refer to a Councillor or Councillors. Where it is necessary to identify a spokesperson in relation to an issue, the Chief Executive Officer will determine the appropriate person.

9.9.3. Publicity campaigns

During the election period, publicity campaigns, other than for the purpose of conducting the election will be avoided where possible. Where a publicity campaign is deemed necessary for a Council activity, it must be approved by the Chief Executive Officer. In any event, Council publicity during the election period will be restricted to communicating normal Council activities and initiatives.

9.9.4. Council Branding and Logos

No Council logos, letterheads, or other corporate branding will be used for, or linked to, a candidate's election campaign.

9.9.5. Councillors

Councillors will not use their position as elected representatives or their access to Council staff and other Council resources to gain media attention in support of an election campaign.

9.9.6. Speeches

Any publication or distribution of Councillors' speeches by the Council must be subject to the certification process as prescribed at clause 9.5.1. Council staff and resources should not be used to prepare or publish speeches that contain electoral matter.

9.9.7. Council employees

During the election period no Council employee may make any public statement that relates to an election issue, unless approved in advance by the Chief Executive Officer.

9.10. Information

Councillors shall continue to receive information necessary to fulfil their existing role as a Councillor during the election period.

Neither Councillors nor candidates will receive information or advice from Council staff that might be perceived to support election campaigns and there shall be complete transparency in the provision of all information and advice during the election period. Information and briefing material prepared by staff/ contractor conducting elections on behalf of Council during the

election period will only relate to factual matters or to existing Council services. Such information will not relate to policy development, new projects or matters that are the subject of public or election debate or might be perceived to be connected with a candidate's election campaign.

No other information other than what would normally be made available to any member of the general public upon request is to be provided to a Councillor

No information other than what would normally be made available to any member of the general public upon request is to be provided to a candidate who is not a Councillor.

9.10.1. Information Request Register

All election process related enquires from candidates, whether sitting Councillors or not, will be directed to the Returning Officer or where the matter is outside the responsibilities of the Returning Officer, to the Manager Governance.

An Information Request Register will be maintained by the Governance department during the Election Period. This Register will be a public document that records all requests relating to electoral matters and non-routine requests for information by Councillors and candidates, and the response given to those requests.

9.10.2. Equal Accessibility to Information for Candidates

To ensure all candidates have equal access to information held by Council during the election, where a request for information is granted by the Governance Department as recorded in the Information Request Register (see 9.9.1) it will be made publicly available on Council's website for all candidates and the public to access.

9.11. By- Elections

The content of this policy shall be observed during any by-election, except that:

- a Clauses 9.2 and 9.3 (which restrict Council decision making) shall not apply;
- b Provisions of relevance to the municipality as a whole shall be limited in application to the ward of the subject by-election.

For the avoidance of doubt, it is prohibited during a by-election for any Council decision-making, Councillor or member of Council staff to use Council resources in a way that -

- a is intended to; or
- b is likely to -

affect voting or the result of an election.

10. Decision Guidelines

None.

11. Transition/Translation arrangements

Not applicable.

12. Review

Policy to be reviewed by June 2023.

Project Report

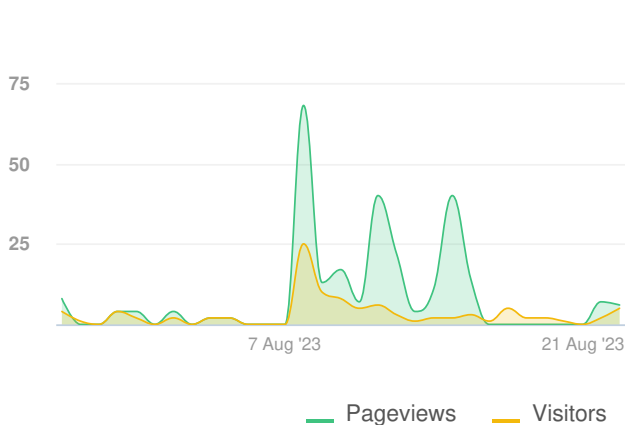
01 July 2023 - 24 August 2023

Your Kingston Your Say

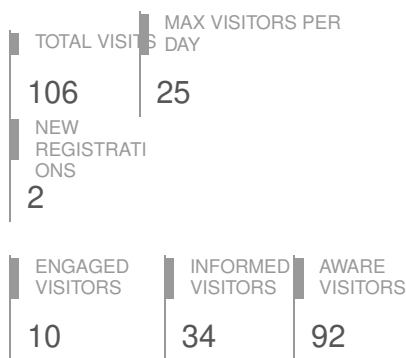
Council Meeting Governance Rules - proposed amendments 2023



Visitors Summary

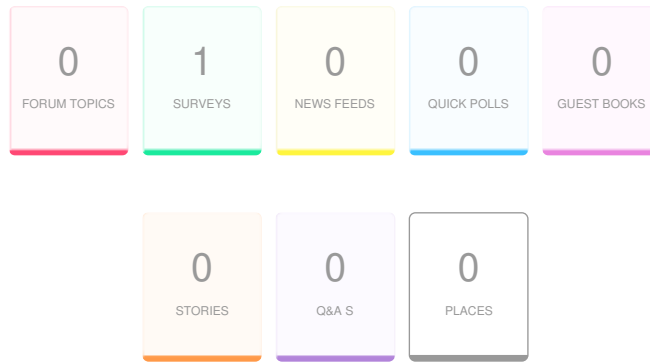


Highlights



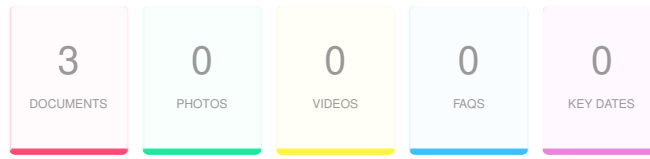
Aware Participants	92	Engaged Participants	10		
Aware Actions Performed	Participants	Engaged Actions Performed	Registered	Unverified	Anonymous
Visited a Project or Tool Page	92				
Informed Participants	34	Contributed on Forums	0	0	0
Informed Actions Performed	Participants	Participated in Surveys	10	0	0
Viewed a video	0	Contributed to Newsfeeds	0	0	0
Viewed a photo	0	Participated in Quick Polls	0	0	0
Downloaded a document	16	Posted on Guestbooks	0	0	0
Visited the Key Dates page	0	Contributed to Stories	0	0	0
Visited an FAQ list Page	0	Asked Questions	0	0	0
Visited Instagram Page	0	Placed Pins on Places	0	0	0
Visited Multiple Project Pages	21	Contributed to Ideas	0	0	0
Contributed to a tool (engaged)	10				

ENGAGEMENT TOOLS SUMMARY



Tool Type	Engagement Tool Name	Tool Status	Visitors	Contributors		
				Registered	Unverified	Anonymous
Survey Tool	Review proposed amendments	Archived	21	10	0	0

INFORMATION WIDGET SUMMARY



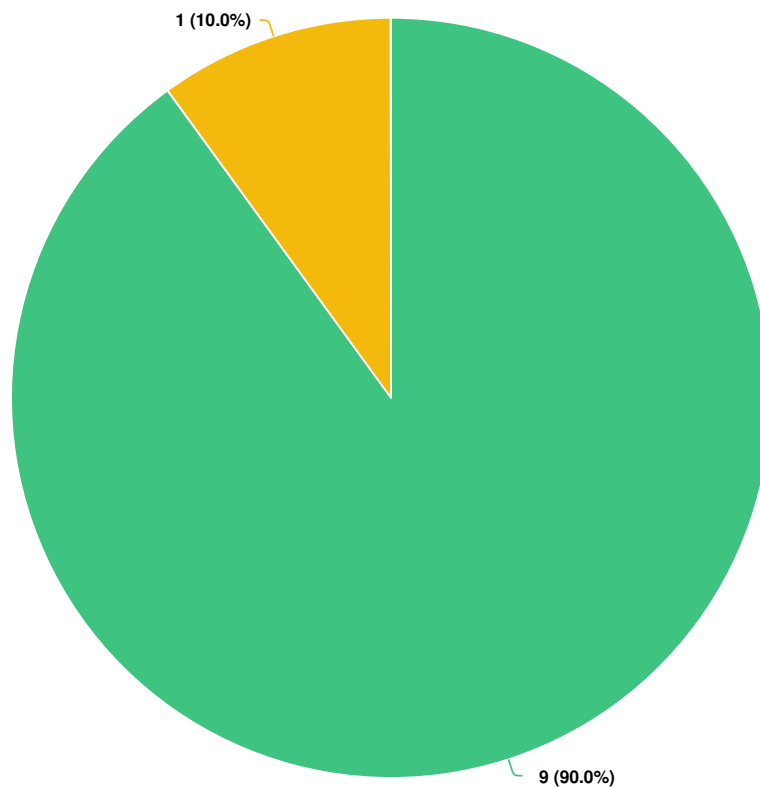
Widget Type	Engagement Tool Name	Visitors	Views/Downloads
Document	Governance Rules 2023 amendments	8	9
Document	Draft Governance Rules July 2023	7	8
Document	Governance Rules amendments table	5	6

ENGAGEMENT TOOL: SURVEY TOOL

Review proposed amendments

Visitors 21	Contributors 10	CONTRIBUTIONS 10
--------------------	------------------------	-------------------------

It is proposed to allow Councillors to make one statement on a particular matter of importance to the municipality or to a ward, such as acknowledgment of community groups and community members, advocacy on behalf of ward constituents and statement...



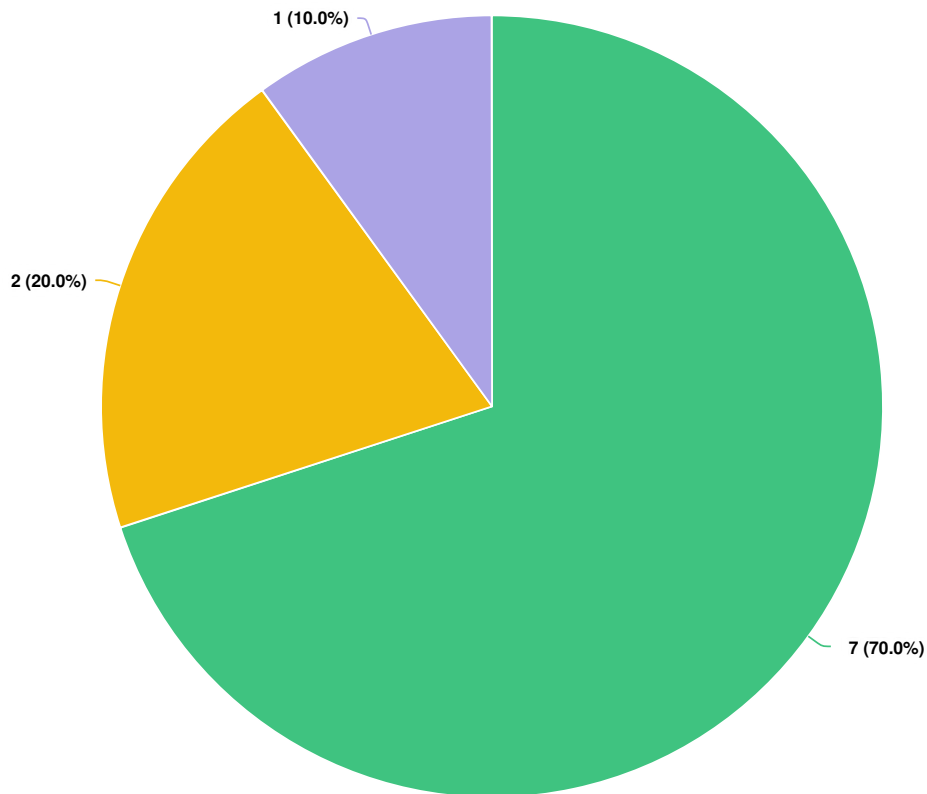
Question options

- Yes
- Somewhat

Optional question (10 response(s), 0 skipped)

Question type: Radio Button Question

It is proposed to allow the Chief Executive Officer to reject a submitted notice of motion which is defamatory, vague or unclear in intention or objectionable in language or nature. (A notice of motion is a matter proposed by a Councillor to be tab...



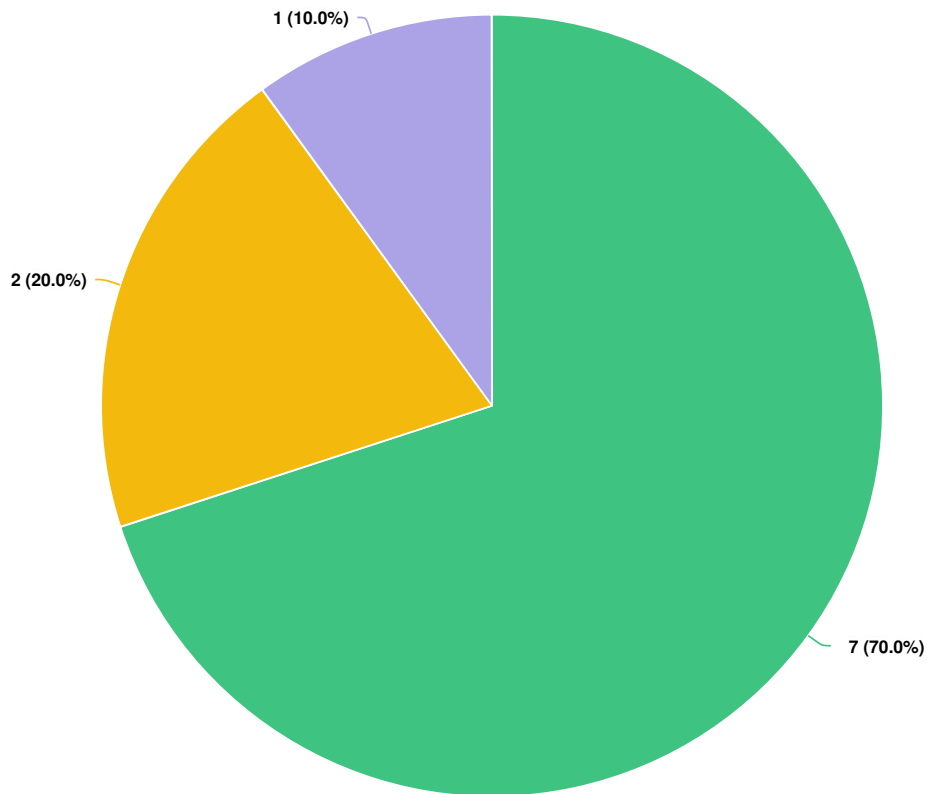
Question options

- Yes
- No
- Somewhat

Optional question (10 response(s), 0 skipped)

Question type: Radio Button Question

It is proposed to change the deadline submission of hard copy public questions to 3pm on the day of the Council meeting to align with the deadline for online public questions. The current deadline for hard copy public submissions is 7.30pm. Do you S...



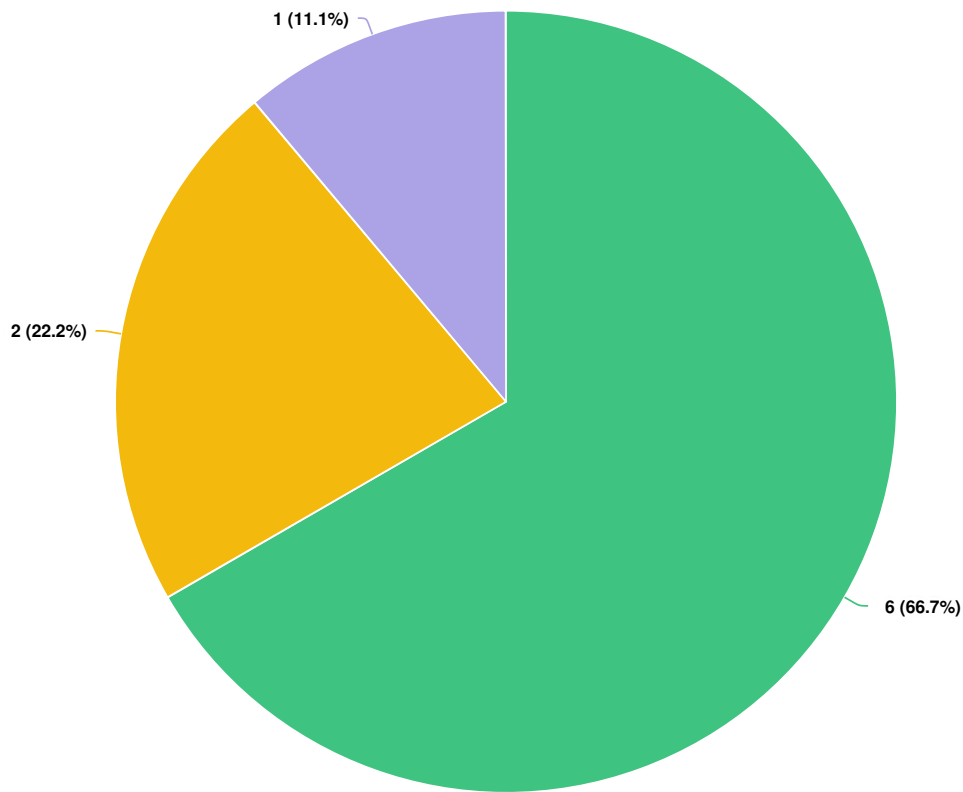
Question options

- Yes
- No
- Somewhat

Optional question (10 response(s), 0 skipped)

Question type: Radio Button Question

It is proposed to require the person's full name as well as their address or email in order for a response to be provided for their submitted public question. Do you support this inclusion into the Governance Rules?



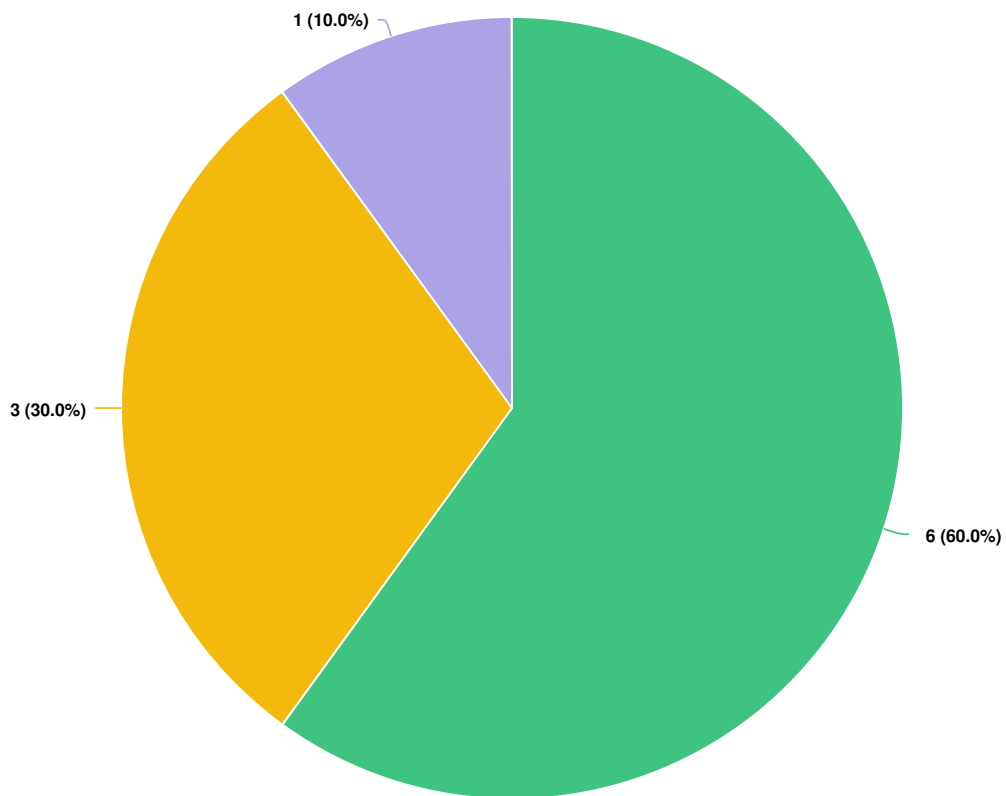
Question options

- Yes
- No
- Somewhat

Optional question (9 response(s), 1 skipped)

Question type: Radio Button Question

It is proposed to prohibit a question from being read out and an answer provided to a public question if the question is repetitive of a question, matter, issue or principle already answered (whether at that meeting or an earlier one)Do you support...



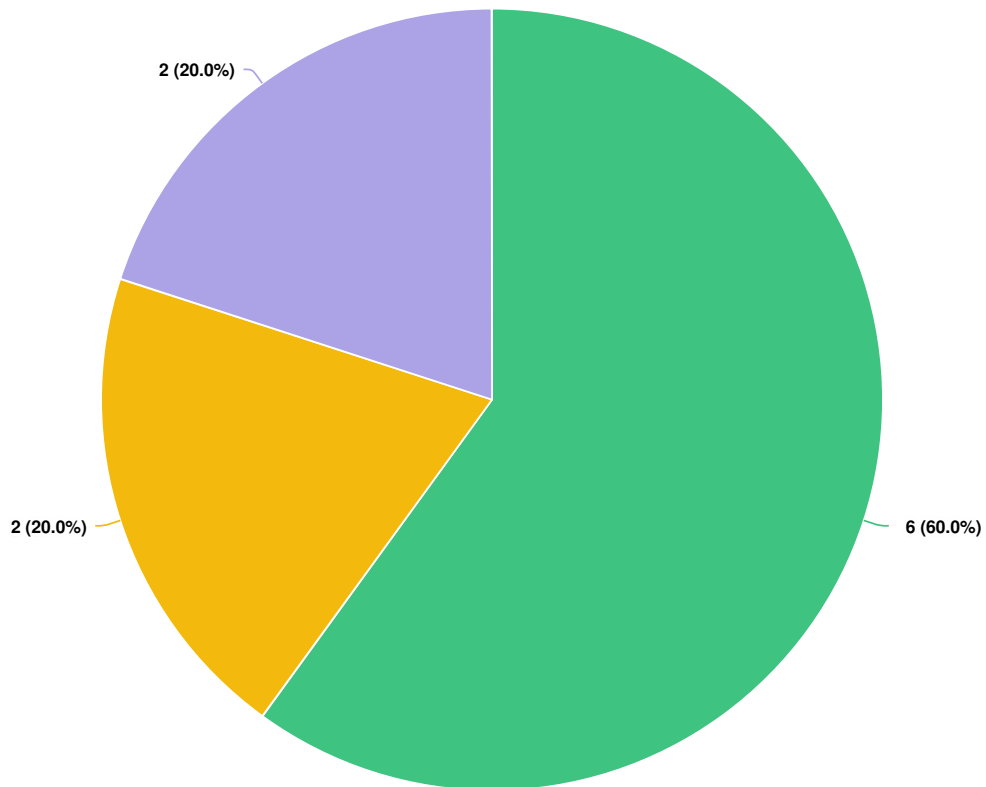
Question options

- Yes
- No
- Somewhat

Optional question (10 response(s), 0 skipped)

Question type: Radio Button Question

It is proposed to allow the Chief Executive Officer to erect signage stipulating conditions of entry to Council meetings (when they are held in Council buildings) in accordance with the Community Local Law. Conditions of entry may include sign in r...



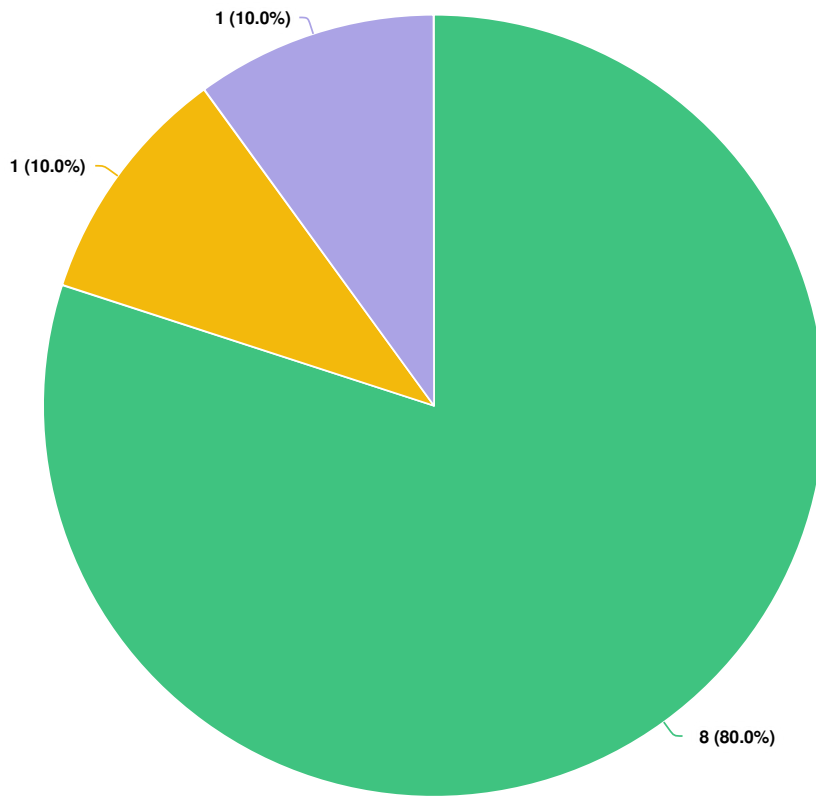
Question options

- Yes
- No
- Somewhat

Optional question (10 response(s), 0 skipped)

Question type: Radio Button Question

It is proposed to prohibit community members bringing into Council meetings any offensive material placed on placards, banners, posters or other signage. Do you support this inclusion into the Governance Rules?



Question options

- Yes
- No
- Somewhat

Optional question (10 response(s), 0 skipped)

Question type: Radio Button Question

Ordinary Council Meeting

25 September 2023

Agenda Item No: 11.5

KINGSTON PERFORMANCE REPORT, QUARTER FOUR, APRIL TO JUNE 2023

**Contact Officer: Annette Forde, Senior Corporate Planning and Performance
Officer**

Mozma Tate, Team Leader Corporate Performance

Purpose of Report

To provide an update of the performance of Council against Our Roadmap: Kingston Council Plan 2021-25, noting the status of the Annual Action Plan actions Year Two, Quarter Four (April to June 2023).

Disclosure of Officer / Contractor Conflict of Interest

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

RECOMMENDATION

That Council note the status and commentary of the actions and strategic indicators for Quarter Four (April to June 2023).

1. Executive Summary

The purpose of this report is to highlight Council's achievements and performance relating the implementation of Our Roadmap: Kingston Council Plan 2021–2025.

Throughout the 2022–23 financial year Council has made significant progress through the implementation of the Council Plan 2021-25 Year Two Annual Action Plan actions and monitoring of its four-year Council Plan Strategic Indicators.

Of the 145 Year Two Annual Action Plan actions:

- 87% (125 actions) are 100% completed.
- 13% (19 actions) are in progress and will continue as part of operational deliverables for those respective departments. It should be noted that this excludes one action which was previously closed in early 2022, due to a change in service priorities.

Of the 66 (four year) Council Plan 2021-25 Strategic Indicators:

- 56% represent high confidence levels, tracking at 100% or beyond target.
- 12% represent high confidence level but are slightly outside the target.
- 14% represent low confidence due to not meeting the target at present.
- 11 indicators (17%) are trend indicators, and therefore do not have a target. Additionally, one indicator ('Council's financial sustainability risk measured against the Victorian Auditor-General's Office financial sustainability indicators') is no longer reported on as data for this measure is no longer available.

Appendix One details the progress of the Annual Action Plan actions and Appendix Two details progress of the 4-year Council Plan Strategic Indicators.

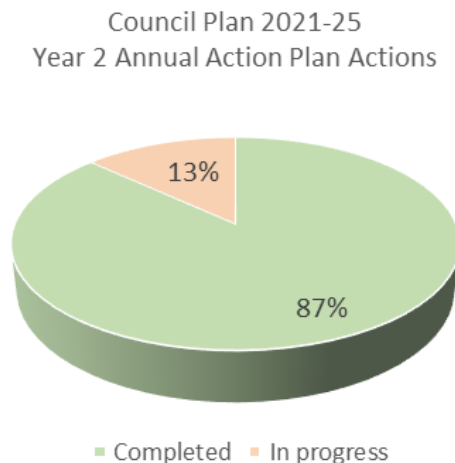
2. Background

The Council Plan 2021-25 Year Two Annual Action Plan actions outlines how the City of Kingston will work towards the achievement of its Vision and Council Plan through key actions which include Major Initiatives, Initiatives, Council Strategies or Plans and/or Executive Leadership Priorities.

The Annual Action Plan (including the adopted Council Plan Strategic Indicators) forms the basis of the legislated Quarterly Performance Reports (Kingston Performance Report), noting that the Council Plan Strategic Indicators are only required to be legislatively reported on for the first six months of the financial year and at year end.

3. Discussion

3.1 Performance Summary - Council Plan Actions:



125 Council Plan actions (87%) are 100% complete. A total of 19 actions (13%), remain 'In Progress' and will continue to remain a priority for completion as part of operational deliverables for respective departments. It should be noted that this excludes one action which was closed in early 2022, due to a change in service priorities.

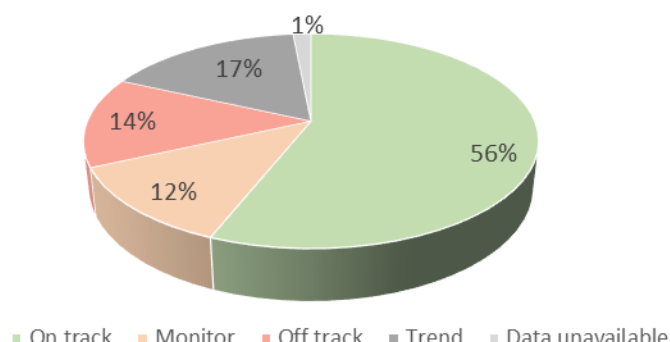
Key Achievements

Key achievements for quarter four (April to June 2023) are shown in Table One below.

Strategic Direction	Key Achievements
Strategic Direction: Liveable	<ul style="list-style-type: none"> • Held community consultation on concept designs for the new District Level Aquatic Facility. • Commenced construction of the GR Bricker Pavilion. • Shortlisted potential heritage sites as part of the Kingston Heritage Review.
Strategic Direction: Sustainable	<ul style="list-style-type: none"> • Planted over 4,200 trees, in line with Council's resolution to increase tree canopy cover by at least 1%. • Worked with Melbourne Water to refine the 1 in 100-year flood modelling to include climate change guidance. • Purchased two electric mowers to reduce greenhouse emissions.
Strategic Direction: Prosperous	<ul style="list-style-type: none"> • Completed the Parkdale (Chandler Street) and Clarinda (Centre Road) Shopping Centre Enhancement Projects. • Supported Parkdale traders and businesses who are impacted by the Parkdale Level Crossing Removal works. • Implemented the Parklet program. Ten businesses accessed the program in 2022–23.
Strategic Direction: Healthy and Inclusive	<ul style="list-style-type: none"> • Worked towards improving men's mental health including screening the Happy Sad Man film at the Westall Hub and online, in partnership with other councils. • Celebrated Reconciliation Week at Kingston Libraries in May with First Nation stories, authors and illustrators featured at storytimes. • Constructed two new netball courts and renewed six tennis courts at Roy Dore Reserve. • Developed and distributed easy to understand printed materials for key projects including hard waste, planning scheme amendment and a simplified rates brochure.
Strategic Direction: Safe	<ul style="list-style-type: none"> • Completed construction of the Mentone Life Saving Club. • Completed the Park and Stride and Parking Around Our School programs for 2022-23. • Launched Binston the new Kingston Waste App with positive community reaction and over 1,400 registrations in the first month.
Strategic Direction: Well-Governed	<ul style="list-style-type: none"> • Received funding in the May 2023 Victorian Budget for projects we have advocated for including \$1 million for Kingston Fields planning, \$750,000 for Station Street/McLeod Road and \$75,000 for playgrounds. • Launched Kingston's new Intranet and KING Knowledge bank to support our customers and staff.

3.2 Performance Summary - Strategic Indicators:

Council Plan Strategic Indicators 2022-23, Q4



As per the requirements of the *Local Government Act 2020*, Council is required to develop a suite of 4-year strategic indicators for monitoring the achievement of the strategic objectives outlined in the Council Plan.

The City of Kingston has a total of 66 Council Plan Strategic Indicators, as of 30 June 2023 (Appendix Two):

●	37 indicators (56%) represent high confidence levels, tracking at 100% or beyond target.
●	8 indicators (12%) represent high confidence but are slightly outside the target.
●	9 indicators (14%) represent lower confidence due to not meeting the target at present.
●	11 indicators (17%) are trend indicators, and therefore do not have a target. Additionally, one indicator ('Council's financial sustainability risk measured against the Victorian Auditor-General's Office financial sustainability indicators') is no longer reported on as data for this measure is no longer available.

The nine off track indicators are shown below:

Council Plan Strategic Indicator	Target	Actual	Commentary
Si 13. Percentage reduction in corporate greenhouse emissions	25%	-7.20%	There was a 7.2% increase in emissions compared to the previous year due to Council facilities and services returning to full operation following COVID-19 lockdowns. However, there has been a successful 68% reduction in net emissions compared to our 2018–19 baseline year, mainly due to the Power Purchase Agreement and Green Energy contract coming into effect for Council buildings. Specifically, in 2018-19 emissions were 17,765 tonnes of carbon dioxide equivalent (tCO ₂ e). In 2019-20 emissions were reduced

**City of Kingston
Ordinary Council Meeting**

Agenda

25 September 2023

Council Plan Strategic Indicator	Target	Actual	Commentary
			to 15,139 tCO ₂ e attributable to converting streetlights to LED and additional energy efficiency measures. In 2020-21 emissions were reduced to 12,750 tCO ₂ e due to Council's investment in rooftop solar panels and the effect of COVID-19 lockdowns. In 2021-22 net emissions were reduced to 5,247 tCO ₂ e. In 2022-23 net emissions increased by 7.2% (based on preliminary data for quarter four) to 5,625 tCO ₂ e due to Council facilities and services returning to full operation, including more staff working from the office, following COVID-19 lockdowns.
Si 14. Number of Gardens for Wildlife assessments of residential gardens	120	65	During the year, 65 Gardens for Wildlife assessments of residential gardens were completed. We identified that some residents lacked time for a garden visit and were reluctant for a Council officer to visit their garden. To minimise this barrier, we held four native wildlife events at Kingston Libraries and commenced making Kingston's two indigenous plant nurseries Gardens for Wildlife Hubs where residents can visit and receive gardening information and plants to start their wildlife garden.
Si 19. Number of Electric Vehicle charging stations introduced into Kingston	1	0	Whilst no new public Electric Vehicle (EV) charging stations have been introduced into Kingston, Council's next EV charger is due to be installed in late 2023 in Mordialloc.
Si 39. Number of hours provided by the home maintenance and modifications service	11,000	7,133	Our home maintenance service is receiving fewer referrals, while the home modification service referrals have increased, with a combined total of 7,133 referrals for 2022-23.
Si 41. Hours of domestic, personal and social support care delivered	142,800	106,783	We have delivered 106,783 hours of domestic, personal and social support care. This is below target due to shortages of support workers and a lack of referrals for personal care, respite and individual social support with the majority of referrals generally for domestic care, this is because older people are moving straight onto a Home Care Package and by-passing CHSP. The 22,000 hours below target was offset by an increase in home care package hours.

Council Plan Strategic Indicator	Target	Actual	Commentary
Si 49. Percentage of Kingston website pages that are Web Content Accessibility Guidelines (WCAG) 2.1 - AA standard accessible	80%	70%	Kingston website pages continue to meet Content Accessibility Guidelines (WCAG) 2.2 – AA standard accessibility. There is a consistent level of accessibility across all Kingston websites. Further improvements are underway, with changes and improvements being undertaken.
Si 51. Satisfaction with the condition of local streets and footpaths	66	58	This rating is sourced from the annual Local Government Community Satisfaction Survey, conducted by an independent research company.
Si 59. Percentage of Freedom of Information requests completed on time	100%	88%	There were 55 Freedom of Information (FOI) requests dealt with during 2022-23. 12% (5) were completed outside time guidelines due to the complex nature of the request. Twelve requests were fulfilled outside the FOI Act, demonstrating transparency of Council process.
Si 61. Satisfaction with Council decisions (in the interest of the community)	60	55	While the 2023 Community Satisfaction Survey results have dropped by 6 points compared to last year, the City of Kingston continues to work hard to make decisions in the best interest of our community. We remain in-line with the metropolitan average and 4 points higher than the state average. This rating is sourced from the annual Community Satisfaction Survey conducted by an independent research company on behalf of the Victoria Government.

4. Consultation

4.1 Internal Consultation

Comments and results were provided by Council departments and reviewed by the Executive Leadership Team.

4.2 Community Consultation

The Annual Action Plan 2022-23 was developed in collaboration with departments and informed by community engagement findings from *Your Kingston Your Future* and the *Liveability Study*.

5. Compliance Checklist

5.1 Council Plan Alignment

Strategic Direction: Well-governed - Council will be collaborative, accountable, transparent, responsive, well-informed and efficient.

Strategy: Hold ourselves to the highest standard of governance and integrity.

5.2 Governance Principles Alignment

Principle (i) - the transparency of Council decisions, actions and information is to be ensured.


5.3 Financial Considerations


There are no financial considerations.

5.4 Risk Considerations

There are no risk considerations.

Appendices

Appendix 1 - Kingston Quarterly Performance Report 2022-23, April-June 2023 - Year Two Annual Action Plan Actions (Ref 23/108354)  [↓](#)

Appendix 2 - Kingston Quarterly Performance Report 2022-23, April-June 2023 - Four-Year Strategic Indicators (Ref 23/224578)  [↓](#)

Author/s: Annette Forde, Senior Corporate Planning and Performance Officer

Mozma Tate, Team Leader Corporate Performance

Reviewed and Approved By: Mozma Tate, Team Leader Corporate Performance

Dan Hogan, General Manager Customer and Corporate Support

11.5

KINGSTON PERFORMANCE REPORT, QUARTER FOUR, APRIL TO JUNE 2023

- 1 Kingston Quarterly Performance Report 2022-23, April-June
2023 - Year Two Annual Action Plan Actions..... 511
- 2 Kingston Quarterly Performance Report 2022-23, April-June
2023 - Four-Year Strategic Indicators 541

Kingston Performance Report 2022–23

Our Roadmap: Council Plan 2021–25
Year Two Annual Action Plan Actions

April–June 2023



community inspired leadership







Kingston Performance Report 2022-23

Our Roadmap: Council Plan 2021-25 Year Two Annual Action Plan Actions
April-June 2023

Strategic Direction: Liveable

Strategic Objective: 1.1 Our city will be a vibrant, enjoyable, and easy place to live

Strategy: 1.1.1 Provide accessible, quality public open spaces for passive and active recreation

ACTION	DEPARTMENT	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
REMAINING ACTION from 2019-20: 1.2.2.13 Prepare a Structure Plan for the Chelsea Activity Centre	City Strategy	The preparation of a Structure Plan for the Chelsea Activity Centre has been significantly delayed due to level crossing work and COVID-19. A revised brief has been prepared to account for the progression of significant projects within the area, notably level crossing work, and provided to the consultant. It is estimated that the project will be completed within eight months.	100%	65%	 In Progress
1. Partner with the Hawthorn Football Club to develop a community use agreement for the AFLW and Community Oval and Pavilion at the Kennedy Community Centre in Dingley (Remaining action from 2021-22)	Active Kingston	The Funding and Community Use Agreement was endorsed by Council and has been signed by both the Hawthorn Football Club and Council, to partner in a 30-year community access agreement for the use of the Community Oval and Pavilion, which will deliver a significant boost for local community sport. Council will contribute \$5 million towards the facility, which is required to provide at least 20 hours per week for community use, with Hawthorn responsible for the ongoing maintenance and upkeep.	100%	100%	 Completed
2. Deliver GR Bricker Reserve Master Plan improvements (Remaining action from 2021-22) (Major Initiative)	Active Kingston	The contract for GR Bricker Pavilion was awarded at a Council Meeting in October 2022, and site work has commenced.	100%	100%	 Completed
3. Construct the new regional accessible playground at Peter Scullin Reserve, Mordialloc (Major Initiative)	Active Kingston	The regional accessible playground at Peter Scullin Reserve is under construction with the main elements nearing completion. This playground will provide a multitude of fun and interactive activities for a range of ages and abilities including nature play, water play, musical sounds, electronic interactive games, pirate ships, five-way swing, sensory artwork, fishing rods and an all-abilities trampoline and at-ground carousel.	100%	90%	 In Progress
4. Advocate for external funding to implement the Bonbeach Master Plan	Active Kingston	Council's advocacy activities leading to the 2022 State Government election, in relation to the implementation of the Bonbeach Master Plan, have been completed. A future advocacy position with this matter has not yet been determined by Council.	100%	100%	 Completed
5. Advocate for external funding to implement the Le Page Park Master Plan	Active Kingston	Council's advocacy activities leading to the 2022 State Government election, in relation to the implementation of the Le Page Park Master Plan, have been completed. A future advocacy position with this matter has not yet been determined by Council.	100%	100%	 Completed

6. Advocate for external funding to implement the Namajira Master Plan	Active Kingston	Council's advocacy activities leading to the 2022 State Government election, in relation to the Namajira Master Plan, have been completed. A future advocacy position with this matter has not yet been determined by Council.	100%	100%	Completed
7. Open the Tarella Road Reserve	Open Space	The Tarella Road Reserve was opened to the public in August 2022. Bunurong Land Council has been contacted to begin the process of naming the reserve. An official opening will be held once the name has been decided.	100%	100%	Completed
8. Finalise the draft Open Space Strategy (Initiative)	Open Space	The draft Open Space Strategy has been completed and will be presented to Council in August 2023 for endorsement to proceed to public consultation.	100%	100%	Completed

Strategy: 1.1.2 Invest in high-quality community assets

ACTION	DEPARTMENT	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
REMAINING ACTION from 2017-21: 1.3.3.10 Acquire the land 2-8 Balcombe Rd Mentone from VicRoads to develop open space	Property Services	Acquisition of the land 2-8 Balcombe Road Mentone from VicRoads, to develop an open space continues. Council had a joint meeting with Maddocks Solicitors. The outcome was for Maddocks and Council to search their files for delays in the execution of the contract. A future report will be presented to Councillors on options.	100%	20%	In Progress
9. Develop a business case and concept designs for community consultation for the new District Level Aquatic Facility	Active Kingston	The business case and concept designs for community consultation for the new District Level Aquatic Facility was endorsed by Council in April 2023 and the draft concept designs endorsed for community consultation during July 2023. This marks our fifth engagement period for this significant community infrastructure project. In addition, throughout June 2023 there was a very strong response to design quick polls, receiving 4,620 submissions.	100%	100%	Completed
10. Work to reach agreement on the Kindergarten Infrastructure Service Plan and Buildings Blocks Partnership Agreement, to secure funding contributions to expand kindergarten infrastructure	Family, Youth & Children's Services	The Kindergarten Infrastructure plan has been finalised and is available on Council's website. This work is likely to be reviewed and updated for the State Government's roll out of the 'Pre-Prep' initiative. Conversations continue between the Victorian School Building Authority and officers regarding the Building Blocks Partnership Agreement for Kingston's early years infrastructure priorities.	100%	100%	Completed
11. Commence construction of the Dingley Souter Reserve Pavilion (Major Initiative)	Project Management Office	Construction of the Dingley Souter Reserve Pavilion commenced in September 2022.	100%	100%	Completed
12. Commence construction of the Regents Park Reserve Pavilion (Major Initiative)	Project Management Office	The contract for the Regents Park Reserve Pavilion was awarded at a Council Meeting in October 2022 and site work has commenced.	100%	100%	Completed

13. Commence construction of the GR Bricker Pavilion	Project Management Office	The contract for GR Bricker Pavilion was awarded at a Council Meeting on the 17th October 2022, and site work has commenced.	100%	100%	Completed
---	---------------------------	--	------	------	-----------

Strategy: 1.1.3 Manage movement around the city, including traffic and parking, to make community activities accessible

ACTION	DEPARTMENT	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
14. Identify signage requirements through the Wayfinding Strategy to inform future installations	Open Space	Community consultation for the draft Wayfinding Strategy has been completed and the Strategy endorsed by Council in July 2023.	100%	100%	Completed


Strategy: 1.1.4 Plan for changes in the population and the community's housing needs

ACTION	DEPARTMENT	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
15. Complete a Planning Scheme Amendment to implement the Housing Strategy and Neighbourhood Character Guidelines	City Strategy	A Planning Panel considered Planning Scheme C203 during March/April and the Panel Report has been received and publicly released. A report will be provided to Council in August 2023 to consider the Planning Panel's recommendations and Amendment.	100%	95%	In Progress







Strategy: 1.1.5 Preserve and enhance Kingston's character and heritage

ACTION	DEPARTMENT	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
REMAINING ACTION from 2021-22 26. Review and update the Kingston Heritage Study – Complete review of heritage community nominations	City Strategy	The review of sites nominated by the community as being of potential heritage significance has been completed. A report will be presented to Council in August 2023.	100%	100%	Completed
16. Shortlist sites for the purposes of preparing a Planning Scheme Amendment as part of the Kingston Heritage Study	City Strategy	Potential heritage sites have been shortlisted, as part of the Kingston Heritage Review, which will be presented to Council in August 2023.	100%	100%	Completed
17. Consider any changes required to the Kingston Planning Scheme to implement the Moorabbin West Urban Design Framework	City Strategy	Council officers continue to seek market feedback on the ability to implement the Moorabbin West Urban Design Framework in the absence of its inclusion within the planning scheme. A Planning Scheme Review, which also contemplates the need for the Urban Design Framework, is to be included within the planning scheme.	100%	100%	Completed

Strategy: 1.1.6 Support the development of affordable housing options, including social and community housing

ACTION	DEPARTMENT	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
18. Implement the Social and Affordable Housing Strategy – Continue to explore opportunities with Private Developers, on Key Government Sites and provide support to the Homes for Homes initiative	City Strategy	<p>Council has written to Homes Victoria to explore the delivery of social and affordable housing at identified Victorian Government sites and Department of Families, Fairness and Housing land suitable for redevelopment.</p> <p>Council has also supported and promoted the Homes for Home program through:</p> <ol style="list-style-type: none"> including a note on all planning permits issued for multi-dwelling developments advising of the program discussions and information for permit applicants at the pre-application stage placing information on Kingston's website. <p>Council has recently met with National Affordable Housing to discuss affordable housing prospects.</p>	100%	100%	 Completed

Strategy: 1.1.7 Foster a thriving and innovative arts and culture scene, which is both diverse and inclusive

ACTION	DEPARTMENT	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
REMAINING ACTION from 2021-22 30. Install Indigenous artwork at Mentone Life Saving Club	Arts, Events & Libraries	The installation of indigenous artwork at Mentone Life Saving Club has been developed and is scheduled to be installed by the end of August 2023.	100%	100%	 Completed
19. Plan and deliver a returned MordifFest event following two years of cancellations due to COVID-19 restrictions (Initiative)	Arts, Events & Libraries	MordifFest was successfully delivered on Saturday 4 and Sunday 5 March 2023. Across two days, almost 40,000 attendees enjoyed food and drinks from 30 food and beverage vendors while appreciating 65 hours of music from 50 performers, across four stages.	100%	100%	 Completed
20. Review and update the Public Art Policy (Remaining action from 2021-22) (Initiative)	Arts, Events & Libraries	The Public Art Policy has been reviewed and updated and is due to Council for endorsement in July 2023.	100%	100%	 Completed
21. Project manage and install a range of public artworks in line with the Public Art Strategy and Public Art Policy	Arts, Events & Libraries	Council project managed and installed five public artworks in 2022-23, including the Follett Road community public art project, Raindrops and Sunbeams sculpture, the Art Pass Reimagined mural, the Butterfly Renewal and the Monarchs mural, and the Kingston Heath Reserve mural in collaboration with the Suburban Rail Loop Authority.	100%	100%	 Completed
22. Develop Live at City Hall live music programming showcasing outstanding live entertainment, a mix of local original music, touring bands and high-profile tribute acts year-round	Arts, Events & Libraries	Alongside five other councils, Council participated in the Urban Canvas Festival which saw the commissioning of five murals in the municipality. The updated Public Art Policy and Public Art Strategic Placement Plan are due to Council for endorsement in July 2023.	100%	100%	 Completed
	Arts, Events & Libraries	The Live at City Hall music program concept has been developed, branded, and established. It is now an ongoing program as part of our broader performing arts programming for Kingston Arts.	100%	100%	 Completed

Strategic Direction: Sustainable

Strategic Objective: 2.1 We prioritise our environment and reduce our impact on the earth

Strategy: 2.1.1 Recognise climate change and actively address our climate and ecological emergency

ACTION	DEPARTMENT	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
23. Finalise the draft Integrated Water Cycle Strategy and present to Council for adoption (Initiative)	City Strategy	The Integrated Water Cycle Strategy was adopted at the November 2022 Council Meeting. This strategy outlines the vision and steps needed to become a water-sensitive city by 2040.	100%	100%	Completed
24. Finalise the draft Urban Forest Strategy and present to Council for adoption (Initiative)	City Strategy	The Urban Forest Strategy is being finalised and due to be presented to Council for adoption in September 2023. Increased time was allowed for additional community feedback to be collated, considered and responded to.	100%	95%	In Progress
25. Undertake street and park tree planting in line with Council's resolution to increase tree canopy cover by at least 1%	Open Space	Council surpassed its target to plant 4,000 trees in the 2022 calendar year, guided by the Council resolution to increase tree canopy cover by 1%. A total of 4,200 trees were planted which will have a significant impact on canopy cover in the years to come.	100%	100%	Completed
26. Update submission to Melbourne Water to refine 1 in 100 year flood modelling to include climate change guidance and incorporate the changes from the industry guideline ARR2019	Infrastructure	Council has been working with Melbourne Water to provide flood modelling data for the entire municipality. This includes climate change scenarios. All actions and updates planned for the 2022-23 financial year have been completed.	100%	100%	Completed

Strategy: 2.1.2 Consider environmental sustainability in all Council decisions

ACTION	DEPARTMENT	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
27. Install solar panels and batteries at Council's first carbon neutral building in Bonbeach (Initiative)	City Strategy	Work commenced on Council's first carbon neutral building with the completion of the required upgrade of the meter board and the design for housing the batteries. The tender for the solar panels and batteries will be released in August 2023, with installation due by December 2023.	100%	50%	In Progress
28. Identify and implement opportunities to create a more sustainable Council vehicle fleet	Procurement & Contracts	Three fully electric passenger vehicles and one plug-in hybrid passenger vehicle have been introduced into Council's fleet. Two more fully electric passenger vehicles are currently on order, with two electric utilities and two electric van orders to be placed shortly, with delivery currently anticipated in 2023, due to availability and supply chain issues. The electricity used for the operation of these vehicles is 100% renewable. It is sourced through Council's Power Purchase Agreement with Alinta Energy from the Bald Hills Wind Farm in Gippsland.	100%	100%	Completed

29. Investigate environmental performance of current high-volume suppliers and research availability of more sustainable alternatives	Family, Youth & Children's Services	An assessment of current suppliers has been completed. Research into the availability of more sustainable alternatives will be undertaken in 2023-24.	100%	100%	● Completed
30. Undertake a review of the Procurement Policy to ensure that environmental sustainability, Kingston businesses and local employment are adequately considered in all Council procurement decisions	Procurement & Contracts	Section 10.4.1 of Council's new Procurement Policy came into effect in December 2021. It details minimum criteria weighting for mandated consideration of Environmental Sustainability (including circular economy) and community benefit (including local economy, economic sustainability, and social procurement) for all procurement of goods, services or works of value equal to or greater than \$100,000 (ex GST). A 'first year' review of the Procurement Policy will include consideration of the success of these mandated criteria and the tools offered, to ensure that these factors continue to be adequately considered.	100%	100%	● Completed

Strategy: 2.1.3 Protect and enhance our foreshore, marine environment, waterways and wetlands

ACTION	DEPARTMENT	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
31. Ensure foreshore infrastructure is effectively maintained and upgraded as required (Major Initiative)	Open Space	Foreshore infrastructure has been effectively maintained and upgraded as required. A range of maintenance and reactive works were carried out by Kingston's Bushland & Foreshore team and the Reserve Response team including timber fencing upgrades in Mordialloc and dune fencing upgrades and repairs in Parkdale.	100%	100%	● Completed
32. Investigate opportunities to improve public access and connectivity along the coastline, while recognising and protecting culturally and environmentally sensitive areas	Open Space	Parkdale Yacht Club beach access improvements are to be re-tendered as two separate projects, namely the DDA access ramp and car park. A design consultant has been appointed for the Carrum boardwalk extension.	100%	100%	● Completed
33. Further improve the management of stormwater both in relation to sediment control and litter entering Port Phillip Bay	City Strategy	Improvement in the management of stormwater both in relation to sediment control and litter has commenced. A key priority is to install large, sophisticated Gross Pollutant Traps (GPTs) to collect litter from Mordialloc shopping centre prior to flowing into the creek. The design documentation is nearly complete and is scheduled to be tendered in July 2023 for installation by February 2024. There have been some minor delays due to: (i) Department of Transport & Planning approval for test excavations near Nepean Hwy, (ii) Design changes recommended by external specialist consultants undertaking the reviews, and (iii) Avoiding construction within the shopping centre during the busy Christmas trading period.	100%	60%	● In Progress

2.1.4 Protect and enhance the Green Wedge and progress the delivery of the Chain of Parks

ACTION	DEPARTMENT	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
34. Continue to work in partnership with the State Government to design and deliver the Chain of Parks Project	Active Kingston	The State Government has acquired 118 hectares of land, including 11 properties in 2022-23 of 86 hectares, under Public Acquisition Overlay (PAO) in the Kingston Green Wedge identified as part of the Chain of Parks. The Chain of Parks is on Bunurong country and will stretch from Karkarook Park to Braeside Park. Turning these properties into parklands will take several years and Council will continue to work with the State Government on future land management requirements and responsibilities.	100%	100%	● Completed

35. Complete construction of the Elder Street South Reserve Master Plan (Major Initiative)	Open Space	Works associated with the Elder Street South Reserve Master Plan commenced in April 2023. The majority of demolition and earthworks are completed, with 80% of hard landscaping rock work in the nature play area and earthworks and spoil removal in the carpark area also complete. Construction is anticipated to be completed in late September 2023, subject to favourable weather conditions.	100%	70%	● In Progress
36. Implement the Kingston Green Wedge Management Plan in line with the updated policy guidance from the Department of Environment, Land, Water and Planning (Remaining action from 2021-22)	City Strategy	A final draft of Council's Green Wedge Management Plan was presented to Council in November 2021. Consideration of the report was deferred pending the release of strategic work currently being undertaken by the Department of Transport and Planning (DTP) for all Green Wedge areas. DTP has not yet released their strategic work and planning reforms for all Green Wedge areas, and advice indicates this could be 8 months away. In light that the timeframe provided by DTP has passed, officers have commenced work on the Kingston Green Wedge Management Plan Review. It is anticipated that a report will be presented to Council in August 2023. Once adopted, implementation of the Plan can commence. A planning scheme amendment to implement the recommendations of the Plan will take approximately 12 months, and this is included in the Council Plan Year Three Annual Action Plan 2023-2024.	100%	80%	● In Progress

Strategy: 2.1.5 Build sustainable transport options to reduce congestion and pollution

ACTION	DEPARTMENT	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
37. Finalise site feasibility and consultation to implement new Electric Vehicle charging locations in line with the regional roadmap completed by the South East Council's Climate Change Alliance (SECCCA)	City Strategy	Planning has commenced to implement new Electric Vehicle charging locations in line with the regional roadmap, with consideration being given to the appropriate delivery model for Kingston. This will be the subject of a policy which is scheduled to be presented to Council during Quarter Three of the 2023-24 year. This report will build on the learnings of the deployment of Electric Vehicle charge infrastructure into Chelsea and Mordialloc as part of trial projects that Council has completed.	100%	50%	● In Progress
38. Advocate to the State Government on opportunities to expand the existing bus network and provide for better integrated public transport outcomes where Level Crossing Removal Projects occur	City Strategy	Council officers are considering opportunities to achieve better integrated public transport outcomes as part of the Mordialloc / Aspendale Level Crossing Removal Project. The recent Mordialloc Bypass work has reduced the traffic volume on Boundary Road, so officers are considering a potential opportunity to increase bus services.	100%	100%	● Completed

Strategy: 2.1.6 Enable choice of movement across our city

ACTION	DEPARTMENT	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
39. Finalise the Walking and Cycling Plan to set the program of works for future years (Initiative)	Infrastructure	A draft Walking and Cycling Plan was presented to Council in February 2023, with community consultation completed in May 2023. A report, including a delivery program, will be presented to Council in 2023 for adoption.	100%	95%	● In Progress
40. Promote opportunities to encourage greater community take up of e-bikes as an alternative mode of transport	City Strategy	Due to the focus on the electric vehicle charger in Mordialloc, there has been a slight delay in specific promotion of e-bikes. However, with the appointment of a new Sustainable Transport Officer from July 2023, this project will progress. Council does continue to promote cycling (including other sustainable transport modes) at Council events.	100%	70%	● In Progress

Strategy: 2.1.7 Actively promote the use of emerging technologies to influence a more sustainable built environment

ACTION	DEPARTMENT	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
41. Continue to provide information and support to older residents to change to more efficient energy providers and products	AccessCare	Material was developed for older residents to assist them in understanding more efficient energy options available to them. Case managers have been trained on these options, so they can support their clients to make informed choices. Council will continue to provide this support as part of our existing programs.	100%	100%	Completed
42. Continue to explore technology advances to support Council's transition to fully electric plant and equipment	Open Space	Two electric mowers were purchased to reduce greenhouse emissions. Battery operated hand tools have also been purchased to replace fuel powered tools. Council continues to explore new technology options and stay abreast of sector advancements in this space.	100%	100%	Completed
43. Update Statutory Planning processes to incorporate standardised Environmentally Sustainable Development (ESD) requirements	City Development	Officers have updated report templates to reflect new policy and revised conditions. Applications that meet certain criteria are referred to a consultant who assists the team in providing feedback to applicants. Two new Environmentally Sustainable Development (ESD) Officers have recently been appointed and are reviewing and updating reports and conditions on an ongoing basis.	100%	100%	Completed

Strategic Direction: Prosperous

Strategic Objective: 3.1 We will embrace the concept of a 20-minute city, support the ongoing process of decentralisation and support people to live and work locally

Strategy: 3.1.1 Support Kingston's economy, local industry and businesses to thrive in a changing environment

ACTION	DEPARTMENT	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
REMAINING ACTION from 2019-22: 4.3.2.6 LF Payne Masterplan	Property Services	A draft Masterplan for LF Payne Hall consisting of community feedback and preliminary concepts has been developed. Recommendations outlining options and costs to update the venue will be presented to Councillors in a future report.	100%	100%	Completed
44. Complete the Parkdale (Chandler Street) and Clarinda (Centre Road) Shopping Centre Enhancement Projects (Initiative)	City Economy & Innovation	The Parkdale and Clarinda Shopping Centre Enhancement Projects were completed and the acquittal report submitted to the Victorian Government.	100%	100%	Completed
45. Implement Phase 1 of the Business CRM platform that integrates with primary Council systems to provide a single view of every business in Kingston	City Economy & Innovation	The CRM platform, Connect 2 Business, went live with phase 1 development in May 2022.	100%	100%	Completed
46. Develop an Economic Development Strategy (Initiative)	City Economy & Innovation	Development for the Economic Development Strategy has commenced, with the consultant brief prepared following input provided by Councillors. The brief will be put to market in Quarter One of 2023–24 year.	100%	100%	Completed
47. Work with the retail centres impacted by Level Crossing Removal works to proactively engage with businesses during the major construction disruption	City Economy & Innovation	Council is working with retail centres impacted by Level Crossing Removal works. There have been meetings with businesses in Parkdale, support for the establishment of the Parkdale Traders Association, and relationships built with businesses in the impacted area.	100%	100%	Completed

Strategy: 3.1.2 Embrace innovation to further promote Kingston businesses

ACTION	DEPARTMENT	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
48. Implement new outdoor activations at Owen Street, Mordialloc and around the Highbury library (Initiative)	City Economy & Innovation	New outdoor activations at Owen Street, Mordialloc and in the vicinity of Highbury Library were completed, including tree planting and installation of bins and bollards.	100%	100%	Completed
49. Implement the Digital Commerce Marketing Plan	City Economy & Innovation	The 2023-24 budget has been drafted to provide for an 18 Month Digital Marketing Officer, as well as an operational allocation for implementation of the marketing plan.	100%	100%	Completed

50. Implement the Parklet Program in accordance with the Parklet Policy (Initiative)	City Economy & Innovation	The Parklet program was implemented in November 2022 with 10 businesses accessing the program throughout 2022-23.	100%	100%	Completed
--	---------------------------	---	------	------	-----------

Strategy: 3.1.3 Promote local jobs and employment pathways

ACTION	DEPARTMENT	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
51. Evaluate the small food business pilot program utilising Council's commercial kitchen facilities	City Economy and Innovation	The pilot program is deemed to have been successful. It provided great insight into the equipment required in Council kitchens to make commercial use viable for start-up food businesses. It created an environment for entrepreneurs to gain a good understanding of starting a food business, exposure to food safety practices and the opportunity to develop their product line at a relatively low start-up cost.	100%	100%	Completed
52. Establish a partnership with a start-up support provider to support local young entrepreneurs (Initiative)	City Economy and Innovation	Council has agreed to extend the usage of the commercial kitchen to one participant to further grow her small business. The extension will be re-evaluated on a quarterly basis. Council and Holmesglen TAFE developed a new partnership to provide job and start-up support. The program was introduced in May 2023 and provides opportunities for young people to experience contemporary work practices and work in relevant and stimulating environments.	100%	100%	Completed

Strategy: 3.1.4 Improve connections between activity zones, public transport hubs and where people live through an integrated network

ACTION	DEPARTMENT	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
REMAINING ACTION from 2021-22 56. Draft Wayfinding Strategy released for public consultation	Open Space	Community consultation for the draft Wayfinding Strategy has been completed and the Strategy endorsed by Council in July 2023.	100%	100%	Completed
53. Design and commence construction of the shared path and traffic treatments to link Karkarook Park to Settlement Creek/Clayton Road (Major Initiative)	Infrastructure	The detail design of the section of path from Old Dandenong Road to Elder Street South Reserve has been completed, with traffic treatments along Elder Street South installed, and construction of the path commenced.	100%	100%	Completed
54. Continue to work with Suburban Rail Loop, Level Crossing Removal Project and Department of Environment, Land, Water and Planning through the Chain of Parks project to continue to expand the shared user path networks through the municipality	City Strategy	Officers are engaging with the Level Crossing Removal Project to advocate for the continuation of the shared user path along the Frankston Railway Line from Parkdale to Aspendale as part of the Mordialloc / Station Street level crossing removal project, which is due to commence construction in 2024.	100%	100%	Completed
55. Work across our community, school, environmental and business networks to further promote the use of public transport	City Strategy	Work across our community, school, environmental and business networks, to further promote the use of public transport has progressed during the year. This includes scoping an action plan and commencing mapping of potential stakeholders. Promotion of public transport was undertaken as part of normal event promotion.	100%	100%	Completed

Strategy: 3.1.5 Pursue and enhance regional collaborative opportunities and partnerships

ACTION	DEPARTMENT	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
56. Establish a Kingston employment services providers local network	City Economy & Innovation	Kingston has established a new partnership with GameChange, a community-led program supported by the City of Greater Dandenong and the Department of Jobs, Precincts and Regions. This network was established to engage employers, job seekers, service providers and training organisations to work better together and shape a healthier, more effective jobs and skills system.	100%	100%	● Completed

Strategy: 3.1.6 Support our local visual and performing arts community

ACTION	DEPARTMENT	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
57. Deliver five Arts and Cultural programs under the Arts and Cultural Strategy (Initiative)	Arts, Events & Libraries	A broad range of well-received arts and cultural programs were delivered throughout the year. Highlights included Morning Melodies, Dialogues, School Holiday programs, Gallery Exhibitions and the OptiKA photography competition.	100%	100%	● Completed
58. Manage Kingston's Community Art Grants to support our local visual and performing arts community	Arts, Events & Libraries	Kingston's Arts Grants will be presented to the July 24 Council Meeting for endorsement.	100%	100%	● Completed
59. Review venue hire and operations pricing, procedures and policies [venues managed by the Arts team] (Initiative)	Arts, Events & Libraries	The review of venue hire and operations pricing, procedures and policies has been delayed due to the realignment of the Arts and Culture Service and will be undertaken in the 2023–24 financial year.	100%	57%	● In Progress

Strategic Direction: Healthy and inclusive

Strategic Objective: 4.1 We are progressive, inclusive and prioritise the wellbeing of all members of our community

Strategy: 4.1.1 Respect the importance of Aboriginal and Torres Strait Islander people in Kingston and their connection to the land

ACTION	DEPARTMENT	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
60. Implement the Reconciliation Action Plan - Invite a local Traditional Owner or Custodian to provide a Welcome to Country or other appropriate cultural protocol at significant events each year	Inclusive Communities	Traditional Owners provided a Welcome to Country and Smoking Ceremony at the Reconciliation Week flag raising event at the Derrimut Weelam Gathering Place and at the launch of the Aboriginal Art Exhibition.	100%	100%	Completed
61. Implement the Reconciliation Action Plan - Investigate further opportunities to engage Aboriginal and/or Torres Strait Islander residents in Council-run program	Inclusive Communities	The community continued to be engaged via activities at the Derrimut Weelam Gathering Place, including a monthly community lunch to be hosted at the Westall Hub. The Reconciliation Action Plan Advisory Group, comprised of local Aboriginal and Torres Strait Island community members, meets quarterly to provide advice to Council.	100%	100%	Completed
62. Implement the Reconciliation Action Plan - Promote Aboriginal and Torres Strait Islander authors and reading lists at local libraries	Inclusive Communities	Kingston Libraries celebrated Reconciliation Week in May with First Nation stories. Authors and illustrators also read at Storytimes. There were Drop in Crafts and colouring sheets in libraries during the week.	100%	100%	Completed
63. Implement the Reconciliation Action Plan - Develop and promote a calendar of significant Aboriginal and Torres Strait Islander dates to be promoted on Council's website	Inclusive Communities	Information about the Aboriginal and Torres Strait Islander community on Council's website has been reviewed and updated. Event calendars for Reconciliation Week and NAIDOC Week 2023 were developed and promoted throughout the community.	100%	100%	Completed
64. Implement the Reconciliation Action Plan - Continue to support the Derrimut Weelam Gathering Place	Inclusive Communities	Kingston Council continues to provide important strategic and practical support to the Derrimut Weelam Gathering Place, including support to Gathering Place staff and the Steering Committee, and support to deliver a range of programs and events. This includes a monthly community lunch and playgroup at the Westall Hub and a fortnightly Elders group.	100%	100%	Completed







Strategy: 4.1.2 Champion social equality


ACTION	DEPARTMENT	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
65. Improve our recruitment procedures and processes to minimise bias and create more equal opportunities (Initiative)	People & Culture	A draft external recruitment review has been received, highlighting an action plan for improved inclusive recruitment. Council is working closely with an external partner to finalise the recommendations for implementation.	100%	100%	Completed

<p>66. Increase equitable access to flexible working arrangements to create more equal opportunities for people of all genders to balance paid work with other responsibilities</p>	<p>People & Culture</p>	<p>Council has implemented a policy for flexible work and there are procedures with clear parameters for an application that improves equitable access. This took effect in February 2023. The People Matter Survey data paired with Gender Audit Data, collected as part of our legislative requirements under the Gender Equality Act 2020 (collected in June 2023) will highlight the efficacy of the new flexible work policy and associated procedure, and will highlight areas of opportunity. This data will become available for analysis in September 2023.</p>	<p>100%</p>	<p>100%</p>	<p>● Completed</p>
<p>67. Improve organisational business intelligence of gender equality by refining the collection of our workforce data and utilising this data to drive organisational decision making</p>	<p>People & Culture</p>	<p>Kingston's HR system has been updated to allow self-reporting of demographic information not visible to managers (i.e. Gender, Aboriginal and/or Torres Strait Islander identity, sexual orientation, religion, languages spoken other than English, country of birth, cultural identity etc.) Council will continue to refine this process in line with the Gender Equality Commission guidance and privacy legislation.</p>	<p>100%</p>	<p>100%</p>	<p>● Completed</p>
<p>68. Support women's participation in sport through support for female teams, showcasing female competitions and providing the appropriate facilities</p>	<p>Active Kingston</p>	<p>Council continued to support women's sport by providing appropriate facilities at the new Dingley Pavilion, Bricker Pavilion and Regents Park Pavilion which are currently under construction and will be completed in 2023-24. Council is also completing upgrades of facilities at Walter Galt Reserve and Southern Road Reserve. Opportunities to secure further funding for facility upgrades are sought through various applications for Victorian Government grants.</p> <p>We also allocate sportsgrounds and facilities to female teams for sports such as cricket, baseball, soccer and football, as well as actively promoting the St Kilda AFLW team games at RSEA Park. Council has also committed and entered into an agreement with funding support, with the Hawthorn Football Club for community use, focusing on female community sport access and participation at their new facility being constructed in Dingley.</p>	<p>100%</p>	<p>100%</p>	<p>● Completed</p>





Strategy: 4.1.3 Celebrate and learn from our diversity

ACTION	DEPARTMENT	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
<p>69. Support, deliver or promote events focused on awareness and celebration of multiculturalism, such as Cultural Diversity Week, to increase awareness and knowledge about all cultures, faiths, human rights and discrimination</p>	<p>Inclusive Communities</p>	<p>Kingston Interfaith Network Committee organised a second annual bus tour in June 2023 to provide an opportunity for the public to learn about different faiths. The tours were fully subscribed and well received by participants. The bi-monthly Interfaith Network newsletter and a range of Inclusive Communities communications were used to share information about programs and events related to culture, faith, human rights and prevention of discrimination.</p> <p>The Draft LGBTQIA+ Action Plan was prepared in April 2023 and a progress report on actions related to Rainbow Tick Accreditation for Youth Services completed in June 2023. Two consultations were undertaken with young LGBTQIA+ people to inform the Action Plan and the delivery of the May 2023 IDAHOBIT movie event for young people and their allies at Shirley Burke Theatre. Contacts were established to develop education activities in sports clubs (Inclusive practice) and amongst youth peers and allies (Rainbow Mental Health First Aid).</p> <p>The Mayoral Taskforce for People Seeking Asylum met monthly, with 2022 activities appraised and a review of the terms of reference and membership structure undertaken. Priority actions for 2023 were identified, featuring a membership recruitment strategy that, to date, has included a delegation attending the Australian Local Government Association conference in Canberra and speaking at the morning tea, as well as meetings with MPs to discuss Taskforce advocacy priorities in June 2023. The Taskforce promoted events such as the Palm Sunday Walk for Justice for Refugees and prepared joint statements in support of Refugee Week and other relevant initiatives.</p>	<p>100%</p>	<p>100%</p>	<p>● Completed</p>

ACTION	DEPARTMENT	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
<p>70. Implement the Reconciliation Action Plan - Implement Aboriginal and Torres Strait Islander cultural awareness training for all Council employees to increase understanding, value and recognition of cultures, histories, knowledge and rights (Initiative)</p>	Inclusive Communities	<p>A Cultural Competency training program for all employees within Council has been developed and training will commence with the Inclusive Communities department in August 2023. Furthermore, a draft Cultural Learning Strategy has been developed to ensure an increased understanding, value and recognition of Aboriginal and Torres Strait Islander cultures, histories, knowledge and rights.</p>	100%	50%	 In Progress
<p>Strategy: 4.1.4 Support community education, life-long learning and creativity</p>					
ACTION	DEPARTMENT	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
<p>REMAINING ACTION from 2021-22: 64. Complete site identification and concept design of the new Highett Children's Services Hub*</p> <p><small>* Part of this action is a Major Initiative in the Annual Budget 2022-23.</small></p>	Family, Youth & Children's Services	<p>The initial site identification and concept design for the Highett Children's Services Hub was completed.</p> <p>No further action will be taken on the Highett Children's Services Hub in the short to medium term, following a decision not to proceed with the project until changes in land use arising from the Level Crossing Removal Project and Suburban Rail Loop are clarified.</p> <p>The medium-term requirements for kindergarten places in Highett are being addressed by action 73. <i>Identify a preferred location and complete the design process for new kindergarten facilities in Highett.</i></p>	100%	100%	 Completed
<p>71. Review mix of long day care, sessional and full-day kindergarten programs provided by the Family & Children's Centres to ensure services continue to meet community needs</p>	Family, Youth & Children's Services	<p>The current kindergarten program service model offered at the three Family and Children's Centres has been reviewed to assess if it meets the needs of the community and complies with recent government reforms. Consultation with community and employees, and benchmarking against other services within the boundaries of Kingston Council was undertaken.</p> <p>A new service model has been developed and will be implemented in 2023. Prior to this model being introduced, the projected kindergarten utilisation for 2023 was 75%. Utilisation now sits at 100% with waiting lists at all three Family and Children's Centres.</p>	100%	100%	 Completed
<p>72. Award the contract and commence construction of the redevelopment of North Cheltenham Early Years Centre (Major Initiative)</p>	Project Management Office	<p>The contract was awarded and construction of the redevelopment of the North Cheltenham Early Years Centre commenced in July 2023.</p>	100%	100%	 Completed
<p>73. Identify a preferred location and complete the design process for new kindergarten facilities in Highett</p>	Family, Youth & Children's Services	<p>An updated report was presented to a Planning Council Information Session in March confirming the former Gasworks site as the preferred location. The site assessment also confirms that the Gasworks site can accommodate the Victorian School Building Authority (VSBA) modular facility (66 licensed places) and provide adequate space for the licensed outdoor area and the required number of carparks. Executive officers are continuing to engage with Development Victoria to secure access to the site, and once the site is secured, design will commence.</p>	100%	75%	 In Progress
<p>74. Expand Elonera Preschool (Remaining action from 2021-22)</p>	Project Management Office	<p>Construction was completed in April 2023. Elonera Preschool Association Inc. has received service approval from the Department of Education and the new facility is ready to use.</p>	100%	100%	 Completed




<p>75. Review and refresh the mix of library services and programs across the municipality to ensure they continue to meet community needs</p>	<p>Arts, Events & Libraries</p>	<p>This financial year, libraries delivered over 1,300 programs engaging with all members of the community. Libraries delivered programs aimed at health and wellbeing, lifelong learning, digital literacy, First Nations celebrations, LGBTQI+ awareness, Neurodiversity awareness, brain health and mindfulness. Kingston libraries delivered new key programs like King Con! which engaged 1,700 people in one day.</p>	<p>100%</p>	<p>100%</p>	<p> Completed</p>
---	-------------------------------------	---	-------------	-------------	--





Strategy: 4.1.5 Support the inclusion of everyone in community life

ACTION	DEPARTMENT	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
<p>76. Implement an online volunteering recruitment system (Initiative)</p>	<p>People & Culture</p>	<p>A review was completed and Council has determined that the Human Resource Information System (HRIS) is sufficiently accommodating the management of our volunteers.</p>	<p>100%</p>	<p>100%</p>	<p> Completed</p>
<p>77. Introduce changes to the Kindergarten Central Registration Scheme to streamline the process and improve the customer experience and strengthen inclusive practices</p>	<p>Family, Youth & Children's Services</p>	<p>Consultation with kindergartens regarding the revised Central Registration Scheme Procedure have been completed. The Procedure was finalised and implemented in May 2023, in time for when registrations open for 2024.</p>	<p>100%</p>	<p>100%</p>	<p> Completed</p>
<p>78. Continue to strengthen and promote opportunities for people with a disability to engage in arts, culture, recreation and leisure programs</p>	<p>Inclusive Communities</p>	<p>Planning for development of the All Abilities Plan commenced in January 2023. A consultant has been appointed to assist Council in the recruitment of a co-design team, who will work alongside Council. The co-design team will be made up of people with disability, carers and disability support workers, who will undertake comprehensive community consultation and identify priority areas and actions for the Kingston's All Abilities Plan (previously known as the Disability Action Plan). A key focus of the plan will be strengthening opportunities for people with disability to engage in arts, culture, recreation and leisure programs.</p>	<p>100%</p>	<p>100%</p>	<p> Completed</p>
<p>79. Develop and distribute information on social connection programs, including recreation, social groups and clubs that are available for older people in the local community</p>	<p>Inclusive Communities</p>	<p>The Digital Literacy Program has been delivered to people aged 55+ consistently at Kingston Library branches for the past 12 months. A component to raise awareness about scams and how to protect older people from online scams is included in the program. Funding to seven community centres and houses was successfully administered, to assist in delivering workshops to provide information to vulnerable communities about financial literacy, responding to extreme weather (heat and storms) and respectful relationships (awareness about elder abuse). Four editions of Your Voice - Kingston Senior's Newsletter were distributed to 5,300 individual seniors, nursing homes, supported residential care services, retirement villages and senior and probus clubs and electronically to all other relevant stakeholders. Assistance with accessing suitable activities, services and transport was provided on individual requests as required. Twenty-seven transport information sessions provided information on various options for assistance with transport and other support programs enabling access to community activities. Regular support and updated information on activities and programs was provided to all senior and probus clubs. The first Kingston Senior Services Expo in November 2022 provided an opportunity to seniors to meet service providers and make informed choices about services. "100 Years of Memories" Celebrating Kingston Centenarians luncheon held in September provided an opportunity to recognise and acknowledge lives of seniors who reached 100 years of age.</p>	<p>100%</p>	<p>100%</p>	<p> Completed</p>



ACTION	DEPARTMENT	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
		The Kingston Seniors Festival returned with live events in October 2022 with 95 free and low-cost live activities and events designed to connect people aged 55+ to local senior's groups, clubs, organisations and services. 7,000 booklets were produced with health and wellbeing information. The Festival, with concerts, workshops, social events, was attended by 2,650 community members.			
Strategy: 4.1.6 Support our community's physical wellbeing					
80. Complete construction of two new netball courts, renewal of the six tennis courts, and construction of a new tennis pavilion at Roy Dore Reserve (Major Initiative)	Active Kingston	All works associated with the tennis and netball courts have been completed and they are available for community use. The new modular tennis pavilion at Roy Dore Reserve is currently being constructed offsite and planned for onsite delivery and installation in October 2023.	100%	100%	Completed
81. Develop the draft Active Recreation and Playspace Strategy for community consultation (Initiative)	Active Kingston	The draft Active Recreation and Playspace Strategy has been developed and a six week Play Your Way community consultation campaign was undertaken, which sparked strong and positive community interest. Council received over 2,300 responses, with almost 2,000 collected in person. Over 25 community settings were visited including hubs, kindergartens, Waves Leisure Centre, libraries, community centres, schools, advisory groups, Maternal Child Health Centres and the Bonbeach Farmer's Market. Many community members were engaged, with hundreds of people in the Kingston community discussing play and active recreation - from children aged three at a Tiny Tots story session, to grade six students at the Junior Mayor election, teenagers at Westall Secondary College careers expo and hundreds of enthusiastic girls at local girls' colleges.	100%	100%	Completed
82. Determine needs and demand analysis for both local and regional sport and recreation to advocate for major State Government infrastructure projects	Active Kingston	A local and regional sporting needs analysis was completed to advocate to the State Government for replacement of the Delta site, initially identified for Regional Sports, now to be part of the Suburban Rail Project Stabling Yards. Prior to the 2022 State Election, a funding commitment of \$1M was made by the State Government to further advance site planning and investigations for a Kingston regional sport and recreation facility. Council will continue to work with the State Government.	100%	100%	Completed
83. Support sporting clubs and other community organisations to become more inclusive and provide programs for people with a disability	Inclusive Communities	Discussions with Lifesaving Clubs are continuing to improve beach accessibility for people with disabilities. Planning for the development of Council's All Abilities Plan is underway, with a co-design team comprised of 16 people with disabilities and/or carers being established to assist Council with this important legislated responsibility. The co-design team have guided the development of a comprehensive community consultation plan, and in 2023-24 the plan will be drafted and adopted by Council.	100%	100%	Completed



Strategy: 4.1.7 Prioritise our community's mental wellbeing

ACTION	DEPARTMENT	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
REMAINING ACTION from 2021-22 71. Transition the My Community Life website to Council's new website	Inclusive Communities	The new modules for My Community Life on Council's website were activated this quarter by Open Cities. Inclusive Communities will test the modules and then work with groups on moving their content across.	100%	100%	 Completed
84. Implement mental health workshop projects to community groups (Initiative)	Inclusive Communities	<p>A series of 13 mental health and wellbeing sessions were implemented in 2022-23 some of which included:</p> <ul style="list-style-type: none"> • Safe Talk sessions, in partnership with the Danny Frawley Centre, held with sporting club representatives to increase suicide alertness • A Youth Mental Health First Aid program with volunteers at a sports club • A Mental Health First Aid program with sporting club representatives in the Southern Region based in Kingston • Screenings of the Happy Sad Man film with panel discussion at Westall Hub and online • Mindful movement and creativity sessions at community events with Derrimut Weelam Gathering Place • Creation of the Kingston Mental Health Working Group (MHWG) to increase collaboration with mental health providers • Mental Health and Wellbeing Expo in partnership with Derrimut Weelam Gathering Place, Mordialloc Lifesaving Club and the MHWG partners 	100%	100%	 Completed
85. Continue the Enough is Enough advocacy campaign to reduce gambling harm in Kingston	Inclusive Communities	<p>In 2022-23 Council continued its fight to reduce gambling harm in Kingston. Council partnered with the Alliance for Gambling Reform to oppose a supermarket development in Chelsea Heights (https://www.agr.org.au/chelseahights). Council's joint appeal in the Supreme Court was dismissed, however Council will continue to advocate for the Victorian Planning Provisions to be amended to prevent supermarkets being built in proximity to gaming venues. Council continues to support the Alliance for Gambling Reform's advocacy campaigns which include:</p> <ol style="list-style-type: none"> 1. End Gambling Harm After Dark - immediately implementing a harmonised closing time of all poker machines from 2am to 6am, with a commitment to see a closure from midnight to 10am 2. Calling for an end to sports gambling advertising 3. Support the implementation of a mandatory cashless gambling system 4. Universal pre-commitment implemented on all poker machines state-wide, not just the casino 5. Poker machine design is changed to reduce harm including changing maximum bets on all Electronic Gaming Machines (EGMs) to \$1 and banning losses disguised as wins. <p>Council also continues to advocate for a regional cap on EGMs in Kingston as we await a decision by the Minister on when the next 5-year review will take place. It is expected in late 2023.</p>	100%	100%	 Completed

86. Support local organisations and groups to undertake initiatives aimed at gambling prevention and raising awareness about gambling-related harms	Inclusive Communities	In 2022-23 Council supported Gambler's Help Southern to deliver workshops and presentations to over 15 community groups and organisations in Kingston. Council also promoted opportunities for groups to be a part of Gambling Harm Awareness Week through hosting of events and building awareness.	100%	100%	 Completed
87. Develop partnerships with and provide support to organisations, services and the community to address the impacts of gambling harm in Kingston and improve pathways for referrals to gambling support services	Inclusive Communities	Council continues to maintain strong working relationships with the Alliance for Gambling Reform, Gambler's Help Southern, the Victorian Responsible Gambling Foundation, the Victorian Local Governance Association, and the Municipal Association of Victoria. Council partnered with the Victorian Responsible Gambling Foundation to erect Love the Game signage at 10 sportsgrounds in Kingston. This project will highlight the dangers of sports betting, where to get help and encourage sports clubs to join the Love the Game program. Gambling support services were promoted through social media and Gambling Harm Awareness Week events.	100%	100%	 Completed
88. Provide customised education and awareness raising for identified vulnerable groups (multicultural people, young people, isolated older people) and within socio-economically vulnerable areas of Kingston	Inclusive Communities	In 2022-23 Council delivered a customised education session to students at the Holmesglen Institute and partnered with Gambler's Help Southern on a Chelsea Twilights special event as part of Gambling Harm Awareness Week. Council continues to support Gambler's Help Southern to undertake education sessions throughout Kingston to various community clubs, health organisations and schools.	100%	100%	 Completed
89. Develop and implement a Mental Health Training Program for Council staff	People & Culture	Eight face-to-face training sessions have been completed for managers and leaders across the organisation. A mental health awareness program has been developed for all staff. This program has been added to the Learning Calendar commencing in July 2023. Mental Health First Aid training is also being offered to staff as a professional development opportunity commencing from July 2023.	100%	100%	 Completed

Strategy: 4.1.8 Tailor our communication to our diverse community to make communication accessible to all








ACTION	DEPARTMENT	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
REMAINING ACTION from 2021-22 74. Develop the Library website to make it easier for customers to access news and information	Advocacy, Communications & Engagement	Kingston Libraries Website was launched on 2 November 2023.	100%	100%	 Completed
90. Redevelop Kingston Youth Services website to ensure it is accessible, secure, and customer-focused	Advocacy, Communications & Engagement	This project has been rescheduled to commence in the 2023-24 financial year at the request of the Youth Services team to allow them further time to analyse parent, professional and youth usage patterns post COVID-19 (on both website and social media) before determining the direction of the future site.	100%	5%	 In Progress

<p>91. Support community groups through training and information to develop accessible website content for the new integrated community directory</p>	<p>Inclusive Communities</p>	<p>Support is provided to community groups to enable them to promote their group, list events and promote volunteer opportunities through the current My Community Life website. The new Community Group Directory, Events and Volunteer Opportunities modules on Council's website are in the final stages of set up. The transition for moving groups from My Community Life to the Kingston website will be implemented during September to November 2023. A suite of support and training opportunities will be implemented with community groups to help them with this transition.</p>	<p>100%</p>	<p>100%</p>	<p> Completed</p>
<p>92. Identify printed materials for conversion into easy English and/or translated materials to ensure non-digital community members have access to key information</p>	<p>Advocacy, Communications & Engagement</p>	<p>A range of easy-to-understand printed materials have been developed and distributed for key whole-of-city campaigns, including hard waste, planning scheme amendment and a simplified rates brochure. These materials also included simplified translations in Kingston's top languages. Local/targeted campaigns continue to incorporate both printed and digital communications, with translations being introduced.</p>	<p>100%</p>	<p>100%</p>	<p> Completed</p>

Strategic Direction: Safe

Strategic Objective: 5.1 Our community will feel safe, and be safe, in all aspects of their lives

Strategy: 5.1.1 Design an environment and infrastructure that promotes better safety and accessibility

ACTION	DEPARTMENT	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
REMAINING ACTION from 2021-22 76. Deliver the installation of sportsground lighting across 10 of our sports reserves	Active Kingston	All 10 sports lighting projects have been completed including Kingston Heath hockey pitch, Bonbeach Sports Reserve ovals, Clarinda Tennis Club, Parkdale Bowls Club, Heatherton Reserve oval, Highbett Reserve ovals, GR Bricker Reserve oval, Edithvale Reserve baseball pitch and Keeley Park oval, and Doug Denyer Reserve oval and soccer pitch. This is a great outcome for the community with these lights supporting increasing participation in sport on our reserves.	100%	100%	 Completed
REMAINING ACTION from 2021-22 80. Complete detailed design and award tender for extension and improvement works at the Carrum Life Saving Club	Project Management Office	The contract was awarded at the October 2022 Council Meeting.	100%	100%	 Completed
93. Prepare advice to Council on any changes to the Building Act or Regulations	City Development	Regular updates are provided to Councilors on expected changes to the relevant Building Legislation. There are no updates regarding timing of the Building Legislation. When this becomes available, further updates will be provided to Councilors.	100%	100%	 Completed
94. Commence construction on key strategic projects in the Drainage Flood Mitigation Program including Mulkarra Drive, Bonbeach pump station and drainage, and Sherwood Avenue	Infrastructure	Mulkara Drive construction is completed. Bondi Road, Bonbeach pumping station is currently under construction and 75% completed. Sherwood Avenue is also under construction and 30% completed.	100%	100%	 Completed
95. Complete construction of the Aspendale Life Saving Club (Major Initiative)	Project Management Office	The new Aspendale Life Saving Club building works have been completed with the club commencing patrol operations out of their new facilities in December 2022.	100%	100%	 Completed
96. Complete construction of the Mentone Life Saving Club and foreshore precinct (Major Initiative)	Project Management Office	The new Mentone Life Saving Club Building has been completed, with the Club now in occupation. The new car park and landscaping works are progressing well and will be completed in early 2023-24, along with the Naples Road stormwater drainage upgrade.	100%	95%	 In Progress
97. Commence construction of the extension and improvement works at the Carrum Life Saving Club (Major Initiative)	Project Management Office	Construction works on the Carrum Surf Life Saving Club building have commenced with the works to the new extension area well underway.	100%	100%	 Completed

Strategy: 5.1.2 Support safe travel through various modes of transport

ACTION	DEPARTMENT	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
98. Provide bike education facilitator training to Kingston school staff to support bike education programs throughout Kingston	Infrastructure	The bike education program has been completed for 2022-23.	100%	100%	Completed
99. Promote the Park and Stride Program and Parking Around Our School Maps to address concerns of congestion and safety around schools	Infrastructure	The Park and Stride and Parking Around Our School programs have been promoted and completed for 2022-23.	100%	100%	Completed
100. Implement the interactive one-hour Safe Driver Program to seniors to provide an update on any road rule changes and provide participants with ways to improve safety skills	Infrastructure	Safe Driver Programs have been successfully completed for 2022-23.	100%	100%	Completed
101. Implement the Active Youth Program for secondary school students targeting distractions such as mobile phones whilst walking and riding to school (Initiative)	Infrastructure	The Active Youth Program for secondary school students, focusing on pedestrian safety around schools and bike education, was completed for 2022-23.	100%	100%	Completed

Strategy: 5.1.3 Improve feelings of safety across Kingston's diverse community


ACTION	DEPARTMENT	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
102. Implement Primary School Road Safety Programs covering a number of safety subjects such as safety around driveways, crossing the road safely and wearing a seat belt (Initiative)	Infrastructure	The Primary School Road Safety Programs were delivered to 34 primary schools during 2022-23. The programs covered a wide range of safety subjects including safety around driveways, bike education, pedestrian distraction, crossing the road safely and the importance of wearing a seat belt. Also, safe active travel such as walking to school safely.	100%	100%	Completed
103. Implement education programs to reduce workplace sexual harassment and discrimination, and increase safety for all employees to speak up and report sexual harassment	People & Culture	Councils Speak Up! platform continues to be utilised by staff. Work will continue to promote and support the development of Speak Up! Ambassadors across the organisation. As well as promotion of educational opportunities and planning for ongoing training in this space.	100%	100%	Completed
104. Develop a consistent approach to assess the suitability and design of designated off leash and prohibited areas for dogs on Council managed land	Compliance & Amenity	Dog Off Leash Area Guidelines have been drafted and presented to Council's Executive Leadership Team. The Guidelines will be considered by Council for endorsement at the July 2023 meeting.	100%	100%	Completed

Strategy: 5.1.4 Strive to provide an environment free from all forms of family violence



ACTION	DEPARTMENT	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
105. Implement year one actions from the updated Family Violence Action Plan 2022-26	Inclusive Communities	<p>The Kingston Prevention of Family Violence Working Group met each quarter through 2022-23 to support partnerships and provide feedback to Council priorities. Family violence awareness training sessions held this year included:</p> <ol style="list-style-type: none"> 1. Responding to Disclosures training for internal Family Violence Staff Support Officers 2. Becoming Trauma Informed training for staff 3. Hair 3Rs (Recognise, Respond and Refer) family violence training for local hair salon and beauty therapy staff 4. Healthy and Respectful Relationships workshops with 3 community centres and neighbourhood houses <p>Events for 16 Days of Activism Against Gender-Based Violence were held in October 2022 involving participation in the statewide Walk Against Family Violence, public Roll for Respect event and Equality and Respect in Sport webinar.</p>	100%	100%	Completed

Strategy: 5.1.5 Foster caring attitudes and a safe environment for native wildlife and domestic animals

ACTION	DEPARTMENT	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
REMAINING ACTION from 2021-22 93. Pilot a free cat desexing program	Compliance & Amenity	Preparation for the pilot program is completed. Implementation was delayed due to factors outside of Council's control, as the vendor offering this service is experiencing a shortage of vets. This service has been indefinitely cancelled due to an industry-wide shortage of vets, however, the opportunity to pilot the program will continue to be reviewed at regular intervals.	100%	100%	Completed
106. Continue to protect and enhance indigenous vegetation across Kingston's Bushland Reserves to provide important habitat (Initiative)	Open Space	Vegetation improvement and maintenance works have been carried out by Kingston's Bushland and Foreshore team and contractors. Habitat Hectare assessments were also undertaken to further support native habitat.	100%	100%	Completed
107. Continue to implement the Responsible Pet Ownership campaign as part of the Domestic Animal Management Plan 2021-25	Compliance & Amenity	The draft guidelines for assessing dog off leash areas were consolidated by officers, prior to being presented to Councilors in July 2023. Council continues to provide responsible pet ownership, including weekend foreshore and reserve patrols to educate dog owners, responding to animal related complaints and education sessions at the recent City of Kingston Pet Expo.	100%	100%	Completed
108. Review Community Local Law section 50 relating to the keeping of cats in Waterways estate	Compliance & Amenity	The review on the Community Law Section 50 (relating to the keeping of cats in, within the Waterways Estate) has commenced. The report to Council on Section 50 of the Local Law is completed and discussions are currently underway with Councilors. Progress was slightly delayed due to staff resourcing, however the review is expected to go out for community consultation in November 2023, after approval by Council.	100%	100%	Completed

<p>109. Finalise the review of the mandatory desexing age for cats and dogs and present to Council for consideration</p>	<p>Compliance & Amenity</p>	<p>Officers are currently reviewing the options for implementing changes to Kingston's animal orders to support this as well as clarifying legal advice that has been received. The need to clarify the legal advice has caused some delays to this action. The review will progress, and it is expected that it will be completed before the end of the 2023 calendar year.</p>	<p>100%</p>	<p>60%</p>	<p> In Progress</p>
---	---------------------------------	--	-------------	------------	--






Strategy: 5.1.6 Provide a well maintained and clean environment for residents

ACTION	DEPARTMENT	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
<p>110. Develop a Kingston Waste App to provide residents with accessible, tailored information on their waste services at the touch of a button (Initiative)</p>	<p>Advocacy, Communications & Engagement</p>	<p>The Kingston Waste App 'Binston' was launched and has seen positive community reaction with over 1,400 registrations received in the first month.</p>	<p>100%</p>	<p>100%</p>	<p> Completed</p>
<p>111. Review the kerbside bin collection service (Initiative)</p>	<p>City Works</p>	<p>The review of the kerbside bin collection service was undertaken given the significant issues facing the organics processing industry, with the final report expected by September 2023.</p>	<p>100%</p>	<p>100%</p>	<p> Completed</p>

Strategic Direction: Well-governed

Outcome: 6.1 Council will be collaborative, accountable, transparent, responsive, well-informed and efficient

6.1.1 Hold ourselves to the highest standard of governance and integrity

ACTION	DEPARTMENT	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
112. Implement Kingston's good governance Action Plan to improve accountability and strengthen council governance	Governance	Implementation of the Good Governance Framework is ongoing. The cornerstones of accountability, transparency, integrity and leadership and direction are the strategic drivers for this work. Some of the outcomes achieved this quarter include the establishment of the risk management framework and risk workshops, the development and publishing of a Corporate Reporting Calendar for Managers and Team Leaders, the revision of a Policy Framework and newly created Policy Template, and the development of a Fraud and Corruption Assurance Map, which is being integrated into risk assessment processes. This specific action is now completed. A new action, in relation to continuing to implement Council's Good Governance Framework to promote leadership and direction, transparency, integrity and accountability has been included in the Council Plan Year Three Annual Action Plan 2023-2024.	100%	100%	 Completed
113. Implement Fraud and Corruption Internal Audit Recommendations	Governance	All actions from the fraud and corruption internal audit, are now implemented. This was reported to the Audit and Risk Committee.	100%	100%	 Completed
114. Implement Privacy Internal Audit Recommendations	Governance	All Governance action items have been completed by January 2023. Corporate Information action item for 'Retention and Disposal' has a planned completion date of July 2023.	100%	100%	 Completed
115. Develop and adopt an organisation wide Child Safe Standard Strategy (Initiative)	Family, Youth & Children's Services	The organisational-wide Child Safe Standards Strategy and Action Plan to address the new standards was adopted by Council in November 2022, ensuring Council is committed to being a child-safe organisation.	100%	100%	 Completed
116. Implement the actions from the internal review of strategic and operational risk management at Council to provide more informed planning and decision making	Governance	The realignment of the risk management function at Council from the People & Culture department to the Governance department has been completed. Resourcing for the risk management function has been completed, including the recruitment of a dedicated Risk Management Coordinator.	100%	100%	 Completed

6.1.2 Focus all of our decision-making on the long-term best interests of the Kingston community

ACTION	DEPARTMENT	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
117. Develop and implement Advocacy Plans to support Council's priority projects (Initiative)	Advocacy, Communications & Engagement	<p>A wide range of advocacy activities took place during 2022-23 to implement Kingston's Advocacy campaign plans to support Council's priority projects. These included: development and implementation of the Advocacy and Communications Plan for the Put Kingston First public advocacy campaign; installation of signage at key project sites; digital screens displayed at Council public buildings; direct mailouts to areas surrounding priority projects; and pop-up engagements at key sites.</p> <p>Council also achieved media coverage throughout the year on a wide range of advocacy campaigns, including: Level Crossing Removal project, Kingswood Golf Course future, Patterson River Littertrap, The Voice Uluru Statement from the Heart, New Aquatic & Leisure Centre and Berkeley Living site.</p> <p>The May 2023 the Victorian Budget included funding for several local projects including school funding, \$1 million for Kingston Fields planning, \$750,000 for Station St/McLeod Road and \$75k for playgrounds. The Federal Government also announced changes to Single Parent Payments, an issue Council had advocated on.</p> <p>Council has also held a wide range of in-person meetings to support our advocacy efforts, with over 160 meetings held throughout the year on key advocacy issues. A full list of activities is provided in the Advocacy Update presented quarterly to Council.</p>	100%	100%	Completed

6.1.3 Look after the community's financial resources responsibly and efficiently

ACTION	DEPARTMENT	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
118. Codesign and develop the Capital Project Management Framework and Portfolio Project Management (PPM) Platform	Project Management Office	<p>The Project Management Framework is completed and will be implemented in August 2023. The Portfolio Project Management (PPM) platform development component went out for tender in late June 2023 and the project will be completed in September 2023.</p>	100%	80%	In Progress
119. Review and negotiate pricing for library stock purchasing to achieve the best outcomes for the community in supplying current, high demand items in both physical and electronic format	Arts, Events & Libraries	<p>Council is a member of Procurement Australia, which tenders on our behalf for a panel of library stock suppliers. We compare the pricing of the supplier panel when choosing which specific suppliers to use during the year.</p> <p>The current contract sees discounts up to 36% off Australian Retail Recommended Price being obtained. The last tender was held in June 2021 and will be retendered in 2024.</p>	100%	100%	Completed


6.1.4 Openly report our progress and performance

ACTION	DEPARTMENT	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
120. Publish Council's Local Government Performance Reporting Framework (LGPRF) results on the Know Your Council website to improve the transparency and accountability of council's performance	Customer Experience & Corporate Performance	Kingston's Local Government Performance Reporting Framework indicators were published on the Know Your Council website in November 2022, where they can be viewed along with indicators from other Victorian councils.	100%	100%	Completed
121. Develop a Geographic Information System (GIS) Strategy to improve staff and community access to information that will lead to more informed decision making	Information Services & Strategy	The development of a Geographic Information System (GIS) to improve staff and community access to information is completed. The consultant has finished the final report and strategic actions, leading to more informed decision making for our community.	100%	100%	Completed
122. Implement Risk & Incident management software to improve clinical risk & incident recording & reporting, align with Aged Care Quality Safety Standards, provide greater transparency & oversight of risks & track service improvements	People & Culture	Implementation of the Risk and Incident management software has been completed with the system going live on 17 July 2023.	100%	100%	Completed
123. Develop an action plan from the staff culture survey to develop a more engaging and positive workplace culture	People & Culture	Results from the organisation-wide Culture Survey were communicated progressively from the Senior Leadership Team to all employees from August to October 2022. Multiple workshops to create team and department level action plans were held throughout late October to early December 2022. As at end March 2023 70% of team actions (n=160+) were completed. It is expected that all actions will be completed by teams before 30 June 2023, or be closed as appropriate.	100%	100%	Completed

6.1.5 Actively seek broad community participation

ACTION	DEPARTMENT	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
124. Actively engage with the Advisory Committees to ensure Council reflects the communities' voices in our decision-making	Governance	The Advisory Committees have been utilised as a valuable voice for the community over this period for consultation on matters including the new Leisure and Aquatic Facility, draft playground strategy, draft wayfinding strategy, community safety issues, local trader matters & community grants.	100%	100%	Completed
125. Actively engage with the Community Representative Panel	Advocacy, Communications & Engagement	Following the appointment of an independent facilitator, Council met twice in the fourth quarter with the 45-member Collaborate Engagement Group (the deliberative engagement arm of the Representative Community Panel) to commence their work assessing the Playground Strategy for the city. The 220-member Representative Community Panel were provided with opportunities to give independent feedback on the Play Your Way consultation, and early access to Binston, our city-wide waste app. We will continue work with the group over the next two years to deliberate over complex issues and key strategic documents.	100%	100%	Completed

ACTION	DEPARTMENT	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
126. Work with stakeholders on the site layout plan for an additional hockey pitch at Kingston Health Reserve, undertake community consultation and continue to advocate for external funding	Active Kingston	Council has successfully worked with the tenant groups with planning for the development of an additional hockey pitch at Kingston Health Reserve. Further design development and procurement activities are planned for 2023-24.	100%	100%	Completed
6.1.6 Deliver exceptional customer experiences					
127. Redevelop Kingston's Intranet and KING Knowledge Bank to ensure the organisation has easy access to consistent, reliable information, and all staff continue to provide accurate advice to our community (Initiative)	Advocacy, Communications & Engagement	Redevelopment of Kingston's new Intranet and KING Knowledge bank was completed during 2022-23, ensuring the organisation has easy access to consistent, reliable information, and our staff continue to provide accurate advice to our community.	100%	100%	Completed
128. Deliver the CSBA Customer Experience Program to continually improve on the experience our customers receive when interacting with the Customer Care team	Customer Experience & Corporate Performance	From April - June 2023, 70 remaining CSBA call evaluations concluded, while a new model was developed with the Customer Experience Service Improvement Team. The new model is being released for trial and consultation to the Customer Care team in July and final approval in August 2023. The model was developed to build greater trust and autonomy, with the opportunity to self-evaluate and celebrate success; clear and consistent expectations and a commitment to continuous improvement; line of sight to the organisation and Councillors, with increased accountability, communication and performance monitoring, and improved evaluation support and data integrity.	100%	100%	Completed
129. Deliver on the service planning review strategy that will aim to ensure Kingston is an adaptable, capable, and sustainable council into the future	Customer Experience & Corporate Performance	The preliminary planning has commenced for the delivery of a Service Planning and Review Framework, with the development of a Background Paper. A first draft has been finalised and will commence socialisation with the Executive Leadership Team. This specific action is now completed. A new action, in relation focusing on the implementation of a Kingston Service Planning and Review Framework to ensure we plan for adaptable, capable and sustainable Council services now and into the future has been included in the Council Plan Year Three Annual Action Plan 2023-2024.	100%	100%	Completed
130. Implement Payble as a new payment service for Kingston's ratepayers (Initiative)	Finance	The new payment service for Kingston's ratepayers, 'Payble' is now fully implemented. Work commenced to report on its success by tracking the take ups by residents and the effect on debt management.	100%	100%	Completed
131. Deploy the fleet of new laptops to relevant staff to improve productivity, enhance network access and improve data security (Major Initiative)	Information Services & Strategy	The deployment of 700 new laptops to relevant staff was completed during 2022-23, enabling greater data security, connectivity and productivity.	100%	100%	Completed
132. Select and implement a Master Data Management System to improve the quality and accuracy of customer data to establish a single source of truth across multiple systems	Customer Experience & Corporate Performance	Following an extensive tender process, and evaluation of the cost benefit to Council, the decision was made to not proceed with this project.	100%	15%	Closed

<p>133. Implement a suite of Customer First improvement projects to address system, process & cultural changes for the benefit of the customer (Initiative)</p>	<p>Customer Experience & Corporate Performance</p>	<p>A range of Customer First Improvement Projects progressed throughout the year including: implementation of the Complaints Handling Policy, commencement of a review of Unreasonable Complainant Conduct Policy, Customer Care Service Review, commissioning of customer insights research, Live Chat Channel enhancement program, launch of Knet and revised Customer Care Knowledge Base and redevelopment of Call Assessment and Quality Framework.</p>	<p>100%</p>	<p>100%</p>	<p> Completed</p>
--	--	--	-------------	-------------	--



City of
KINGSTON



1230 Nepean Highway,
Cheltenham, VIC 3192
PO Box 1000, Mentone, VIC 3194



1300 653 356



131 450

info@kingston.vic.gov.au



kingston.vic.gov.au

Kingston Performance Report 2022-23

Our Roadmap: Council Plan 2021-25

Four-Year Strategic Indicators

April-June 2023



community inspired leadership

Kingston Performance Report 2022-23

Our Roadmap: Council Plan 2021-25 Four-Year Strategic Indicators, April - June 2023

Strategic Direction: Liveable

Strategic Objective: 1.1 Our city will be a vibrant, enjoyable, and easy place to live

Strategy: 1.1.1 Provide accessible, quality public open spaces for passive and active recreation

INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	RESULT	STATUS
SI 1. Additional open space created in the municipality	Open Space	Council focused on improving the quality of Kingston's beautiful open spaces during the year rather than increasing the quantity and no new open space was created in 2022-23	0.00	0.00	● On Track

Strategy: 1.1.2 Invest in high-quality community assets

INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	RESULT	STATUS
SI 2. Council's renewal gap ratio measured against the Victorian Auditor-General's Office indicator	Infrastructure	Council's renewal gap represents the renewal and upgrade of existing assets at a consistent rate. It is calculated by adding the renewal and upgrade expenditure together, and then dividing that by Council's depreciation expense. A score of more than 1.00 indicates a low risk of insufficient spending on our asset base. Council has a score of 1.11 for 2022-23. Indicating assets are being maintained at a rate higher than they are depreciating.	1.00	1.11	● On Track

Strategy: 1.1.3 Manage movement around the city, including traffic and parking, to make community activities accessible

INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	RESULT	STATUS
SI 3. Number of community activities where sustainable transport is promoted	City Strategy	The number of community activities where sustainable transport was promoted exceeded our annual target significantly, with a total of 84 activities promoting using public transport, car sharing, or walking or cycling instead of driving to reach events.	15.00	84.00	● On Track

Strategy: 1.1.4 Plan for changes in the population and the community's housing needs

INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	RESULT	STATUS
SI 4. The level of alignment between Council's population forecast for 2021 and the results of the 2021 ABS Census	City Development	Council officers worked with Council's demographic consultant Forecast.id to incorporate the outcomes of the 2021 ABS census into Council's own population forecasts, which remain 100% aligned and on target.	100.00%	100.00%	● On Track

Strategy: 1.1.5 Preserve and enhance Kingston's character and heritage

INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	RESULT	STATUS
SI 5. Percentage of Planning Applications for multi-dwelling development that receive five or less objections	City Development	A total of 96.5% of multi dwelling development application decisions had five or less objections, which is higher than our target.	95.00%	96.50%	● On Track

Strategy: 1.1.6 Support the development of affordable housing options, including social and community housing

INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	RESULT	STATUS
SI 6. Number of new social and community housing dwellings approved	City Development	No new Social or Community housing planning applications were submitted to Council for approval in 2022-23. However, Council continued to promote the Homes for Home program, where homeowners undertake to contribute 0.1% of their property's sale price to a pool of funds to create social and affordable housing.	n/a - trend indicator	0.00	n/a

Strategy: 1.1.7 Foster a thriving and innovative arts and culture scene, which is both diverse and inclusive

INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	RESULT	STATUS
SI 7. Attendance at Council-run festivals and civic events	Arts, Events & Libraries	Attendance at Council-run festivals and civic events held during the year exceeded expectations with 55,644 participants. Events included Mordifest, Pet Expo, Volunteer Appreciation and three citizenship ceremonies.	51,000.00	55,644.00	● On Track
SI 8. Community satisfaction rating for Council-run large scale events	Arts, Events & Libraries	The total satisfaction rating for Council-run large scale events exceeded expectations with 84.85% of participants who were surveyed expressing satisfaction.	80.00%	84.85%	● On Track
SI 9. Number of participants at programs provided by Council at Council-managed community centres	Inclusive Communities	A total of 31,882 people participated in a range of programs delivered by Council at Council-managed Community Centres.	28,600.00	31,882.00	● On Track
SI 10. Participant satisfaction with City of Kingston arts and cultural programs and events	Arts, Events & Libraries	The total satisfaction rating for arts and cultural programs and events exceeded expectations with 90% of participants who were surveyed expressing satisfaction.	80.00%	90.00%	● On Track

Strategic Direction: Sustainable

Strategic Objective: 2.1 We prioritise our environment and reduce our impact on the earth

Strategy: 2.1.1 Recognise climate change and actively address our climate and ecological emergency

INDICATOR	DEPARTMENT	PROGRESS	FULL YEAR TARGET	RESULT	STATUS
SI 11. Percentage of non-potable water used across all sports grounds and reserves	Open Space	A total of 22% of non-potable storm and bore water was used across Kingston's sports grounds and reserves. Total annual water use across sportsgrounds and reserves was 109ml, of which 24,100ml was non-potable water.	n/a - trend indicator	22.00%	n/a
SI 12. Number of plants distributed as part of Council's Free Tree and Plant Vouchers scheme	City Strategy	We successfully reached our target by distributing a total of 4,200 plants to community members as part of Council's Free Tree and Plant Voucher scheme.	4,200.00	4,200.00	● On Track
SI 13. Percentage reduction in corporate greenhouse emissions	City Strategy	There was a 7.2% increase in emissions compared to the previous year due to Council facilities and services returning to full operation following COVID-19 lockdowns. However, there has been a successful 68% reduction in net emissions compared to our 2018-19 baseline year, mainly due to the Power Purchase Agreement and Green Energy contract coming into effect for Council buildings. Specifically, in 2018-19 emissions were 17,765 tonnes of carbon dioxide equivalent (tCO ₂ e). In 2019-20 emissions were reduced to 15,139 tCO ₂ e due to converting streetlights to LED and additional energy efficiency measures. In 2020-21 emissions were reduced to 12,750 tCO ₂ e due to Council's investment in rooftop solar panels and the effect of COVID-19 lockdowns. In 2021-22 net emissions were reduced to 5,247 tCO ₂ e. In 2022-23 net emissions increased by 7.2% (based on preliminary data for quarter four) to 5,625 tCO ₂ e due to Council facilities and services returning to full operation, including more staff working from the office, following COVID-19 lockdowns.	25.00%	-7.20%	● Off Track
SI 14. Number of Gardens for Wildlife assessments of residential gardens	City Strategy	During the year, 65 Gardens for Wildlife assessments of residential gardens were completed. We identified that some residents lacked time for a garden visit and were reluctant for a Council officer to visit their garden. To minimise this barrier, we held four native wildlife events at Kingston Libraries and commenced making Kingston's two indigenous plant nurseries Gardens for Wildlife Hubs where residents can visit and receive gardening information and plants to start their wildlife garden.	120.00	65.00	● Off Track

Strategy: 2.1.2 Consider environmental sustainability in all Council decisions

INDICATOR	DEPARTMENT	PROGRESS	FULL YEAR TARGET	RESULT	STATUS
SI 15. Number of planning applications that have had an Environmentally Sustainable Design Assessment	City Development	A total of 77 Environmentally Sustainable Design Assessments were undertaken for planning applications.	20.00	77.00	● On Track

Strategy: 2.1.3 Protect and enhance our foreshore, marine environment, waterways and wetlands

INDICATOR	DEPARTMENT	PROGRESS	FULL YEAR TARGET	RESULT	STATUS
SI 16. Percentage of actions implemented in the Coastal and Marine Management Plan	Open Space	A total of 14% of actions from Coastal and Marine Management Plan were implemented during year, including carpark upgrades at Governor Road Boat Ramp; public building and open space improvements at Aspendale Life Saving Club; stormwater upgrades at Wilson Grove blowwale; and public building and open space improvements at Chelsea Yacht Club.	n/a - trend indicator	14.00	n/a

2.1.4 Protect and enhance the Green Wedge and progress the delivery of the Chain of Parks

INDICATOR	DEPARTMENT	PROGRESS	FULL YEAR TARGET	RESULT	STATUS
SI 17. Amount of land purchased and developed for the Chain of Parks by Council and the State Government	Open Space	The Chain of Parks comprises parklands extending from Karkarook Park in Heatherton to Braeside Park. The State Government recently acquired 11 properties of 86 hectares to complete the long-awaited Chain of Parks. In addition, Victory Road Reserve and Elder Street South Reserve will be open to the public by the end of the year.	n/a - trend indicator	86.00	n/a

Strategy: 2.1.5 Build sustainable transport options to reduce congestion and pollution

INDICATOR	DEPARTMENT	PROGRESS	FULL YEAR TARGET	RESULT	STATUS
SI 18. The number of electric vehicle charging sessions in Kingston	City Strategy	The number of charging sessions was well above the target. By using Greenpower, and removing internal combustion engines from the road, over 22,000kg of CO2e has been saved.	60.00	1,737.00	● On Track
SI 19. Number of Electric Vehicle charging stations introduced into Kingston	City Strategy	Whilst no new public Electric Vehicle (EV) charging stations have been introduced into Kingston, Council's next EV charger is due to be installed in late 2023 in Mordialloc.	1.00	0.00	● Off Track

Strategy: 2.1.6 Enable choice of movement across our city

INDICATOR	DEPARTMENT	PROGRESS	FULL YEAR TARGET	RESULT	STATUS
SI 20. Number of walking and cycling improvement projects completed to enhance the local network	Infrastructure	Council has constructed a total of 18 high-quality walking and cycling paths as part of the road renewal program, which enhances the local walking and cycling network.	7.00	18.00	● On Track

Strategy: 2.1.7 Actively promote the use of emerging technologies to influence a more sustainable built environment

INDICATOR	DEPARTMENT	PROGRESS	FULL YEAR TARGET	RESULT	STATUS
SI 21. Kerbside collection waste diverted from landfill	City Works	The City of Kingston continues to encourage the diversion of waste from landfill, with an efficient kerbside recycling and green organics collection service. The amount of kerbside waste diverted from landfill remains stable with an overall drop in collected tonnages from all three bin streams compared to the previous year. In March 2023, Kingston launched a temporary soft plastics recycling program in response to the collapse of recycling company Redcycle, which had previously collected soft plastics for recycling. This result is within the range expected by Council.	55.00%	55.16%	● On Track
SI 22. Number of participants engaged in environmental education opportunities	City Strategy	A total number of 1,363 people participated in environmental education opportunities during the year, including the Big Green Schools Conference and Energy Efficiency Importance, a new Kingston program about Victorian Government rebates.	450.00	1,363.00	● On Track

Strategic Direction: Prosperous

Strategic Objective: 3.1 We will embrace the concept of a 20-minute city, support the ongoing process of decentralisation and support people to live and work locally

Strategy: 3.1.1 Support Kingston's economy, local industry and businesses to thrive in a changing environment

INDICATOR	DEPARTMENT	PROGRESS	FULL YEAR TARGET	RESULT	STATUS
SI 23. Number of business support workshops and events held by Council	City Economy & Innovation	A total of 20 business workshops and events were held by Council in 2022-23. Some of these workshops and events included: Cyber Security, Holmesglen Kingston Partnership Employment Program, a Mentor Networking event, and a Sustainable Business Breakfast.	20.00	20.00	● On Track
SI 24. Number of VicSmart Applications decided within 10 days	City Development	We continued to provide an efficient turnaround time for VicSmart applications, with 150 applications decided within 10 days, significantly exceeding our target of 60.	60.00	150.00	● On Track
SI 25. Satisfaction with the Better Approvals co-ordination service	City Economy & Innovation	The Better Approvals service has maintained a high level of satisfaction. The total satisfaction rating for the Better Approvals service exceeded expectations with 100% of participants expressing satisfaction.	95.00%	100.00%	● On Track

Strategy: 3.1.2 Embrace innovation to further promote Kingston businesses

INDICATOR	DEPARTMENT	PROGRESS	FULL YEAR TARGET	RESULT	STATUS
SI 26. Percentage of Footpath Trading applications processed within 15 days	City Economy & Innovation	A total of 235 Footpath Trading applications were received throughout the financial year, with 215 processed within 15 days.	90.00%	91.50%	● On Track

Strategy: 3.1.3 Promote local jobs and employment pathways

INDICATOR	DEPARTMENT	PROGRESS	FULL YEAR TARGET	RESULT	STATUS
SI 27. Number of local Jobs Portal registrations by employers	City Economy and Innovation	A total of 30 new employer registrations were placed on the Kingston local Jobs Portal, which was above the 2022—23 target. This free service aims to link qualified job seekers with job opportunities in the local area.	25.00	30.00	● On Track

Strategy: 3.1.4 Improve connections between activity zones, public transport hubs and where people live through an integrated network

INDICATOR	DEPARTMENT	PROGRESS	FULL YEAR TARGET	RESULT	STATUS
SI 28. Number of new and improved high-quality walking and cycling paths	Infrastructure	A total of 18 high-quality walking and cycling paths were constructed as part of the road renewal program, ensuring the health and wellbeing of our community.	3.00	18.00	● On Track

Strategy: 3.1.5 Pursue and enhance regional collaborative opportunities and partnerships

INDICATOR	DEPARTMENT	PROGRESS	FULL YEAR TARGET	RESULT	STATUS
SI 29. Participation in regional collaborations or partnerships entered to enhance local economic outcomes	City Economy & Innovation	Kingston and Holmesglen worked in partnership to establish an employment program held at Westall in May 2023. With multiple council partners Kingston, established GameChange, which aims to engage employers, job seekers, service providers and training organisations to work better together and shape a healthier, more effective jobs and skills system.	3.00	2.00	● On Track

Strategy: 3.1.6 Support our local visual and performing arts community

INDICATOR	DEPARTMENT	PROGRESS	FULL YEAR TARGET	RESULT	STATUS
SI 30. Number of local artists supported through Council Grants	Arts, Events & Libraries	Arts grants were provided to seven local artists, exceeding Council's target. Of these, six were recipients of the Arts Grant Projects stream and one recipient of the Local Makers and Creative Businesses Arts Grant.	5.00	7.00	● On Track

Strategic Direction: Healthy and inclusive

Strategic Objective: 4.1 We are progressive, inclusive and prioritise the wellbeing of all members of our community

Strategy: 4.1.1 Respect the importance of Aboriginal and Torres Strait Islander people in Kingston and their connection to the land

INDICATOR	DEPARTMENT	PROGRESS	FUL YEAR TARGET	RESULT	STATUS
SI 31. Number of Kingston's plans and strategies which the Registered Aboriginal Party, the Bunurong Land Council, is consulted on	Inclusive Communities	Engagement occurred with the Bunurong Land Council on 15 plans and strategies, some of these were the Cultural Values Assessment, Integrated Water Strategy and Urban Forest Strategy.	n/a - trend indicator	15.00	n/a
SI 32. Number of Council buildings displaying Aboriginal cultural acknowledgment	Inclusive Communities	A total of 146 Acknowledgment of Country stickers were installed on Council infrastructure, highlighting visible signs of support for community inclusion, which has exceeded our yearly target	110.00	146.00	● On Track




Strategy: 4.1.2 Champion social equality

INDICATOR	DEPARTMENT	PROGRESS	FUL YEAR TARGET	RESULT	STATUS
SI 33. Number of female sporting teams registered at Kingston's sporting clubs	Active Kingston	We have 256 female sporting teams who are utilising Council sportsgrounds for the following sports – football, cricket, touch rugby, rugby union, soccer, athletics and baseball.	n/a - trend indicator	256.00	n/a
SI 34. Percentage of Kingston's sporting facilities that are female friendly	Active Kingston	The target has been exceeded, with 45.90% of sports pavilions that are female friendly. Three new pavilions are in construction and will be completed in 2023/24 and two existing pavilions are in planning to be upgraded with female friendly change facilities in 2023-24.	42.90%	45.90%	● On Track



Strategy: 4.1.3 Celebrate and learn from our diversity

INDICATOR	DEPARTMENT	PROGRESS	FUL YEAR TARGET	RESULT	STATUS
SI 35. Number of new Citizenship requests met at Council-run ceremonies	Arts, Events & Libraries	We received 1,639 new Citizenship requests and ceremonies were held in July, September, October November, January, March April, May and June.	n/a - trend indicator	1,639.00	n/a


Strategy: 4.1.4 Support community education, life-long learning and creativity




INDICATOR	DEPARTMENT	PROGRESS	FUL YEAR TARGET	RESULT	STATUS
SI 36. Active library borrowers in municipality	Arts, Events & Libraries	The City of Kingston recorded an increase in active library borrowers for the 2022–23 financial year when compared to the previous year. Overall, the service is continuing to recover from the effects of the pandemic on active borrowers. The library service continues to see growth in the uptake of electronic resources, while maintaining physical borrowing levels. This result remains within the range set by Council.	18.08%	13.75%	 Monitor
SI 37. Number of carers and children attending story times	Arts, Events & Libraries	A total of 22,331 carers and children attended story times during 2022–23, exceeding our expectations. Many themed story times were delivered including story times celebrating First Nations authors and illustrators; as well as super-hero themed story times to promote and celebrate King Cont!	20,400.00	22,331.00	 On Track
SI 38. Recently purchased library collection (% of collection purchased within last 5 years)	Arts, Events & Libraries	The City of Kingston remains committed to the community's needs and demands by utilising the full library collection budget. The decrease in library collection items is reflective of the increase in both purchasing and processing costs. This result remains within the range set by Council.	66.67%	61.73%	 Monitor

Strategy: 4.1.5 Support the inclusion of everyone in community life



INDICATOR	DEPARTMENT	PROGRESS	FUL YEAR TARGET	RESULT	STATUS
SI 39. Number of hours provided by the home maintenance and modifications service	AccessCare	Our home maintenance service is receiving fewer referrals, while the home modification service referrals have increased, with a combined total of 7,133 referrals for 2022–23.	11,000.00	7,133.00	 Off Track
SI 40. Percentage of Council buildings compliant with Disability Standards 2010	Infrastructure	We met our target of 30% of Council buildings compliant with Disability Standards 2010, with five more buildings achieving DDA compliance in 2022-23.	30.00%	30.00%	 On Track

Strategy: 4.1.6 Support our community's physical wellbeing


INDICATOR	DEPARTMENT	PROGRESS	FUL YEAR TARGET	RESULT	STATUS
SI 41. Hours of domestic, personal and social support care delivered	AccessCare	We have delivered 106,783 hours of domestic, personal and social support care. This is below target due to shortages of support workers and a lack of referrals for personal care, respite and individual social support with the majority of referrals generally for domestic care, this is because older people are moving straight onto a Home Care Package and by-passing CHSP. The 22,000 hours below target was offset by an increase in home care package hours.	142,800.00	106,783.00	 Off Track
SI 42. Number of immunisations administered by Council	Family, Youth & Children's Services	We continue to provide this essential service within community and school settings, using COVID-19-safe practices. The 2022–23 financial year has seen an increase in immunisations, with 889 more than 2021–22.	n/a - trend indicator	12,087.00	n/a

SI 43. Participation in Learn to Swim programs	Active Kingston	A total of 2,600 community members participated in the Learn to Swim programs, ensuring the health and wellbeing of our community.	n/a - trend indicator	2,600.00	n/a
SI 44. Participation in the MCH service	Family, Youth & Children's Services	The City of Kingston is committed to providing high quality MCH services. This result sees an increase when compared to the 2021-22 financial year, which was under the COVID-19 pandemic health orders from the Department of Health. This result remains within the range set by Council.	82.00%	79.60%	 Monitor
SI 45. Participation in the MCH service by Aboriginal children	Family, Youth & Children's Services	The City of Kingston continues to maintain its high level of engagement with our First Nation families with young children. This result sees an increase back to the high participation levels prior to COVID-19. This result exceeds the range set by Council.	81.69%	83.48%	 On Track
SI 46. Utilisation of aquatic facilities	Active Kingston	The City of Kingston's Waves Leisure Centre had 600,572 visits by community members during 2022-23. The significant increase in Waves utilisation compared to the previous year is due to the facility being fully operational in 2022-23, with no further impacts from COVID-19. With the return of consumer confidence, attendance has been strong across all programs including Learn to Swim, group fitness classes and gym usage. This result is within the range expected by Council.	3.23	3.76	 On Track

Strategy: 4.1.7 Prioritise our community's mental wellbeing

INDICATOR	DEPARTMENT	PROGRESS	FUL YEAR TARGET	RESULT	STATUS
SI 47. Satisfaction with Kingston's family support programs	Family, Youth & Children's Services	There was 100% satisfaction with Kingston's family support programs. All client feedback received through our feedback processes has been positive, with clients stating their overall satisfaction with the program. Client engagement has been consistent throughout 2022-23.	80.00%	100.00%	 On Track
SI 48. Satisfaction with Kingston's youth services support & counselling	Family, Youth & Children's Services	Young people accessing youth services indicated 100% satisfaction noting the importance of a safe and inclusive environment and opportunity to access support via the counselling and youth work support service.	80.00%	100.00%	 On Track


Strategy: 4.1.8 Tailor our communication to our diverse community to make communication accessible to all

INDICATOR	DEPARTMENT	PROGRESS	FUL YEAR TARGET	RESULT	STATUS
SI 49. Percentage of Kingston website pages that are Web Content Accessibility Guidelines (WCAG) 2.1 - AA standard accessible	Advocacy, Communications & Engagement	Kingston website pages continue to meet Content Accessibility Guidelines (WCAG) 2.2 - AA standard accessibility. There is a consistent level of accessibility across all Kingston websites. Further improvements are underway, with changes and improvements being undertaken.	80.00%	70.00%	 Off Track


Strategic Direction: Safe

Strategic Objective: 5.1 Our community will feel safe, and be safe, in all aspects of their lives



Strategy: 5.1.1 Design an environment and infrastructure that promotes better safety and accessibility

INDICATOR	DEPARTMENT	PROGRESS	FULL YEAR TARGET	RESULT	STATUS
SI 50. Time taken to action food complaints	City Economy & Innovation	The time taken to respond to food-related complaints remains consistent with previous years and includes weekends and public holidays.	2.00 Days	1.82	 Monitor


Strategy: 5.1.2 Support safe travel through various modes of transport

INDICATOR	DEPARTMENT	PROGRESS	FULL YEAR TARGET	RESULT	STATUS
SI 51. Satisfaction with the condition of local streets and footpaths	Infrastructure	This rating is sourced from the annual Local Government Community Satisfaction Survey, conducted by an independent research company.	66.00%	58.00%	 Off Track


Strategy: 5.1.3 Improve feelings of safety across Kingston's diverse community

INDICATOR	DEPARTMENT	PROGRESS	FULL YEAR TARGET	RESULT	STATUS
SI 52. Number of graffiti removal requests	City Works	The total number of requests for graffiti removal on public buildings and street furniture is well under target for 2022-23. This result is impacted by seasonal factors such as colder months and shorter days. In addition, a recent proactive approach to removing graffiti in some of the rail precinct hotspot areas and the Moorabbin Activity Centre blitz, removed existing graffiti where possible.	1,040.00	830.00	 On Track
SI 53. Percentage of graffiti removal requests allocated to Council's contractor within 48 hours	City Works	A total of 830 requests to remove graffiti on public buildings and street furniture were made to Council during 2022-23, with 97.00% of requests allocated to Council's contractor within 48 hours. Recent changes to Council's internal systems enable all reports to be allocated immediately.	98.00%	97.00%	 Monitor


Strategy: 5.1.4 Strive to provide an environment free from all forms of family violence

INDICATOR	DEPARTMENT	PROGRESS	FULL YEAR TARGET	RESULT	STATUS
SI 54. Family violence incidents reported to Victoria Police [number per 100,000 population]	Inclusive Communities	There were 1,168 family incidents reported to the Victorian Police in Kingston per 100,000 population during 2022-23. Council continues to support families within our community through participation in events such as 16 Days of Activism Against Gender-Based Violence, family violence training for local hair salon and beauty therapy staff, and Healthy and Respectful Relationships workshops.	n/a - trend indicator	1,168.00	n/a
SI 55. Satisfaction with family violence programs run by Kingston	Inclusive Communities	Nine family violence programs were delivered with community and staff in 2022-23, with 93% of participants expressing satisfaction with the programs.	80.00%	93.00%	 On Track

Strategy: 5.1.5 Foster caring attitudes and a safe environment for native wildlife and domestic animals

INDICATOR	DEPARTMENT	PROGRESS	FULL YEAR TARGET	RESULT	STATUS
SI 56. Percentage of animals reclaimed	Compliance & Amenity	The City of Kingston places a strong importance on animal health and wellbeing, which is emphasised through our Domestic Animal Management Plan 2021-2025. Increased communications, education on responsible pet ownership, and the growth of Council's Lost and Found Pets Facebook page are contributing to the increased reunification of animals and their owners. Of the 228 animals reclaimed, 25 were returned directly to their owner, or owner's nominated agent, through 'on-road reunions' rather than being impounded first. Returning animals directly to their owner contributes to the wellbeing of both the owner and their reclaimed animal. This result is within the range expected by Council.	60.10%	57.58%	 Monitor


Strategy: 5.1.6 Provide a well maintained and clean environment for residents

INDICATOR	DEPARTMENT	PROGRESS	FULL YEAR TARGET	RESULT	STATUS
SI 57. Percentage of overflowing litter bins reported by the community that are emptied within 12 hours	Infrastructure	A total of 49.40% of overflowing litter bins reported by the community were emptied within 12 hours during 2022-23, ensuring timely actioning of community requests.	n/a - trend indicator	49.40%	n/a
SI 58. Participation in Friends of Kingston groups	Open Space	Participation in Friends of Kingston groups continues to be steady within the Mordialloc creek, The Grange and Bradshaw groups. Foreshoare volunteer events will commence in 2023-24.	118.00	244.00	 On Track



Strategic Direction: Well-governed

Strategic Objective: 6.1 Council will be collaborative, accountable, transparent, responsive, well-informed and efficient

6.1.1.1 Hold ourselves to the highest standard of governance and integrity

INDICATOR	DEPARTMENT	PROGRESS	FULL YEAR TARGET	RESULT	STATUS
SI 59. Percentage of Freedom of Information requests completed on time	Governance	There were 55 Freedom of Information (FOI) requests dealt with during 2022-23. 12% (5) were completed outside time guidelines due to the complex nature of the request. Twelve requests were fulfilled outside the FOI Act, demonstrating transparency of Council process.	100.00%	88.00%	 Off Track


6.1.2 Focus all of our decision-making on the long-term best interests of the Kingston community

INDICATOR	DEPARTMENT	PROGRESS	FULL YEAR TARGET	RESULT	STATUS
SI 60. Percentage of Council decisions made at meetings closed to the public	Governance	The City of Kingston made 183 of its 192 resolutions at meetings of Council or delegated committee open to the public. A very small proportion of Council's resolutions involving legal privilege, property, or personal information were discussed at meetings closed to the public, consistent with the confidential provisions of the Local Government Act 2020. Council endeavours to make confidential resolutions or parts of resolutions public later where possible. This result remains within the range set by Council.	5.50%	4.69%	 On Track
SI 61. Satisfaction with Council decisions (in the interest of the community)	Governance	While the 2023 Community Satisfaction Survey results have dropped by 6 points compared to last year, the City of Kingston continues to work hard to make decisions in the best interest of our community. We remain in-line with the metropolitan average and 4 points higher than the state average. This rating is sourced from the annual Community Satisfaction Survey conducted by an independent research company on behalf of the Victoria Government.	60.00	55.00	 Off Track
SI 62. Council's financial sustainability risk measured against the Victorian Auditor-General's Office financial sustainability indicators	Finance	Data for this measure is no longer available so it cannot be reported.	n/a	n/a	n/a



6.1.3 Look after the community's financial resources responsibly and efficiently

INDICATOR	DEPARTMENT	PROGRESS	FULL YEAR TARGET	RESULT	STATUS
No Strategic Indicators.					


6.1.4 Openly report our progress and performance

INDICATOR	DEPARTMENT	PROGRESS	FULL YEAR TARGET	RESULT E	STATUS
SI 63. Percentage of Council Plan Annual Action Plan actions on track	Customer Experience & Corporate Performance	Council made excellent progress on the delivery of its Council Plan, with 125 actions (86.81%) being 100% complete. Nineteen actions (13.19%) are in progress and will continue as part of operational deliverables for those respective departments. It should be noted that this excludes one action which was previously closed in early 2022, due to a change in service priorities.	90.00%	86.81%	 Monitor

6.1.5 Actively seek broad community participation

INDICATOR	DEPARTMENT	PROGRESS	FULL YEAR TARGET	RESULT	STATUS
SI 64. Number of consultation projects offered for community input	Advocacy, Communication & Engagement	There was a total of 112 consultation projects offered for community input during 2022-23. Consultations included: Kingston Heath Reserve, Endeavour Cove planning amendment, jet ski use, Council Governance rules, Talking Kingston, Mentone Life Saving Club playground plans, and Disc Golf at Bicentennial Park. As well as consultation on projects associated with minor traffic improvements, open space and infrastructure works, and construction projects.	80.00	112.00	 On Track
SI 65. Satisfaction with community consultation and engagement	Advocacy, Communication & Engagement	The City of Kingston continues to work hard to improve community consultation and engagement, including YourKingstonYourSay and the recruitment of a Community Representative Panel. Whilst Kingston has dropped by 3 points from last year, Council remains in line with the Metropolitan average, and 4 points higher than the state average. This rating is sourced from the annual Community Satisfaction Survey conducted by an independent research company on behalf of the Victorian Government. This result remains within the range set by Council.	59.00	56.00	 Monitor

6.1.6 Deliver exceptional customer experiences

INDICATOR	DEPARTMENT	PROGRESS	FULL YEAR TARGET	RESULT	STATUS
SI 66. Percentage of Customer Care telephone calls resolved at the first point of contact	Customer Experience & Corporate Performance	The Customer Care team are consistently achieving customer resolution at first point calls based on existing definitions of First Point of Call Resolution. The definition of 'First Point of Resolution' will be reviewed in the new financial year (2023-24) to ensure it continues to align with the wider customer experience strategy.	80.00%	93.10%	 On Track



City of
KINGSTON



1230 Nepean Highway,
Cheltenham, VIC 3192
PO Box 1000, Mentone, VIC 3194



1300 653 356



131 450

info@kingston.vic.gov.au



kingston.vic.gov.au

Ordinary Council Meeting

25 September 2023

Agenda Item No: 11.6

GOVERNANCE AND COMPLIANCE REPORT

Contact Officer: Stephanie O'Gorman, Team Leader Council Governance

Purpose of Report

The purpose of this report is to present various governance and compliance related matters for Council's noting and endorsement, including:

- Informal Meetings of Councillors Records
- Audit and Risk Committee Meeting Minutes from 17 August 2023
- Revoke five policies in accordance with the policy framework
- Increase delegated expenditure to the CEO regarding Contract 21/055 – Kinross Avenue, Keith Avenue & Montrose Avenue, Edithvale Drainage Construction and Road Reconstruction, Part A

Disclosure of Officer / Contractor Conflict of Interest

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

RECOMMENDATION

That Council:

1. Receive the Informal Meetings of Councillors Records as attached in Appendix 1
2. Receive the Minutes of the Audit & Risk Committee meeting that was held on 17 August 2023 as attached in Appendix 2.
3. Revoke the following five policies:
 - Deputy Mayor Position Policy
 - Use of Office Based Meeting Rooms Policy
 - Smokefree Environment in Council Owned and Managed Buildings Policy
 - Maintenance of Private Roads Policy
 - Naming of Streets Policy
4. Approve an additional contingency amount of up to \$217,000 (exclusive of GST) to complete Contract 21/055 – Kinross Avenue, Keith Avenue & Montrose Avenue, Edithvale Drainage Construction and Road Reconstruction

1. Executive Summary

Informal Meetings of Councillors

This report contains records for meetings defined as an Informal Meetings of Councillors under Rule 1 of Chapter 6 of the Governance Rules (the Rules).

The Governance Rules require Informal Meetings of Councillors records to be reported to the next possible meeting of Council. This seeks to promote openness and transparency of Council decision making.

Minutes of the Audit & Risk Committee meeting 17 August 2023

The Audit and Risk Committee Charter has a requirement to provide the minutes of the Audit and Risk Committee meetings to Council on a quarterly basis.

Revocation of Council Policies

The following five policies are recommended for revocation by Council:

- Deputy Mayor Position Policy
- Use of Office Based Meeting Rooms Policy
- Smokefree Environment in Council Owned and Managed Buildings Policy
- Maintenance of Private Roads Policy
- Naming of Streets Policy

These policies are proposed to be revoked as they are no longer required. Refer to section 2.3 of this report for a breakdown of the reason for each revocation.

**Contract 21/055 – Kinross Avenue, Keith Avenue & Montrose Avenue, Edithvale
Drainage Construction and Road Reconstruction, Part A**

Unforeseen costs regarding the volume of disposal of Potential Acid Sulphate trench Soils (PASS) has exceeded the 10% contingency sum delegated to the CEO by approximately \$217,000.00. This report seeks Council approval to delegate this additional expenditure to the CEO to complete the construction. This additional contingency amount will be funded from the allocated 2023/24 Infrastructure Capital Works Budget.

2. Discussion

2.1 Informal Meetings of Councillors

As prescribed by Rule 1 of Chapter 6 of the Rules, if there is a meeting of Councillors that:

- is scheduled or planned for the purpose of discussing the business of Council or briefing Councillors;
- is attended by at least one member of Council staff; and
- is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting.

the Chief Executive Officer must ensure that a summary of the matters discussed at the meeting are:

- a) tabled at the next convenient Council meeting; and
- b) recorded in the minutes of that Council meeting.

2.2 Minutes of the Audit and Risk Committee meeting of 17 August

The minutes of the Audit and Risk Committee meeting held on 17 August 2023 are attached as required by the Charter.

2.3 Revocation of Council Policies

All Council adopted policies no longer required are to be revoked by resolution of Council. The table below lists the respective policies and the purpose of revocation.

Table 1 – Policies proposed to be revoked by Council

Business Area	Name of Policy	Reason for Revocation
Governance	Deputy Mayor Position Policy (Appendix 3)	This policy is no longer required as the <i>Local Government Act 2020</i> outlines the position of the Deputy Mayor.
Governance	Use of Office Based Meeting Rooms Policy (Appendix 4)	This policy is no longer necessary. This policy can be replaced with approved guidelines and procedures for this process and has internal focus only.
Infrastructure	Smokefree Environment in Council Owned and Managed Buildings Policy (Appendix 5)	This policy is no longer required as this policy is superseded by the new provisions of the <i>Tobacco Act 1987</i> and the <i>City of Kingston's Local Law</i> .
Infrastructure	Maintenance of Private Roads Policy (Appendix 6)	The current Policy deals with the transfer of roads to Council which is dealt with through the existing Planning Approval process.
City Development	Naming of Streets Policy (Appendix 7)	This Policy is no longer required as this policy has been superseded and included in the <i>Naming of Places Policy</i> and is identified in the Victorian Governments Department of Energy, Environment and Climate Action (DECCA) Naming Rules.

Any vital content from revoked policies that is not captured in relevant superseding legislation or policies will be managed operationally via processes, procedures and guidelines where necessary.

2.4 Contract 21/055 – Kinross Avenue, Keith Avenue & Montrose Avenue, Edithvale Drainage Construction and Road Reconstruction, Part A

At the Council Meeting of 28 February 2022 Council resolved to:

1. Note the outcome of the tender assessment process for Contract 21/055 – Kinross Avenue, Keith Avenue & Montrose Avenue, Edithvale Drainage Construction and Road Reconstruction, Part A, as set out in confidential Appendix 1 attached to this report;
2. Award Contract 21/055 – Kinross Avenue, Keith Avenue & Montrose Avenue, Edithvale Drainage Construction and Road Reconstruction, Part A, for the fixed lump sum of \$2,334,033.00 (exclusive of GST) to Parkinson Group (VIC) Pty Ltd; and
3. Approve the allocation of a separate contingency of up to 10% of the contract sum and delegate authority to the CEO, or delegate, to expend this allowance to ensure the successful completion of the project.

The approved contingency of 10% allowed for a contract variation of \$233,403.30 (exclusive of GST). The tender documentation provided a provisional quantity for the disposal of Potential Acid Sulphate trench Soils (PASS) based on the best information available at the time. During construction the volume of PASS to be disposed of was found to be nearly double the provisional quantity leading to an anticipated total variation of approximately \$450,000, which is a variation of approximately \$217,000 more than the approved contingency allocation. This additional contingency will be funded from the allocated 2023/24 Infrastructure Capital Works Budget.

Consultation

2.5 Internal Consultation:

Informal Meetings of Councillors

Not applicable.

Minutes of the Audit & Risk Committee meeting 17 August 2023

Not applicable.

Revocation of Council Policies

Consultation was conducted internally to determine all policies within Council are current and accurate. This was completed through contacting all relevant policy owners and policy writers.

Contract 21/055 – Kinross Avenue, Keith Avenue & Montrose Avenue, Edithvale Drainage Construction and Road Reconstruction, Part A

Consultation occurred with Infrastructure regarding the contract details, circumstances and requirements.

Results/Findings:

The results of consultation have identified the policies within this report that should be revoked based on advice from officers and internal investigation on Council's policies.

2.6 Community Consultation:

Not applicable

3. Compliance Checklist

3.1 Council Plan Alignment

Strategic Direction: Well-governed - Council will be collaborative, accountable, transparent, responsive, well-informed and efficient.

Strategy: Hold ourselves to the highest standard of governance and integrity

3.2 Governance Principles Alignment

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

This report ensures that Council is compliant with relevant laws and policies and transparently reports on this compliance.

3.3 Financial Considerations

Not applicable.

3.4 Risk considerations

Informal Meetings of Councillors Record

Providing the records of meetings of the business of Council and conflict of interest disclosures of Councillors and officers to ensure accountability and transparency with the community.

Minutes of the Audit and Risk Committee meeting 17 August 2023

Ensuring transparency and accountability of Audit and Risk Committee monitoring and oversight.

Revocation of Council Policies



Maintaining updated policies:



- Reduces risk of noncompliance
- Ensures aligned and current processes
- Enhanced internal control environment



Contract 21/055 – Kinross Avenue, Keith Avenue & Montrose Avenue, Edithvale Drainage Construction and Road Reconstruction, Part A

- Ensuring compliance with delegated authority
- Transparency of contract provisions



Appendices

Appendix 1 - Informal Meetings of Councillors - Review of sustainable medium density project - 18 August 2023 (Ref 23/239342)  

Appendix 2 - Minutes Audit and Risk Committee Meeting 17 August 2023 (Ref 23/239462)  

Appendix 3 - Deputy Mayor Position Policy (Ref 16/165020)  

Appendix 4 - Use of Office Based Meeting Rooms Policy (Ref 10/5040)  

Appendix 5 - Smokefree Environment in Council Owned and Managed Building sPolicy (Ref 08/97880)  

Appendix 6 - Maintenance of Private Roads Policy (Ref 23/256221)  

Appendix 7 - Naming of Streets Policy (Ref 08/98093)  

Author/s: Stephanie O'Gorman, Team Leader Council Governance
Reviewed and Approved By: Kelly Shacklock, Manager Governance Risk and Integrity
Dan Hogan, General Manager Customer and Corporate Support

11.6

GOVERNANCE AND COMPLIANCE REPORT

1	Informal Meetings of Councillors - Review of sustainable medium density project - 18 August 2023	565
2	Minutes Audit and Risk Committee Meeting 17 August 2023..	571
3	Deputy Mayor Position Policy	577
4	Use of Office Based Meeting Rooms Policy.....	581
5	Smokefree Environment in Council Owned and Managed Building sPolicy.....	585
6	Maintenance of Private Roads Policy	587
7	Naming of Streets Policy	591

Informal Meetings of Councillors Record

Governance Rules Chapter 6

This form must be completed by the appropriate attending Council Officer and submitted immediately to the Governance Department for reporting to Council.



Meeting Details

Date: 18th September

Time: 2.45pm

Meeting Location: Ferrars and York, South Melbourne

Meeting Reason: Opportunity to review a sustainable medium density project

Attendees: Liam Wallace – Hype vs. Hype / Andrew Maynard – AMA Architects

Councillor/s:

Cr. Hadi Saab
Cr. Jenna Davey-Burns
Cr. Chris Hill

Officer/s:

Fiona Murphy – Senior ESD Officer
David Mason – Urban Design
Alex Reid – Traffic Engineer
Jonathan Guttman – General Manager Planning and Place

Apologies: NA

Summary of Matters Discussed:

Opportunities were provided to tour the building and get a sense of the sustainability features of the building.

Participants were able to examine and explore questions of urban and architectural design with the building's creators.

Considerations were given to the best manner of treating sites with adjacency to active transport infrastructure.

Conflict of Interest Disclosures:

Councillor Disclosures:

Name of Councillor:

Explanation of the nature of the conflict: General OR Material

Councillor left the meeting prior to discussion: NO

Time left: Time returned:

[continued over page](#)

1 of 2

Informal Meetings of Councillors Record

Governance Rules Chapter 6

This form must be completed by the appropriate attending Council Officer and submitted immediately to the Governance Department for reporting to Council.



Officer Disclosures:

Name of Officer:

Explanation of the nature of the conflict: General OR Material

Councillor left the meeting prior to discussion: NO

Time left: Time returned:

Completed by: Jonathan Guttmann

Date: 1st September, 2023

Brief Explanation – Governance Rules Chapter 6:

1.1 If there is a meeting of Councillors that: 1.1.1 is scheduled or planned for the purpose of discussing the business of Council or briefing Councillors; and

1.1.2 is attended by at least 6 Councillors; and

1.1.3 is attended by at least one member of Council staff; and

1.1.4 is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting;

or

If there is a meeting of a Councillor or Councillors that is subject to the Planning Interactions Policy;

the *Chief Executive Officer* must ensure that a summary of the matters discussed at the meeting are:

(a) tabled at the next convenient Council meeting; and

(b) recorded in the minutes of that Council meeting.

Some examples of an Informal Meeting of Councillors will include:

- Councillor briefing session;
- Budget discussion;
- Workshop re key Council priorities;
- Site inspection;
- Preliminary planning conference

If you require further clarification, please contact the Governance team.

Minutes

Audit and Risk Committee



17 August 2023 at 8.30am
Cheltenham Room / Teams

Members:

Ms Claire Filson (Chair)
Mr Bruce Potgieter (Member)
Mr Geoff Harry (Member)
Cr Georgina Oxley (Member)

In Attendance:

Peter Bean (Chief Executive Officer)
Bernard Rohan (Chief Financial Officer)
Dan Hogan (General Manager Customer and Corporate Support)
Kelly Shacklock (Manager Governance, Risk & Integrity)
Marilyn De Benedictis (Acting Team Leader Organisational Governance)
Deryck Tindall (Crowe Australasia)
Yenni Lim (Manager Finance)

1. **In camera discussion**
2. **Acknowledgement of Traditional Owners**
3. **Apologies**

Cr Hadi Saab (Mayor) and Gordon Robertson (Crowe Australasia) sent their apologies.
4. **Declaration by members & officers of any interest or conflict of interest in items on the agenda**

Geoff Harry and Bruce Potgieter undertook to provide feedback to Kelly Shacklock regarding changes to their disclosures. Nil conflicts were declared.
2. **Review and confirmation of previous minutes**

The minutes of the 22 June Audit and Risk Committee were confirmed.
6. **Audit and Risk Committee - Action List**

The report was noted and a suggestion was made to remove the first item on the Action List, 'Update on legislative changes regarding statutory building services' and to address the item as part of the General Manager's regular update.

Action:

Action List to be updated.

Cr Oxley joined the meeting

7. Audit and Risk Committee - Work Plan

The report was noted.

8. Declaration by CEO of any breach of legislation/regulation that needs to be brought to the attention of the Audit Committee

None noted.

9. Advice from the CEO on emerging sector and Council matters that need to be brought to the attention of the Audit Committee

None noted.

10. Operation Sandon - IBAC Report

Kelly Shacklock presented the report and highlighted the following:

As a result of Operation Sandon, IBAC is recommending a suite of reforms for LGAs to address corruption risks.

Kingston's approach is to be proactive in determining actions to address items and consider the implications of IBAC's recommendations. Officers will continue to engage with Councillors and identify opportunities to integrate and address items through the Governance and Policy Committee.

The Committee noted the report and discussed with management:

- The importance of ongoing engagement with the state government, peak bodies, and relevant stakeholders including the Mayoral representative panel, to ensure Local Government representation on the task force to reviewing the removal of planning controls for council.
- Kingston is well positioned to meet IBAC's recommendations as a result of the work previously done by the Governance and Probity reviews.
- In 2020, the alignment of policies and procedures was included as a review function for the Audit and Risk Committee. A suggestion was made to increase accountability through the development of an annual sign off to confirm that Councillors have complied with their obligations. An existing attestation process is in place through the Councillor Code of Conduct.

Action:

Council to consider developing an internal annual attestation process for Councillors.

10. Closing Report and Management Letter for the Financial Year Ended 30 June 2023

Deryck Tindall from Crowe presented the Closing Report and Draft Management Letter and highlighted the following:

The 2022/23 audit of the City of Kingston's financial and performance statements has not raised any issues of high risk or material misstatement. This will be confirmed in the final management letter from the Victorian Auditor-General's Office.

The Committee noted the report and discussed:

- Positive feedback was provided regarding the external auditor's engagement and management's commitment to this year's process.
- The turnaround time for the audit was very early at Kingston and all work was completed within the tight timeframes.
- No high risk issues identified.
- The committee commended the work completed by the team.

Action:

The Committee noted the Closing Report and Draft Management letter.

12. Committee meeting with External Auditors

The Committee met with the External Auditors in camera.

Dan Hogan joined the meeting.

Deryck Tindall left the meeting.

131 Results of the 2022/23 Data Analysis Audit

1.

Bernard Rohan presented the report and highlighted the following:

During May-June 2023, Pitcher Partners Advisors supported Council officers in executing data mining scripts on several finance systems.

The results reflect that the system controls in place in Payroll (Aurion), General Ledger (Tech One); Accounts Payable (Tech One), and Rates (Pathway) are working as intended and no material variations or areas of concern were found during the testing.

Starting in 2024, the data analytics will be conducted in house. The recently appointed Internal Auditor, Crowe Australia has been advised.

The Committee noted the report and discussed with management:

- There had been good responses to the data cleansing process to reduce the risk of fraud.
- Given that the process would in future be run in house, there may be value in running the process and interpreting the results more frequently than annually.
- Suggest determining whether further data bases such as sundry debtors could be added to the analysis in future years.

Action:

The CFO to provide the Committee with a further update regarding future testing.

14. 2022/23 Governance and Management Checklist

Bernard Rohan presented the report and highlighted the following:

Management certified that the Governance and Management Checklist was in place and addressed the currency of council policies and frameworks that govern Council's operations.

The Committee noted the report and discussed with management:

- The inclusion of Management certification as an assurance measure in the Annual Report.
- Inclusion of a note about Crowe's appointment and a date column to clarify Pitcher Partners date of appointment and term as internal auditor.

Action:

The Committee supported the recommendation to note management's Governance and Management Checklist as a management representation of the currency of policies and frameworks in place in 2022/23.

Kelly would confirm the reporting requirements for the internal auditor's appointment term and provide feedback to the Committee out of session.

15. Financial Statements for the Year Ended 30 June 2023

Bernard Rohan presented the report and highlighted the following:

The City of Kingston's net operating result for 2022/23 was a surplus of \$32.7 million which was \$0.5 million favourable to the prior year result and \$17.5 million favourable to the adopted budget.

Bernard thanked the Committee for circulating questions ahead of the meeting which enabled responses to be considered and changes to be made to the annual report.

The Committee noted the report and discussed with management:

- Commendations to the team for providing well-presented financial statements and supporting information.
- The model accounts and the opportunity to de-clutter the presented information and the recommendation to balance the removal of excessive detail vs addressing every item. Kingston would consider this in future particularly with the commencement of a new external auditor.
- The effect of Covid on recovering arrears including rates, permits and fines. Technically, all rates are recoverable thus the provision only applies to non-rates.

Action:

The Committee noted the report and resolved to recommend Council to adopt the Draft 2022/23 Financial Statements as part of the Annual Report.

16. Performance Statement for the Year Ended 30 June 2023

Bernard Rohan presented the report and highlighted the following:

The City of Kingston's operating performance has been assessed by officers in line with the requirements of the Local Government Performance Reporting Framework. Kingston's 2022–23 performance results are broadly in line with expectations and the key variances to previous results.

The Committee noted the report and discussed with management:

- The adjustment made to the underlying surplus
- The upcoming increase in interest payable due to budgeted borrowing to fund the new aquatic centre
- Expenses per municipal population have increased
- Workforce turnover has occurred across the sector and there are no critical concerns about staff movement or loss of corporate knowledge. The CEO was of the view that the turnover allows for evolution of systems & processes.
- A community satisfaction survey about council decisions was conducted by JWS research company with a sample size of 400 residents approximately 2% of Kingston residents of which 64% have had interaction with Council.

Action:

The Committee noted the report and resolved to recommend to Council to adopt the Draft 2022–23 Performance Statement as part of the Annual Report 2022–23.

17. 2022/23 Draft Financial Statements - Audit Committee Certification

Bernard Rohan presented the report and highlighted the following:

The City of Kingston has prepared the draft Financial and Performance Statements for inclusion in the 2022/23 Annual Report.

Management certified that this material has been prepared in accordance with specified standards and requirements for local government and has been subject to external audit. There were no issues of concern raised by the external auditor.

The final Management Certification would be signed by the CEO and the CFO, subject to audit finalisation by Crowe.

Action:

The Committee noted the report and the draft Management Certification to Council.

18. Enterprise Agreement (EA) Update

Dan Hogan provided the Committee with an update on the Enterprise Agreement process:

- Discussions started in March 2023 and over 200 claims have been reviewed.
- Council is offering 2.75 % or \$40 whichever is higher per annum, plus a one off cost of living payment (pro rata) of \$500. Leisure staff (exception) are not offered increases beyond the first year due to industry pay rates being about 25% less than Council pay rates, and concerns about the increasing gap between industry and Council pay rates, and the ability to keep staff 'in house' in the future.
- Staff feedback has generally been positive or neutral.
- The finalised draft document is currently in consultation. The plan is to go to a staff vote on 11th September.
- Benchmarking indicates Kingston is offering generous conditions and that the pay rates and offerings are competitive.

The Committee acknowledged that Council's offer is within inflation and rate capping and consistent with the parameters of the long term financial plan.

There being no further business, the meeting closed at 9.50 a.m.

Deputy Mayor Position Policy

Contents

1.	Purpose of the Policy	2
2.	Scope.....	2
3.	Responsible Executive.....	2
4.	Policy owner.....	2
5.	Related Documents	2
6.	Delegation Authority.....	2
7.	Policy Statement.....	2
8.	Policy Details	2
9.	Decision Guidelines.....	3
10.	Review	3

VERSION NO / APPROVAL / DATE	Version 1 / Approved by Council 12 December 2016
TRIM REF:	16/165020
REVIEW	31 December 2020
RESPONSIBLE EXECUTIVE	General Manager Corporate Services
POLICY OWNER	Manager Governance

The electronic version of this document is the controlled version. Printed copies are considered uncontrolled. Before using a printed copy, verify that it is the current.

1. Purpose of the Policy

The purpose of this Policy is to provide a consistent set of guidelines for Council in relation to the duties of the Deputy Mayor.

2. Scope

This Policy applies to the Deputy Mayor as elected in accordance with Council's Meeting Procedures Local Law.

3. Responsible Executive

General Manager, Corporate Services

4. Policy owner

Manager Governance

5. Related Documents

Local Government Act 1989

Meeting Procedures Local Law

6. Delegation Authority

Not applicable.

7. Policy Statement

It is at the discretion of Council whether to elect a Councillor to the position of Deputy Mayor. As the position of Deputy Mayor is not recognised in the Local Government Act 1989 (the Act), this Policy provides important guidance on the duties and functions of the position.

8. Policy Details

9.1 Election of a Deputy Mayor

Election of a Deputy Mayor is in accordance with the specified procedures contained in the Meeting Procedures Local Law (the Local Law).

A Deputy Mayor is not a required position under the Act or the Local Law. It is optional to the Council of the day.

The Deputy Mayor's term of office is to be consistent with the incumbent Mayor's term.

9.2 Role of the Deputy Mayor

The predominant role of the Deputy Mayor is to support the Mayor as required during his/her mayoral term.

The Deputy Mayor role is subordinate to the role of the Mayor and any duties or functions carried out by the Deputy Mayor must be in accordance with this Policy.

9.3 Duties and Functions

In order to support the Mayor, the role of the Deputy Mayor is to:

- Chair Ordinary, Special and Planning Committee Meetings in the absence of the Mayor in accordance with the Local Law;
- Chair Councillor Information Session (CIS) meetings in the absence of the Mayor;
- Chair public meetings in the absence of the Mayor except when the Mayor exercises his/her discretion to ask a ward councillor to deputise on such occasions;
- Attend civic, social and other ceremonies/engagements at the request of the Mayor on the Mayor's behalf except when the Mayor exercises his/her discretion to ask a ward councillor to deputise on such occasions;
- Lead Council deputations upon request of the Mayor except when the Mayor exercises his/her discretion to ask a ward councillor to deputise on such occasions;
- Preside at Citizenship Ceremonies in the absence of the Mayor.

9. Decision Guidelines

Any variance to this Policy must be by resolution of Council.

10. Review

This Policy will be reviewed following a Council election or as required.

Policy No	2010/22
Policy Type	Council Approved - 27 April 2010
Revision and version	
Review Date	April 2014

Use of Office Based Meeting Rooms

PURPOSE & INTENT

This policy provides direction on when and how office based meeting rooms can be used.

SCOPE

Applies to councillors, employees, community groups and community members for hiring office based meeting rooms.

DEFINITIONS

- Office Based Meeting Room – refers to meeting rooms in Mentone and Cheltenham offices normally used for Council and organisational business purposes and includes: Oakleigh Room, Moorabbin Room, Mordialloc Room, Chelsea Room, Springvale Room, Room 101, Room 102, Room 103, Room 201, Room 601, Room 602, Councillors Lounge, Brindisi Room, Bonbeach Room, Heatherton Room, Mentone Room, G01.
- Civic use – refers to a function organised or sponsored by City of Kingston involving councillors, community members or staff related to Council business activities.
- Private use – refers to a function that is not related to Council business activities and/or is of a personal nature – eg birthday.
- Council Chambers – the permanently set up area of the councillor meeting space, excluding the multi use areas of the Moorabbin and Mordialloc Rooms.

RESPONSIBLE EXECUTIVE

General Manager Governance and Performance Planning

CONTACT OFFICER

Manager Governance and Performance Planning

RELATED DOCUMENTS

Hirers Terms and Conditions
Fees and Charges

DELEGATION AUTHORITY

Power to determine fees and charges

EXEMPTIONS

Nil

POLICY STATEMENT

This policy aims to regulate the use of Office Based Meeting rooms. These meeting rooms are available for Council Use/functions and organisational purposes, and at all times Civic functions will take precedence over any other use. No Community or Private Use will be permitted in office based meeting rooms.

No free private use (either free or full cost recovery) of such rooms by Council Officers and Councillors is permitted as this would likely be perceived as misuse of public funds and breach the Local Government Act.

PROCEDURES

1 Roles and Responsibilities

Civic Facilities Officer

Acts as the Duty Manager, either through rostering or casual labour hire to meet demand.

2 Use

There are three categories of use:

2.1 Council and organisational use

- 2.1.1 Civic events funded and run by Council such as Australia Day, School Principal breakfast – i.e. an officer in attendance supporting the event.
- 2.1.2 Council and organisational business meetings such as CIS, MP breakfast, Consultation meetings/forums, organisational forums and training.

2.2 Community use

- 2.2.1 Meetings or events run by a social not for profit group providing a community service. The purpose of the meeting is for the group to undertake their usual activities or service. E.g. Rotary/Lions club meetings, Community Groups AGM's.

2.3 Private use

- 2.3.1 Individual Private Event for example parties, MP/Councillor/Staff holding a private function
- 2.3.2 Business Category for commercial users running paid services or activities. May have a spin off/Secondary community benefit but the main activity is making a profit.

Where allowed, private or community use will be confined to outside normal office hours.

2.1 Council Chamber

The Council Chamber is only to be used for purposes associated with Council meetings.

2.2 Oakleigh Room

Council civic purposes have priority over organisational use for the Oakleigh room.

2.3 Meeting Rooms available for Use Other than Council and Organisational

When a meeting room is no longer in an office based environment the use will be reviewed and access to Community and Private use will generally be allowed. Fees and charges will be determined via the annual budget process and concessional rates apply subject to relevant policies. Use will be based on hirers terms and conditions as determined by Council.

DECISION GUIDELINES

Nil

TRANSITION/TRANSLATION ARRANGEMENTS

This policy will come into effect once approved by Council.

POLICY

SMOKEFREE ENVIRONMENT IN COUNCIL OWNED AND MANAGED BUILDINGS

1 INTRODUCTION

- 1.1 Kingston City Council has a legal obligation to provide an environment in all its owned and managed buildings that is safe and without risk to health. Council is particularly committed to enhancing the well-being of the community. A smokefree environment offers benefits to users of Council facilities and visitors, and conveys a positive health message to our community. This policy sets out the rationale for a smokefree environment in Council owned and managed buildings and an implementation plan towards this goal.

This policy excludes Council facilities that have a commercial/ gaming license and operate under a lease arrangement with Council. These exclusions include Clayton Bowls Club and St Kilda Football Club. Council will seek opportunities to implement the policy at these venues should leases expire or legislation change.

2 Policy Statements

- 2.1 As a provider of community facilities, Kingston City Council understands its duty of care to members of the public, along with the rights and choices of individuals. It is well recognised that a smokefree environment benefits the health of those who do not smoke by eliminating “passive smoking” thereby reducing the risk of cancer, respiratory and cardiovascular disease.
- 2.2 All Kingston City Council buildings and within 5 metres of all public entrances has been declared “smokefree”. The objective is to eliminate tobacco smoke as a health and safety risk to all members of the public. Buildings will include all enclosed areas and roofed areas where the public congregate, eg. Grandstand areas.
- 2.3 Implementation of changes in relation to Council owned and managed facilities will be from the 1 June 2002 following a period of consultation with the various user groups and tenants.
- 2.4 It is the occupier’s duty to take such measures as are practicable to ensure that the premises and the means of access to and egress from the premises are safe and without risks to health. For the purposes of this policy, the immediate surroundings of buildings are considered part of the premises. Areas adjacent to public entrances of buildings will become no smoking zones and appropriate signs will be erected.
- 2.5 This duty of care extends to all tenants, casual users of facilities, employees and volunteers. Visitors will also be requested to observe Council Policy.
- 2.6 This policy will be reviewed within 6 months of full implementation.

3 Procedures

3.1 A phased implementation program will include.

- Promotion of this policy to the general community, existing hirers of community halls, winter and summer sports clubs, community centers, neighbourhood house committees of management and all tenants on a lease with Council.
- Incorporation of 'No Smoking Policy' into the ground allocation agreement.
- Copies of this policy and education materials regarding health risks associated with smoking will be made available to community groups utilising Council owned and managed facilities.
- All public entrances/exits to Council buildings will be designated 'no smoking zones' and signs will be erected.

3.2 Full implementation will be achieved by 1 October 2002.

3.3 Non-compliance

Non-compliance with the smokefree environment for all Council owned and managed buildings following full implementation, will be viewed as a serious matter. Tenants, clubs or individuals will be required to show due cause as to why they should continue to use a Council facility if they disregard the 'No Smoking Policy'.

Maintenance of Private Roads Policy

APPROVAL	Approved by Council on 23 May 2016
VERSION NO:	Version 2.0
TRIM REF:	14/159377
REVIEW	30 June 2019
RESPONSIBLE EXECUTIVE	General Manager City Assets & Environment
POLICY OWNER	Manager Infrastructure

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.

Contents

1. Purpose of the Policy.....	3
2. Background	3
3. Criteria to be satisfied	3
4. Supporting documents	
5. Relevant Legislation	

1. Purpose of the Policy

The purpose of this policy is to define when Council will assume the responsibility for maintenance of private access roads and details the criteria that must be met before acceptance as a municipal road.

2. Background

Under the Road Management Act 2004, Kingston takes responsibility for the maintenance and management of all public local roads within the municipality. This does not include declared arterial roads and freeways which are the responsibility of the Road Corporation.

The standards to which roads are constructed to achieve a reasonable life and the standards to which roads are maintained are defined in Kingston's Civil Engineering Standards and the Road Management Plan respectively.

Some developments in the municipality have constructed internal private roadways to other standards.

The "private roads" in question are those roads constructed on private land associated with multi-unit or larger developments. It does not include unconstructed roads laid out on a plan of subdivision.

In determining the criteria to apply, particular reference is paid to the standard of construction, as the additional cost for the maintenance of sub-standard roads should not be borne by the general community because the owners of unit developments exclusively receive the benefit of lower development costs.

3. Criteria to be satisfied

The following criteria apply when considering whether an existing or proposed, private road may be transferred to a municipal road on the Kingston Road Register:

- The existing or proposed private access road must be in general common property which can be converted to a road reserve - the width of which must be adequate for a public road.
- The private access road must be reasonably required for public access be that for emergency services or pedestrian access to a public space for example.
- The required road reservation for the purposes of a public road must be capable of being readily subdivided from the development without the necessity for land acquisition from unit owners.
- The creation of such roads as public highways will only be undertaken when this will not invalidate the existing Planning Approval for the unit development.
- Private access roads must be constructed to the required standard for public roads with particular reference to the pavement width and composition, pedestrian facilities, street lighting, traffic control, and drainage.
- The Manager Infrastructure shall be the final arbiter of the required standard of design and construction required for a particular private access road, taking into account the position and purpose of the road.

4. Supporting Documents

- Kingston City Council Standard Engineering Drawings
- Kingston Civil Design Standards for Developers (Part B: Road Works and Construction Plans)
- Relevant Planning Permit for Property being considered

5. Relevant Legislation

- The Road Management Act details that Council must keep a Road Register and set maintenance standards for all roads on the Road Register. Any Private Road which Council agrees to take over the care and management of, will need to be placed on Council's Road Register

POLICY

NAMING OF STREETS

INTRODUCTION

A policy to provide procedures for the naming of streets in the municipality that ensures the appropriate allocation of names and minimises any likelihood of confusion.

1. Street Naming

1.1 The City of Kingston requests that all street names be indicated in respect of all new streets and roads etc., at the planning approval stage. Upon the receipt of the Certification Plan Council will assess the appropriateness of the names supplied in relation to the following criteria

- a) Does the street name already exist elsewhere in the municipality ?
- b) Where a suburb or locality is split by a municipal boundary, does the street name already exist elsewhere in that suburb or locality but in a different municipality?
- c) Will any group of people be likely to find the proposed street name unacceptably offensive in any way ?
- d) Does a similar sounding street name already exist in that suburb or locality ?

1.2 If any of the proposed street names fail to satisfy any of the above criteria they may be declined by Council and the applicant will be asked to supply an alternative street name. Council may allocate a name of its own choosing if an alternative name submitted does not satisfy any of the above criteria, or if no names are submitted.

1.3 Council will establish a listing of pioneer names and other persons who have made a significant contribution to the community, for optional viewing and consideration by developers when allocating street names.

Policy No. 2.6
Naming of Streets

Adopted by Council 24 November 1997
Amended by Council 24 May 1999
Page 1 of 1

12. Chief Finance Office Reports

Ordinary Council Meeting

25 September 2023

Agenda Item No: 12.1

ADOPTION OF THE ANNUAL STATEMENTS TO 30 JUNE 2023

Contact Officer: Yenni Lim, Manager Finance

Purpose of Report

The purpose of this report is to present to Council for adoption the Draft Annual Financial Report and Performance Statement for the 2022/23 financial year and to authorise their submission to the Victorian Auditor-General (VAGO). The report also presents the Governance and Management Checklist for adoption by Council and inclusion in the Annual Report.

Disclosure of Officer / Contractor Conflict of Interest

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

RECOMMENDATION

That Council:

1. Note the recommendation from Council's Audit & Risk Committee;
2. Adopt the 2022/23 Annual Performance Statement and Annual Financial Report (Annual Financial Statements) as Council's "in principle" statements for 2022/23;
3. Authorise Cr Saab (Mayor), Cr Hill (Deputy Mayor), and Peter Bean (Chief Executive Officer) to sign the final:
 - 3.1. 2022/23 Annual Financial Statements;
 - 3.2. 2022/23 Performance Statement
4. Authorise Cr Saab (Mayor) and Peter Bean (Chief Executive Officer) to sign the Governance and Management Checklist.

1. Executive Summary

The Annual Financial Statements and Performance Statement for 2022/23 have been endorsed by:

- Council's Audit and Risk Committee
- the external auditors, the Victorian Auditor-General's Office, and their partners, Crowe.

The City of Kingston's net operating result for 2022/23 was a surplus of \$32.7 million which was \$17.5 million favourable to the budgeted surplus of \$15.2 million.

This favourable outcome (to the adopted budget) mainly reflects a combination of factors inclusive of:

1. Higher operating grants (\$11.5 million) which is primarily driven by the timing of the Victorian Local Government Grants Commission's allocations to all councils, with

advance payments made from the 2023/24 financial year as well as unearned income brought into account in 2022/23

2. Higher other income (\$4.5 million) which is primarily a reflection of the higher interest rate environment than was previously anticipated with successive interest rate rises
3. Higher capital grants (\$3.0 million) in line with the profile of specific capital projects
4. Higher user fees (\$1.2 million) following COVID-19 disruptions and returned to normal conditions
5. Employee cost savings (\$1.5 million) relating to staff vacancies not filled and active management of leave balances
6. This was offset by higher expenditure on materials and services (\$3.5 million) which was affected by inflation impacts

2. Background

Pursuant to Section 99 of the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020*, Council's 2022/23 Annual Financial Report and Performance Statements have been prepared for adoption in principle and the authorisation of two Councillors and the Chief Executive Officer to certify the Statements having been reviewed and cleared by the Audit Committee and the Auditor-General.

The Governance and Management Checklist underpins the preparation of the Statements and has been noted by the Audit and Risk Committee and has been prepared by Officers.

Copies of the Annual Financial Report and Performance Statements and the Governance and Management Checklist are attached.

3. Discussion

Annual Financial Report

The attached Annual Financial Report for Kingston City Council for the year 1 July 2022 to 30 June 2023, has been completed to present fairly the financial transactions of Council for the 2022/23 financial year and to report on the financial position of Council as at 30 June 2023.

The Financial Report has been prepared in accordance with the *Local Government Act 2020*, the *Local Government (Planning and Reporting) Regulations 2020*, Australian Accounting Standards and other mandatory professional reporting requirements.

The following commentary is intended to assist the interpretation of the City of Kingston's 2022/23 financial results.

Comprehensive Income Statement

The 2022/23 **net result** was a surplus of \$32.7 million, and this is:

- \$0.5 million (1.6 per cent) higher than in 2021/22
- \$17.5 million (115.2 per cent) favourable to the adopted budget.

The (\$0.5 million) improved surplus in 2022/23 from the level recorded in 2021/22 has been mainly underpinned by:

- Favourable variances:

- \$3.7 million of **additional rates and charges** in line with the rate cap, supplementary rates and increases in waste charges
- \$4.7 million of additional **user fees**, following the COVID-19 disruptions in previous years and a return to normal activity
- \$8.9 million of additional **operating grant revenue** and mainly associated with the timing of the Victorian Local Government Grants Commission pass-through of financial assistance grants and bringing to account previous unearned income
- \$8.0 million of additional **capital grants** in line with the additional funding for specific projects
- These favourable movements were partially offset by:
 - Increased **employee costs** \$8.0 million in line with underlying growth and increases in the WorkCover Premium and also the Superannuation Guarantee and the Enterprise Agreement
 - Higher **materials and services** (\$11.6 million) relating to increased activity across council services following disruptions in 2021/22, and also indexation in a high inflation environment.
 - \$1.3 million of lower **other income** in 2022/23 – and this relates to the \$5.6 million of found assets in 2021/22 which were recognised as revenue in that year and are not ongoing sources of funding offset by higher interest income reflecting the successive interest rate hikes
 - \$0.9 million of higher **depreciation** in line with the growth of the asset base
 - Recognition of a \$2.3 million **loss on disposal of assets** in line with the written down value of demolished buildings.

The \$17.5 million favourable outcome relative to revised budget reflects a combination of factors inclusive of:

- Higher **operating grants** (\$11.5 million) which was primarily driven by the timing of the Victorian Local Government Grants Commission's allocations to all councils (\$5.3 million), and the recognition of previously recognised unearned income from historic grants (\$7.5 million)
- Higher **capital grants** of \$3.0 million and attributable to the timing of specified projects
- Higher **other income** (\$4.5 million) and associated with investment returns in a higher interest rate setting
- Lower **depreciation** (\$2.3 million) as there was a lower level of capital works delivery in 2021/22 and 2022/23 affecting the asset base relative to budget expectations
- **Employee cost** savings (\$1.5 million) relating to staff vacancies not filled during the 2021/22 financial year and active management of leave balances

This was in part offset by higher expenditure on **materials and services** (\$3.5 million) and mainly associated with higher inflation.

Further details are provided below.

Rates & Charges

Rates and charges revenue of \$159.2 million were \$3.7 million higher than in 2021/22. The main contribution to this increase was the rate cap increase and higher waste fees. There was no interest on overdue rates in line with council's decision to not levy penalty interest in 2022/23.

Statutory Fees and Fines

Statutory Fees and Fines of \$8.4 million increased by \$0.2 million and this was principally associated with higher parking revenue activity, with the prior year result more affected by COVID-19 disruption.

User Fees

User Fees of \$21.6 million were \$4.6 million higher than the previous year. The main source of increase is associated with leisure centre and recreation (Waves Facility).

Grants – Operating

Operating Grants total \$55.0 million and increased by \$8.8 million compared to last year and this mainly reflects the bring forward of financial assistance grants from the Commonwealth via the Victorian Local Government Grants Commission and also the recognition of previously recognised unearned income in 2022/23.

Unspent operating grants of \$5.9 million were slightly lower than in 2021/22.

Grants and Subsidies – Capital

Capital Grants of \$18.8 million have increased by \$8.0 million compared to last year and this pertains to the timing of projects, with civil infrastructure and community facilities' projects being higher in 2022/23.

Unspent capital grants of \$1.8 million were considerably lower than in 2021/22 (\$9.3 million variance) and this reflects the delivery of the capital works program during the year.

Contributions – Monetary

In 2022/23, monetary contributions were \$8.5 million and slightly (\$0.3 million) lower than the previous year and as per the profile of contributions for stormwater and open space from developers. These developer cash contributions are transferred to reserve accounts that can be utilised by Council in the future to acquire and/or develop open space and stormwater improvements.

Other Income

Other Income totals \$5.8 million in 2022/23 which represents a decrease of \$1.3 million from prior year levels and was related to found assets of \$5.6 million in 2021/22 and this issue not recurring in 2022/23.

Within this total, interest income on cash and investments was \$4.3 million and significantly higher than in 2021/22 due to higher investment returns in a higher interest rate environment.

Employee Costs

In 2022/23, Kingston's employee costs of \$103.8 million were \$8.0 million higher than in 2021/22. The increase relates to growth, enterprise agreement increases, WorkCover increases and the superannuation guarantee charge.

Materials and Services

Materials and Services expenditure of \$101.2 million was \$11.6 million higher than the 2021/22 result and the main areas of increase related to waste services, leisure services, parks and gardens, legal costs and information technology.

Depreciation & Amortisation

In accordance with Australian Accounting Standard AASB 116 *Property, Plant and Equipment*, all non-current assets having a limited useful life are systematically depreciated over their useful lives in a manner which reflects the consumption of the service potential of those assets. In 2022/23 \$34.4 million was taken up as a non-cash expense in the Income Statement compared with \$33.4 million last year which reflects the status of Council's Asset Register and Asset Accounting Policies.

Amortisation (intangibles, right of use assets)

Amortisation of intangibles and right of use assets totalled \$1.4 million and was in line with the prior year.

Balance Sheet

Current Assets

The Current Assets in the Balance Sheet have reduced by \$19.1 million during the 2022/23 financial year as financial assets were utilised in line with budget towards the delivery of the capital works program. In the prior year, the level of carried-over funds affected a higher than budgeted closing cash position at 30 June 2022 – this affects this comparison.

The balance of **total financial assets** (cash and investments) of \$141.3 million has been held for working capital, carried-forward capital works, dedicated approved council-reserves (\$52.3 million). Active cash management is a required area of focus as officers navigate the current high inflation environment.

Council's **trade and other receivables** slightly decreased by \$1.4 million during the year. The balance of \$18.9 million at 30 June 2023 is primarily rates (\$11.4 million) and this is attached to the relevant properties within the municipality where council is a debtor of high legal standing, and funds will ultimately be recovered. Within Council's overall receivable balance is the net impact of \$7.3 million of provisions for doubtful debts.

Non-Current Assets

Council manages \$2.8 billion of physical assets at 30 June 2023. Australian Accounting Standard AASB 116 *Property, Plant and Equipment* requires that the carrying amount of all non-current assets be kept current. Property and Infrastructure assets (primarily drainage) have been revalued by Council Officers to their current replacement costs as at 30 June 2023 and this has contributed to an overall \$217.8 million decrease in their book value (7.3 per cent decline in total physical assets – which offsets the previous year's corresponding increase). Property valuations were supported by an index-based valuation by Opteon, where both land and buildings were adjusted for a broader market decline.

Current Liabilities

Current Liabilities of \$70.4 million have decreased by \$24.2 million primarily relating to the reduction of unearned income and payables associated with payments made in the early part of 2022/23 that were accrued to 2021/22.

Provisions of \$22.8 million have increased slightly during the year and mainly relating to leave balances.

Non-Current Liabilities include the non-current portion of Council's lease liabilities as per AASB 16 of \$8.6 million and the non-current portion of employee long service leave provision of \$1.9 million. These were broadly similar to the previous year.

Cash Flow Statement

In total, Council's cash holdings (excluding investments) have increased by \$5.7 million during 2022/23 to \$19.2 million, largely due to a shift in the mix of cash vs long term investments held by Council at year end with pending payments. In summary:

- Net cash provided by operating activities is \$46.1 million, which is \$39.2 million lower than last year and this is affected by the profile and timing of payments across multiple years, rather than any saving or reduction in costs.
- Net cash used in investing activities has also reduced by \$38.8 million largely reflecting changed cash flow requirements with net transfers to investments of \$12.5 million offsetting the same result last year and aligned to the cash requirements of council over the respective years
- Net cash used in financing activities of \$1.4 million is lower than the previous year and reflective of the debt reduction strategy implemented.

Performance Statement

The performance statement contains information about the performance of Council for the financial year and is a key section of the annual report whereby Council makes itself accountable to the community.

Commencing in 2014/15, the Victorian Government has introduced a mandatory system of performance reporting for councils which prescribes performance information to be included in councils' annual reports. Councils must describe the prescribed indicators and measures in the performance statement, so it is clear to the audience what is being measured.

In addition, the performance statement now includes the results achieved in relation to the prescribed service performance outcome, financial performance and sustainable capacity for the financial year and three preceding years. For the financial performance indicators and measures, the performance statement must also include the forecast results for four years based on the financial statements included in the budget.

Reporting trend information helps the community understand changes in council performance over time and acts as a point of reference for results. The regulations require that council must also provide an explanation of any material variations in the results between the current years and other years disclosed, to enable the reader to form an understanding of the reason for the variation.

The Act states that the performance statement must contain the prescribed indicators and measures of service performance outcome measures, financial performance, and sustainable capacity, and the results for each indicator.

Detailed commentaries of the outcomes are included in the attached Performance Statement.

Governance and Management Checklist

Council has documents or procedures in place to cover all of the Governance and Management Checklist items. This is consistent with the result for last year. Under the *Local Government (Planning and Reporting) Regulations 2020* the Governance and Management Checklist must be certified by the Mayor and CEO and be included in the Annual Report. The Governance and Management Checklist is attached to this report.

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

3.2.1 Independent Audit & Risk Committee Review

Council's Independent Audit & Risk Committee reviewed the 2022/23 Draft Annual Financial Report and Performance Statement on 17 August 2023. The Committee endorsed the report and recommendation to Council subject to final procedures and receipt of closing report provided the Committee confirm they have no concerns.

Finance work with Crowe and VAGO to finalise the audit and any outstanding queries, and therefore confirm the finalisation of the audit with Council's Audit and Risk Committee and Councillors, to support finalisation and preparation of the Annual Report for Council consideration in October 2023.

3.3 Operation and Strategic Issues

3.3.1 Management Representation to Council

The following representations are provided to Council by Management in connection with the external audit of the financial report and performance statement of Kingston City Council for the year ended 30 June 2023. The audit was undertaken for the purpose of the Auditor being able to obtain sufficient and appropriate audit evidence on which to express an opinion as to whether the financial report presents fairly, in all material respects in accordance with applicable Australian Accounting Standards, and the financial reporting requirements of the *Local Government Act 2020*, and whether the performance statement presents fairly in accordance with the requirements of the *Local Government Act 2020* and *Local Government (Planning and Reporting) Regulations 2020*.

We (Management) confirm that, to the best of our knowledge and belief, the representations we make below are based on information available to us, having made such enquiries as we considered necessary to appropriately inform ourselves on these matters.

Preparation of the financial report

Agenda

We have fulfilled our responsibilities, as set out in the terms of the audit engagement dated 9 May 2023, for the preparation of the financial report in accordance with Australian Accounting Standards and the requirements of *Local Government Act 2020* and *Local Government (Planning and Reporting) Regulations 2020* in particular the financial report presents fairly, in all material respects.

1. We have prepared the financial report as a not-for-profit entity for the purpose of reporting under Australian Accounting Standards.
2. All transactions have been recorded in the accounting records and are reflected in the financial report.²
3. Proper accounts and records of the transactions and affairs of the council and such other records as sufficiently explain the financial operations and financial position of the council have been kept in accordance with the *Local Government Act 2020*, where applicable.
4. There are no uncorrected misstatements that we are aware of at the time of preparing this report³.

Access to information

5. We have provided you with:
 - a. access to all information of which we are aware that is relevant to the preparation of the financial report such as records, documentation and other matters
 - b. any additional information that you have requested from us for the purpose of the audit
 - c. unrestricted access to persons within the council from whom you determined it necessary to obtain audit evidence⁴

Controlled entities

6. We have undertaken a control assessment using the criteria outlined in AASB 10 *Consolidated Financial Statements*. Our assessment has not identified any controlled entities that require consolidation.

Joint arrangements

7. We have undertaken an assessment of our contractual arrangements to determine whether they are joint arrangements as per the requirements of AASB 11 *Joint Arrangements*. Our assessment has not identified any joint arrangements that require disclosure.

Investments in associates

8. We have undertaken an assessment of our contractual arrangements to determine whether they are investments classified as associates as per the requirements of AASB 128 *Investments in Associates and Joint Ventures*. Our assessment has not identified any joint arrangements that require accounting as per AASB 128 *Investments in Associates and Joint Ventures*.

Fraud disclosure

9. We have disclosed to you the results of our assessment of the risk that the financial report may be materially misstated as a result of fraud.⁵
10. We are not aware of any actual or suspected fraud affecting Kingston City Council that involves:
 - a. management
 - b. employees who have significant roles in internal control or
 - c. others where the fraud could have a material effect on the financial report.⁵

² [ASA 580 Written Representations](#)

³ [ASA 450 Evaluation of Misstatements Identified During the Audit](#)

⁴ [ASA 580 Written Representations/ASA 210 Agreeing the Terms of Audit Engagements](#)

⁵ [ASA 240 The Auditor's Responsibilities Relating to Fraud in an Audit of a Financial Report](#)

Agenda

11. We are not aware of any allegations (to the extent we are legally able to disclose these to you in accordance with the requirements of the *Independent Broad-based Anti-Corruption Commission Act 2011*) of fraud, or suspected fraud, affecting Kingston City Council financial report communicated by employees, former employees, analysts, regulators or others.⁵

Internal control

12. We acknowledge our responsibility for the design, implementation, and maintenance of internal control to prevent and detect fraud and/or error⁴. We have established and maintained an adequate internal control structure to facilitate the preparation of a reliable financial report, and adequate financial records have been maintained. We have disclosed to you details of all deficiencies in internal control of which we are aware.

Formal representations from outsourced/shared services provider/s

13. We acknowledge that responsibility for the financial management and accountability of Kingston City Council remains with the accountable officer. Accordingly, we have obtained formal representation from the management of BDO confirming that no significant internal control or governance issues have been identified within their overall control environment and application systems that could affect the integrity of our financial transactions and balances for the period.

Legal

14. There are no known or suspected instances of non-compliance with laws or regulations whose effects should be considered when preparing the financial report.
15. There is no known actual or possible litigation and claims whose effects should be considered when preparing the financial report.
16. The Council has satisfactory title to all assets (excluding those assets held in the name of the Crown), and there are no liens or encumbrances on such assets nor has any asset, with the exception of right of use assets under finance lease, been pledged as collateral.
17. The Council has complied with all aspects of contractual agreements that would have a material effect on the financial report in the event of noncompliance.
18. The Council has been properly managed in accordance with the requirements of the *Local Government Act 2020*.
19. We have complied with, in all material respects, the requirements of the *Local Government Act 2020* for the establishment and keeping of relevant accounts, registers and other appropriate records.

Accounting estimates

20. We believe that the significant assumptions, judgements, methods and data we have used in making accounting estimates for inclusion in the financial report are reasonable, appropriately supported and, where required, disclosed to achieve recognition, measurement or disclosure that is reasonable in the context of the applicable financial reporting framework⁶.

Financial statement disclosures

21. The financial report discloses all significant accounting policies used in the preparation of the financial report. We considered the substance of the underlying transactions as well as their legal form in selecting the appropriate accounting policies and related disclosures for the financial report.
22. The following have been properly recorded and/or disclosed in the financial report:
- a. arrangements involving restrictions on cash balances and line-of-credit or similar arrangements

⁶ [ASA 540 Auditing Accounting Estimates and related disclosures](#)

Income and revenue

23. We have determined whether contracts and arrangements are within the scope of AASB 1004 *Contributions*, AASB 15 *Revenue from Contracts with Customers* and AASB 1058 *Income of Not-for-Profit Entities*; applying the relevant measurement and recognition requirements for each transaction.

Asset and liability fair values (including property, plant and equipment)

24. We consider the measurement methods, including related assumptions, used to determine fair values relating to assets and liabilities to be appropriate based on the nature and purpose of the asset/liability. These have been consistently applied and appropriately disclosed in the financial report.
25. We have considered the requirements of AASB 13 *Fair Value Measurement* relating to the fair value of property, plant and equipment. These assets have been valued on the basis that the highest and best use of the asset is obtained from its current use, taking into consideration what is physically possible, legally permissible and financially feasible. Our fair value assessment did not identify any internal or external events that would trigger a reassessment of the assets' highest and best use. Further, we confirm that the assumptions used by us in the categorisation of observable and un-observable inputs within the fair value valuation hierarchy are reasonable and have been fully disclosed in accordance with the accounting standards and other applicable financial reporting requirements.
26. We have applied AASB 16 *Leases*. We have assessed whether our contracts are or contain a lease. For our leases we have recognised on the balance sheet a separate right of use asset (ROU) with an associated lease liability. We have applied the initial and subsequent measurement ROU asset and lease liability.
27. We have considered the requirements of AASB 136 *Impairment of Assets* when assessing the impairment of assets and in ensuring that no assets are stated in excess of their recoverable amount.
28. Asset useful lives have been reviewed and we are satisfied that they reflect the assets' expected period of use.
29. Allowances for depreciation have been adjusted for all important items of property, plant and equipment that have been abandoned or are otherwise unusable.

Related parties and key management personnel

30. We have determined who are the key management personnel of Kingston City Council in accordance with AASB 124 *Related Party Disclosures* and we are satisfied that our assessment is complete and appropriate.
31. We are satisfied that the compensation paid to key management personnel has been properly reported in Note 7.1(c) to the financial statements in accordance with AASB 124 *Related Party Disclosures*, and includes all required components of compensation.
32. We have not identified any significant transactions with government-related entities that would require disclosure in accordance with AASB 124 *Related Party Disclosures*.⁷
33. We are not aware of any non-government related parties (including any controlled entities), related party relationships or transactions which would require disclosure under AASB 124 *Related Party Disclosures*.

Remuneration of other senior staff

34. We have disclosed the remuneration of all other senior staff in Note 7.1(d) as per the requirements of *Local Government (Planning and Reporting) Regulations 2020*. This includes all short-term, post-employment, other long-term benefits and any termination benefits.

⁷ [ASA 550 Related Parties](#)

Agenda

Future plans

35. There were no material commitments for construction or acquisition of property, plant and equipment or to acquire other non-current assets, such as investments or intangibles, other than those disclosed in the financial report.
36. We have no plans or intentions that may materially affect the carrying values or classification of any assets and liabilities.

Going concern

37. We have assessed the Council's ability to continue as a going concern and believe there are reasonable grounds to believe that the entity will be able to pay its debts as and when they fall due.

Subsequent events

38. No events have occurred subsequent to the balance sheet date that would require adjustment to, or disclosure in, the financial report⁸.

Preparation of the performance statement

39. We have prepared and presented the performance statement in conformity with the requirements of *Local Government Act 2020* and *Local Government (Planning and Reporting) Regulations 2020*. We consider the indicators to present fairly the performance of the council.
40. All relevant matters have been recorded in the council's records and are reflected in the performance statement⁹.
41. We are not aware of any uncorrected misstatements at the time of writing this report.
42. We acknowledge our responsibility for the design, implementation and maintenance of internal control to prevent and detect fraud and/or error. We have established and maintained an adequate internal control structure to facilitate the preparation of a reliable performance statement. We have disclosed to you details of all deficiencies in internal control of which we are aware.

Publication of the financial report and performance statement

43. With respect to publication of the financial report and performance statement in hard copy, we will ensure that:
 - a. the financial report and performance statement accurately reflects the audited financial report and performance statement and
 - b. the independent auditor's reports are reproduced accurately and in full.
44. The electronic presentation of the financial report and performance statement is our responsibility. Our responsibility includes ensuring that the electronic version of the financial report, the performance statement and the independent auditor's reports presented on the website are the same as the final signed version of the financial report, the performance statement and independent auditor's reports.
45. The Annual Report may include additional financial and/or non-financial information other than the financial report, the performance statement and the independent auditor's reports (referred to as 'other information'). With respect to other information that is included in the council's Annual Report, we have informed you of all the sections/separate documents that we expect to issue that may comprise other information. With regard to any other information that we have not provided to you prior to the date of the auditor's report, that we intend to prepare and issue such other information and that we expect to issue it by 30 September and will provide it to you to enable you to complete your required procedures.¹⁰

⁸ [ASA 560 Subsequent Events](#)

⁹ [ASAE 3000 Assurance Engagements Other than Audits or Reviews of Historical Financial Information](#)

¹⁰ [ASA 720 The Auditor's Responsibilities Relating to Other Information](#)

46. We will provide a copy of the printers' proof of the annual report to you by 30 September 2023. We plan to publish our annual report on our website by 31 October 2023.

Other matters¹¹

47. We have provided you with all requested information, explanations and assistance for the purposes of the audit.
48. We have provided you with all information required by the *Local Government Act 2020*.

Conclusion

We understand that your examination was made in accordance with the *Audit Act 1994* and Australian Auditing Standards and was, therefore, designed primarily for the purpose of expressing an audit opinion on the financial report and performance statement of the council taken as a whole, and that your tests of the financial records and other auditing procedures were limited to those which you considered necessary for that purpose.



3.4 Environmental Implications
Not applicable to this report.

3.5 Social Implications
Not applicable to this report.

3.6 Resource Implications
Not applicable to this report.

3.7 Legal / Risk Implications
Not applicable to this report.

Appendices

Appendix 1 - Draft Annual Financial Report 2022-23 (Ref 23/212063)  

Appendix 2 - Draft Performance Statement 2022-23 (Ref 23/200380)  

Appendix 3 - Governance and Management Checklist 2022-23 (Ref 23/116189)  

Author/s: Yenni Lim, Manager Finance
Reviewed and Approved By: Bernard Rohan, Chief Financial Officer

¹¹ [ASA 580 Written Representations](#)

12.1

ADOPTION OF THE ANNUAL STATEMENTS TO 30 JUNE 2023

1	Draft Annual Financial Report 2022-23.....	609
2	Draft Performance Statement 2022-23.....	677
3	Governance and Management Checklist 2022-23.....	703



Annual Financial Report

For the Year Ended 30 June 2023

This blank page is intentional

Table of Contents

Financial Report	4
Certification of the Financial Statements	4
Victorian Auditor-General's Report	5
Financial Statements	7
Comprehensive Income Statement	7
Balance Sheet	8
Statement of Changes in Equity	9
Statement of Cash Flows	10
Statement of Capital Works	11
Notes to the Financial Statements	12
Note 1 Overview	12
Note 2 Analysis of Our Results	14
Note 2.1 Performance against budget	14
2.1.1 Income and Expenditure	14
2.1.2 Capital Works	16
Note 2.2 Analysis of Council results by program	19
Note 3 Funding for the delivery of our services	21
3.1 Rates	21
3.2 Statutory fees and fines	21
3.3 User fees	22
3.4 Funding from other levels of government	22
3.5 Contributions	25
3.6 Net gain / (loss) on disposal of property, infrastructure, plant and equipment	25
3.7 Other i	25
Note 4 The cost of delivering services	26
4.1 Employee costs	26
4.2 Materials and services	26
4.3 Depreciation	27
4.4 Amortisation – Intangible assets	27
4.5 Amortisation – Right of use assets	27
4.6 Bad and doubtful debts	27
4.7 Borrowing costs	28
4.8 Finance Costs - Leases	28
4.9 Other expenses	28
Note 5 Our financial position	29
5.1 Financial assets	29
5.2 Non-financial assets	32
5.3 Payables, trust funds and deposits and unearned income	33
5.4 Interest bearing liabilities	34
5.5 Provisions	35
5.6 Financing arrangements	37
5.7 Commitments	38
5.8 Leases	39
Note 6 Assets we manage	42
6.1 Non current assets classified as held for sale	42
6.2 Property, infrastructure, plant and equipment	43
6.3 Investment property	51
Note 7 People and relationships	52
7.1 Council and key management remuneration	52
7.2 Related party disclosure	54
Note 8 Managing uncertainties	55
8.1 Contingent assets and liabilities	55
8.2 Change in accounting standards	57
8.3 Financial instruments	57
8.4 Fair value measurement	59
8.5 Events Occurring After Balance Date	60
Note 9 Other matters	61
9.1 Reserves	61
9.2 Reconciliation of cash flows from operating activities to surplus	63
9.3 Superannuation	64
Note 10 Change in accounting policy	68

Financial Report

Certification of the Financial Statements

In my opinion the accompanying financial statements have been prepared in accordance with the *Local Government Act 2020*, the *Local Government (Planning and Reporting) Regulations 2020*, the Australian Accounting Standards and other mandatory professional reporting requirements.

.....
 Bernard Rohan FCPA, B.Bus (Acc)
Principal Accounting Officer

Dated:

Location: Cheltenham, Victoria

In our opinion, the accompanying financial statements present fairly the financial transactions of Kingston City Council for the year ended 30 June 2023 and the financial position of Council as of that date.

As at the date of signing, we are not aware of any circumstances that would render any particulars in the financial report to be misleading or inaccurate.

We have been authorised by Council and by the *Local Government (Planning and Reporting) Regulations 2020* to certify the financial statements in their final form.

Cr Hadi Saab
Mayor

Dated:

Location: Cheltenham, Victoria

Cr Chris Hill
Deputy Mayor

Dated:

Location: Cheltenham, Victoria

Peter Bean
Chief Executive Officer

Dated:

Location: Cheltenham, Victoria

Victorian Auditor-General's Report

2 pages reserved for VAGO report – to be inserted when available.

Financial Statements

Comprehensive Income Statement

For the Year Ended 30 June 2023

	Note	2023 \$'000	2022 \$'000
Income / Revenue			
Rates and charges	3.1	159,181	155,454
Statutory fees and fines	3.2	8,403	8,244
User fees	3.3	21,615	16,964
Grants – operating	3.4	55,034	46,181
Grants – capital	3.4	18,776	10,824
Contributions – monetary	3.5	8,466	8,823
Other income	3.7	5,797	7,147
Net gain on disposal of property, infrastructure, plant and equipment	3.6	76	147
Total income / revenue		277,348	253,784
Expenses			
Employee costs	4.1	103,803	95,739
Materials and services	4.2	101,172	89,592
Depreciation	4.3	34,399	33,491
Amortisation – Intangible assets	4.4	300	277
Amortisation – Right of use assets	4.5	1,148	1,174
Bad and doubtful debts – allowance for impairment losses	4.6	323	84
Borrowing costs	4.7	-	9
Finance costs – leases	4.8	445	455
Other expenses	4.9	724	725
Net loss on disposal of property, infrastructure, plant and equipment	3.6	2,289	-
Total expenses		244,603	221,546
Surplus for the year		32,745	32,238
Other comprehensive income			
Items that will not be reclassified to surplus or deficit in future periods:			
Net asset revaluation movement	6.2, 9.1(a)	(217,814)	164,013
Total other comprehensive income		(217,814)	164,013
Total comprehensive result		(185,069)	196,251

The above comprehensive income statement should be read in conjunction with the accompanying notes.

Balance Sheet

As at 30 June 2023

	Note	2023 \$ '000	2022 \$ '000
Assets			
Current assets			
Cash and cash equivalents	5.1	19,154	13,382
Trade and other receivables	5.1	18,882	20,304
Other financial assets	5.1	122,127	148,434
Prepayments	5.2	859	1,052
Non-current assets classified as held for sale	6.1	1,910	1,199
Other Assets	5.2	2,665	378
Total current assets		165,597	184,749
Non-current assets			
Property, infrastructure, plant and equipment	6.2	2,795,646	2,985,825
Right-of-use assets	5.8	8,723	9,375
Investment property	6.3	4,437	4,038
Intangible assets	5.2	555	671
Other assets	5.2	250	250
Total non-current assets		2,809,611	3,000,159
Total assets		2,975,208	3,184,908
Liabilities			
Current liabilities			
Trade and other payables	5.3	26,942	34,266
Trust funds and deposits	5.3	11,413	18,411
Unearned income	5.3	8,378	18,919
Provisions	5.5	22,818	22,093
Lease liabilities	5.8	802	951
Total current liabilities		70,353	94,640
Non-current liabilities			
Provisions	5.5	1,885	1,867
Lease liabilities	5.8	8,604	8,966
Total non-current liabilities		10,489	10,833
Total liabilities		80,842	105,473
Net assets		2,894,366	3,079,435
Equity			
Accumulated surplus		1,506,008	1,482,661
Asset revaluation reserve	9.1	1,336,024	1,553,838
Other reserves	9.1	52,334	42,936
Total equity		2,894,366	3,079,435

The above balance sheet should be read in conjunction with the accompanying notes.

Statement of Changes in Equity

For the Year Ended 30 June 2023

2023	Note	Total	Accumulated Surplus	Asset Revaluation Reserve	Other Reserves
		\$ '000	\$ '000	\$ '000	\$ '000
Balance as at 1 July 2022		3,079,435	1,482,661	1,553,838	42,936
Surplus for the year		32,745	32,745	-	-
Net asset revaluation movement	9.1	(217,814)	-	(217,814)	-
Transfers to other reserves	9.1	-	(14,249)	-	14,249
Transfer from other reserves	9.1	-	4,851	-	(4,851)
Balance as at 30 June 2023		2,894,366	1,506,008	1,336,024	52,334
2022	Note	Total	Accumulated Surplus	Asset Revaluation Reserve	Other Reserves
		\$ '000	\$ '000	\$ '000	\$ '000
Balance as at 1 July 2021		2,883,184	1,458,509	1,389,825	34,850
Surplus for the year		32,238	32,238	-	-
Net asset revaluation increment	9.1	164,013	-	164,013	-
Transfers to other reserves	9.1	-	(12,930)	-	12,930
Transfer from other reserves	9.1	-	4,844	-	(4,844)
Balance as at 30 June 2022		3,079,435	1,482,661	1,553,838	42,936

The above statement of changes in equity should be read in conjunction with the accompanying notes.

Statement of Cash Flows

For the Year Ended 30 June 2023

	Note	2023 Inflows/ (Outflows) \$` 000	2022 Inflows/ (Outflows) \$` 000
Cash flows from operating activities			
Rates and charges		159,625	155,421
Statutory fees and fines		8,481	8,244
User fees		19,276	15,639
Grants – operating		52,181	46,840
Grants – capital		11,273	12,017
Contributions – monetary		8,483	8,823
Interest received		4,281	591
Trust funds and deposits taken		2,156	10,825
Other receipts		1,129	996
Employee costs		(102,928)	(93,716)
Materials and services		(115,992)	(78,070)
Trust funds and deposits repaid		(1,895)	(2,281)
Net cash provided by operating activities		46,070	85,329
Cash flows from investing activities			
Payments for property, infrastructure, plant and equipment		(65,046)	(64,427)
Payments for intangibles	5.2(b)	(184)	(114)
Proceeds from sale of property, infrastructure, plant and equipment	3.6	76	163
Payments for investments		(66,076)	(62,334)
Proceeds from sale of investments		92,384	49,134
Net cash used in investing activities		(38,846)	(77,578)
Cash flows from financing activities			
Finance costs		-	(9)
Repayment of borrowings		-	(687)
Interest paid – lease liability		(445)	(455)
Repayment - lease liabilities		(1,007)	(1,010)
Net cash (used) by financing activities		(1,452)	(2,161)
Net increase in cash and cash equivalents		5,772	5,590
Cash and cash equivalents at the beginning of the financial year		13,382	7,792
Cash and cash equivalents at the end of the financial year	5.1	19,154	13,382
Financing arrangements	5.6	5,082	5,082

The above statement of cash flows should be read in conjunction with the accompanying notes.

Statement of Capital Works

For the Year Ended 30 June 2023

	2023	2022
	\$'000	\$'000
Property		
Land	581	17,279
Land improvements	-	-
Total land	581	17,279
Buildings	28,992	22,914
Total buildings	28,992	22,914
Total property	29,573	40,193
Plant and equipment		
Plant, machinery and equipment	379	142
Fixtures, fittings and furniture	1,477	955
Computers and telecommunications	2,269	492
Library books	1,167	1,108
Total plant and equipment	5,292	2,697
Infrastructure		
Roads	8,212	4,924
Footpaths and cycleways	2,833	2,601
Drainage	6,081	3,001
Recreational, leisure and community facilities	6,573	6,208
Parks, open space and streetscapes	6,482	3,391
Off street car parks	-	1,410
Other infrastructure	-	-
Total infrastructure	30,181	21,535
Total capital works expenditure	65,046	64,425
Represented by:		
New asset expenditure	20,216	24,682
Asset renewal expenditure	29,954	26,361
Asset expansion expenditure	6,609	1,260
Asset upgrade expenditure	8,267	12,122
Total capital works expenditure	65,046	64,425

The above statement of capital works should be read in conjunction with the accompanying notes

Notes to the Financial Report

For the Year Ended 30 June 2023

Notes to the Financial Statements

Note 1 Overview

Introduction

Kingston City Council was established by an Order of the Governor in Council on 15th December 1994 and is a body corporate. The Council's main office is located at 1230 Nepean Highway, Cheltenham Victoria.

Statement of compliance

These financial statements are a general purpose financial report that consists of a Comprehensive Income Statement, Balance Sheet, Statement of Changes in Equity, Statement of Cash Flows, Statement of Capital Works and Notes accompanying these financial statements. The general purpose financial report complies with the Australian Accounting Standards (AAS), other authoritative pronouncements of the Australian Accounting Standards Board, the *Local Government Act 2020*, and the *Local Government (Planning and Reporting) Regulations 2020*. The Council is a not-for-profit entity and therefore applies the additional AUS paragraphs applicable to a not-for-profit entity under the Australian Accounting Standards.

Significant accounting policies

1.1 Basis of accounting

Accounting policies are selected and applied in a manner which ensures that the resulting financial information satisfies the concepts of relevance and reliability, thereby ensuring that the substance of the underlying transactions or other events is reported. Accounting policies applied are disclosed in sections where the related balance or financial statement matter is disclosed.

The accrual basis of accounting has been used in the preparation of these financial statements, whereby assets, liabilities, equity, income and expenses are recognised in the reporting period to which they relate, regardless of when cash is received or paid.

The financial statements are based on the historical cost convention unless a different measurement basis is specifically disclosed in the notes to the financial statements.

Judgements, estimates and assumptions are required to be made about the carrying values of assets and liabilities that are not readily apparent from other sources. The estimates and associated judgements are based on professional judgement derived from historical experience and various other factors that are believed to be reasonable under the circumstances. Actual results may differ from these estimates.

The financial statements have been prepared on a going concern basis. The financial statements are in Australian dollars. The amounts presented in the financial statements have been rounded to the nearest thousand dollars unless otherwise specified. Minor discrepancies in tables between totals and the sum of components are due to rounding.

Revisions to accounting estimates are recognised in the period in which the estimate is revised and also in future periods that are affected by the revision. Judgements and assumptions made by management in the application of Australian Accounting Standards that have significant effects on the financial statements and estimates relate to:

Notes to the Financial Report

For the Year Ended 30 June 2023

Significant accounting policies (cont'd)

- the fair value of land, buildings, infrastructure, plant and equipment (refer to Note 6.2)
- the determination of depreciation for buildings, infrastructure, plant and equipment (refer to Note 6.2)
- the determination of employee provisions (refer to Note 5.5)
- the determination of landfill provisions (refer to Note 5.5)
- the determination of whether performance obligations are sufficiently specific so as to determine whether an arrangement is within the scope of *AASB 15 Revenue from Contracts with Customers* or *AASB 1058 Income of Not-for-Profit Entities* (refer to Note 3)
- the determination, in accordance with *AASB 16 Leases*, of the lease term, the estimation of the discount rate when not implicit in the lease and whether an arrangement is in substance short-term or low value (refer to Note 5.8)
- Other areas requiring judgement

Unless otherwise stated, all accounting policies are consistent with those applied in the prior year. Where appropriate, comparative figures have been amended to accord with current presentation and disclosure has been made of any material changes to comparatives.

Goods and Services Tax (GST)

Income and expenses are recognised net of the amount of associated GST. Receivables and payables are stated inclusive of the amount of GST receivable or payable. The net amount of GST recoverable from, or payable to, the taxation authority is included with other receivables or payables in the balance sheet.

1.2 Impact of COVID-19

During 2022-23 the COVID-19 pandemic continued to have some impact on Council's operations. Council noted the following impacts on its financial operations:

- Additional revenue:
 - (i) Council COVID-19 Rapid Antigen Test Program \$0.09 million
- Revenue reductions:
 - (i) Council allowed ratepayers to defer payment of their rates until 30 June 2023 and allowed ratepayers to set up payment arrangements post 30 June 2023. No interest was charged on overdue rates during the year.
- Revenue foregone:
 - (i) Council have not charged any overdue fees or interest on rates for 2022/23.

Notes to the Financial Report

For the Year Ended 30 June 2023

Note 2 Analysis Of Our Results

2.1 Performance against budget

The performance against budget notes compare Council's financial plan, expressed through its annual budget, with actual performance. The *Local Government (Planning and Reporting) Regulations 2020* requires explanation of any material variances. Council has adopted a materiality threshold of the lower of 10 percent or over \$2 million where further explanation is warranted. Explanations have not been provided for variations below the materiality threshold unless the variance is considered to be material because of its nature.

These notes are prepared to meet the requirements of the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020*.

2.1.1 Income / Revenue and Expenditure

	Adopted Budget 2023 \$'000	Actual 2023 \$'000	Variance \$'000	Variance %	Favourable (F)/ Unfavourable (U)	Ref
Income / Revenue						
Rates and charges	159,733	159,181	(552)	(0.3%)	U	
Statutory fees and fines	9,870	8,403	(1,467)	(14.9%)	U	1
User fees	20,439	21,615	1,176	5.8%	F	
Grants – Operating	43,518	55,034	11,516	26.5%	F	2
Grants – Capital	15,834	18,776	2,942	18.6%	F	3
Contributions – monetary	6,801	8,466	1,665	24.5%	F	4
Other income	1,313	5,797	4,484	341.6%	F	5
Net gain on disposal of property, infrastructure, plant and equipment	100	76	(24)	(24.0%)	U	6
Total Income / Revenue	257,608	277,348	19,740	7.7%	F	
Expenses						
Employee costs	105,283	103,803	1,480	1.4%	F	
Materials and services	97,660	101,172	(3,512)	(3.6%)	U	7
Depreciation	36,695	34,399	2,296	6.3%	F	8
Amortisation – Intangible assets	300	300	-	0.0%	F	
Amortisation – Right of use assets	1,250	1,148	102	8.2%	F	
Bad and doubtful debts – allowance for impairment losses	50	323	(273)	(546.0%)	U	9
Finance costs – Leases	500	445	55	11.0%	F	10
Other expenses	651	724	(73)	(11.2%)	U	11
Net loss on disposal of property, infrastructure, plant and equipment	-	2,289	(2,289)	(100.0%)	U	12
Total Expenses	242,389	244,603	(2,214)	(0.9%)	U	
Surplus (deficit) for the year	15,219	32,745	17,526	115.2%	F	

Notes to the Financial Report

For the Year Ended 30 June 2023

Note 2.1 Performance against budget (cont'd)

2.1.1. Income and Expenditure (cont'd)

Explanation of material variances

Ref	Item	Explanation
1	Statutory fees and fines	Statutory fees and fines are \$1.5 million unfavourable to budget predominately due to lower Parking PIN statutory income and Statutory Planning fees.
2	Grants - Operating	Operating grants are \$11.5 million favourable to budget. This includes \$5.3 million received in advance from the Victorian Grants Commission for 100% of the 2023/24 allocation, as well as \$5.1 million Access Care grants unspent in previous years and recognised as income in 2022/23.
3	Grants - Capital	Capital grants of \$18.8 million are \$3.0 million favourable to budget, with additionally received grants for Kerr Crescent New Pavilion, Female Change Facilities in Regents Park, Mentone Life Saving and Carrum Life Saving Clubs.
4	Contributions - Monetary	Monetary contributions are favourable to budget by \$1.7 million which is predominately due to additional receipts in stormwater and open space contributions from developers. These contributions are transferred to a reserve for use on open space and stormwater projects at a later date.
5	Other Income	Other income is \$4.5 million favourable to budget primarily from the higher interest received on investments due to much higher than expected interest rates during the year.
6	Net Gain on Disposal of Assets	Net Gain on Disposal of Assets is \$0.02 million unfavourable to budget due to lower than budgeted and lower than past years' sale of assets.
7	Materials and Services	Materials and Services expenditure is \$3.5 million unfavourable to budget arising from various business areas, such as City Works Waste Management impacted by increased diesel costs, Open Space impacted by overall inflation pressures and Access Care higher brokerage costs for Home Care Packages offset by increased revenue.
8	Depreciation	Depreciation expenditure is \$2.3 million favourable to budget reflecting the profile of the asset base inclusive of timing issues in the capital works program from previous years.
9	Bad and doubtful debts – allowance for impairment losses	Bad and doubtful debts allowance is \$0.3 million unfavourable to budget due to higher than budgeted written off uncollected debts
10	Finance costs – Leases	Finance costs of interest on Leases are \$0.06 million favourable to budget due to lower than budgeted and lower than past years' interest lease cost.
11	Other expenses	Other expenses are unfavourable to budget by \$0.1 million due to higher than budgeted and higher than past years' Councillors statutory allowances.
12	Net loss on disposal of property, infrastructure, plant and equipment	Net loss on disposal of property, infrastructure, plant and equipment of \$2.2 million results from written down value of demolished buildings.

Notes to the Financial Report

For the Year Ended 30 June 2023

Note 2.1 Performance against budget (cont'd)

2.1.2 Capital Works

	Adopted Budget 2023 \$'000	Actual 2023 \$'000	Variance \$'000	Variance %	Favourable (F)/ Unfavourable (U)	Ref
Property						
Land	14,600	581	(14,019)	(96.0%)	U	1
Land improvements	845	-	(845)	(100.0%)	U	2
Total Land	15,445	581	(14,865)	(96.2%)	U	
Buildings	34,744	28,992	(5,752)	(16.6%)	U	3
Total Buildings	34,744	28,992	(5,752)	(16.6%)	U	
Total Property	50,189	29,573	(20,615)	(41.1%)	U	
Plant and equipment						
Plant, machinery and equipment	150	379	229	152.7%	F	4
Fixtures, fittings and furniture	200	1,477	1,277	638.5%	F	5
Computers and telecommunications	1,950	2,269	319	16.4%	F	6
Library books	950	1,167	217	22.8%	F	7
Total Plant and equipment	3,250	5,292	2,042	62.8%	F	
Infrastructure						
Roads	9,004	8,212	(792)	(8.8%)	U	
Footpaths and cycleways	1,470	2,833	1,363	92.7%	F	8
Drainage	2,450	6,081	3,631	148.2%	F	9
Recreational, leisure and community facilities	4,595	6,573	1,978	43.0%	F	10
Parks, open space and streetscapes	7,281	6,482	(799)	(11.0%)	U	11
Off street car parks	750	-	(750)	(100.0%)	U	
Other infrastructure	1,441	-	(1,441)	(100.0%)	U	
Total Infrastructure	26,991	30,181	3,190	11.8%	F	
Total Capital Works expenditure	80,430	65,046	(15,384)	(19.1%)	U	
Represented by:						
New asset expenditure	23,726	20,216	(3,510)	(14.8%)	U	
Asset renewal expenditure	39,949	29,954	(9,995)	(25.0%)	U	
Asset expansion expenditure	10,528	6,609	(3,919)	(37.2%)	U	
Asset upgrade expenditure	6,227	8,267	2,039	32.8%	F	
Total Capital Works Expenditure	80,430	65,046	(15,384)	(19.1%)	U	

An additional \$4.1 million was spent on capital related projects, which was expensed in 2022/23, however this expenditure did not meet Kingston's capitalisation thresholds.

Notes to the Financial Report

For the Year Ended 30 June 2023

Note 2.1 Performance against budget (cont'd)

2.1.2 Capital Works (cont'd)

Explanation of material variances

Ref	Item	Explanation
1	Land	Land purchase budget of \$14.6 million includes the purchase of land for the new Aquatic Centre which occurred in 2021/22 and was recognised in 2021/22.
2	Land improvements	Land improvements are \$0.8 million unfavourable to budget due to no spend in landfill remediation works.
3	Buildings	Buildings are \$5.8 million unfavourable due to underspend on projects Dingley Souter Res Pavilion refurbishment, GR Bricker Pavilion Redevelopment and Roy Dore Pavilion Redevelopment. The underspends are combination of true savings as well as works which will continue in the next financial year and will have budgets carried over.
4	Plant, machinery and equipment	Plant, machinery and equipment capital expenditure budget was \$0.2 million and the actual expenditure is \$0.4 million. The overspend is due to price escalation and catching up on outstanding works from previous year.
5	Fixtures, fittings and furniture	Fixtures, fittings and furniture capital expenditure budget was \$0.2 million and the actual expenditure is \$1.5 million. The overspend is due to price escalation and catching up on outstanding works from previous year.
6	Computers and telecommunications	Computers and telecommunications capital expenditure budget was \$2.0 million and the actual expenditure is \$2.3 million. The spend was on desktop PCs fleet, for which additional budget was added from previous year carry over.
7	Library books	Library books capital expenditure budget was \$1.0 million and the actual expenditure is \$1.2 million. The overspend is due to catching up on outstanding purchases from previous year.
8	Footpaths and cycleways	Footpaths and cycleways capital expenditure budget was \$1.5 million and the actual expenditure variance is favourable by \$2.8 million. The actual expenditure includes all footpaths renewal program, Longbeach Trail Rehabilitation, Wells Road Share Path and Linking Karkarook and Braeside Parks. The overspend is due to price escalation and catching up on outstanding works from previous year.
9	Drainage	Drainage capital expenditure budget was \$2.5 million and the actual expenditure is \$6.1 million. The budget and actuals include all major drainage works. The overspend is due to price escalation and catching up on outstanding works from previous year.

Notes to the Financial Report

For the Year Ended 30 June 2023

Note 2.1 Performance against budget (cont'd)

2.1.2 Capital Works (cont'd)

Explanation of material variances (cont'd)

Ref	Item	Explanation
10	Recreational, leisure and community facilities	Recreational, leisure and community facility capital expenditure is \$6.6 million and is favourable to budget by \$2.0 million. The budget included Sportsground lighting and various sports and recreation works. The overspend is due to catching up on outstanding purchases from previous year. Additional budget was added from previous year carry over.
11	Parks, open space and streetscapes	The capital budget for parks, open space and streetscapes includes Hawthorn - Kennedy Centre & AFLW Sports Ground Contribution, Peter Scullin Reserve Masterplan & Regional Playground Upgrade and Elder St Reserve Development. The actual expenditure of \$6.5 million is unfavourable to the budget by \$0.8 million and the underspend may be carried over to the next financial year.

Notes to the Financial Report

For the Year Ended 30 June 2023

Note 2.2 Analysis of Council results by program

Council delivers its functions and activities through the following programs.

The below divisional structure was in place for the whole of the 2022/23 financial year. The structure has changed in April 2022 and is reflected in 2022/23 reporting.

Note 2.2.1 Planning and Place Division

Planning and Place Division comprised 4 departments. The *City Strategy* Department was responsible for developing, managing and guiding Council's strategic land use planning and policy functions across a broad range of social, economic and environmental issues. The *City Development* Department was responsible for providing an integrated development service to meet the needs of residents, ratepayers, the development industry, and internal clients including the decisions in relation to subdivisions. *City Economy and Innovation* was responsible for supporting and assisting Kingston's 10,000+ strong business community including manufacturers, retailers, business and personal service providers and home-based businesses. The *Compliance and Amenity* Department worked with the community to provide a safer and more liveable municipality through compliance and awareness. Responsibilities included the education and enforcement of local laws, parking, animal management for over 22,000 registered animals, providing 75 schools with crossing supervisors and reducing pollution and fire risks.

Infrastructure and Open Space Division

The Infrastructure and Open Space Division comprised 5 departments. The *Open Space* Department managed, maintained and developed Council's public places, including the 13 kilometres of Kingston's foreshore, parks, reserves and gardens, sports grounds, shopping centres and streetscapes. The *Infrastructure* Department was responsible for the lifecycle management of our built facilities and civil infrastructure. This included the asset management, condition assessment and planning for the upgrading and renewal of road, footpath, drainage, bridges and other infrastructure, as well as traffic and transport planning which has a strong focus on the strategic response to major transport infrastructure projects including grade separations, activity centre planning and active transport provision. The *Active Kingston* Department encouraged community participation in sport and leisure activities to increase physical and mental health and wellbeing including the operation of Council's leisure centre. The *City Works* Department managed the City of Kingston's waste services and the maintenance of buildings, facilities and civil infrastructure assets. The *Project Management* Department is responsible for planning and delivery of the annual capital works program for the upgrading and renewal of roads, footpaths, drainage, bridges and other civil infrastructure.

Community Strengthening Division

Community Strengthening Division comprised 5 areas of responsibility. The *Arts, Events and Libraries* Department was focused on the delivery of industry leading contemporary programs, activities, and events. Through innovation and continuous improvement, the department strived to provide high quality learning, recreational, social and cultural outcomes for our community. The *AccessCare* Department's purpose was to encourage and support a connected community with enhanced health, wellbeing and independence of individuals, groups and communities. *Family, Youth and Children's Services* Department was responsible for the planning and delivery of community-based support services within the municipality including Long Day Care, Maternal Child Health and immunisation programs. *Inclusive Communities* Department led an evidence-based approach to achieving health and social policy outcomes, delivers strengths-based approaches to community development, diversity and inclusion, built community capacity through partnerships, grants, programs and training, and activates Council's community hubs and other relevant community infrastructure.

Customer and Corporate Support Division

Customer and Corporate Support Division comprised 5 departments. The role of *Information Services and Strategy* Department was to provide information systems and services that ensure the quality, security and accessibility of data and information to Council. *People and Culture* Department was responsible for all employment related issues, including policy development and provision of advice and support on workplace relations issues, training and professional development, performance management, risk management, occupational health and safety and injury management and rehabilitation for the organisation. The role of the *Governance* Department was to support the function of democratic local government through the Council and Councillors by promoting and assisting effective decision making and the implementation of those decisions.

Notes to the Financial Report

For the Year Ended 30 June 2023

Note 2.2.1 Analysis of Council results by program (cont'd)

Customer and Corporate Support Division (cont'd)

The *Advocacy, Communications and Engagement* Department provided the Kingston community with timely, relevant and accurate information and services through creative communication, multiple contact and service channels and engagement opportunities. The *Customer Experience and Corporate Performance* Department sought to deliver and facilitate continuous improvement initiatives that embed a Customer First approach through the functions of Corporate Planning, Customer Care, Customer Records, Customer Advocacy and Service Design.

Chief Finance Officer Division

Chief Finance Officer Division was a newly created division and comprised 3 departments. The *Finance* Department managed Council's finances to ensure compliance with statutory financial and reporting obligations and Council's long-term financial sustainability. Responsibilities include preparation of the Annual Budget and Long Term Financial Plan and administration of accounts receivable, accounts payable and payroll. Additionally, the department oversaw Council's property and rating database and the annual revaluation of properties, to ensure rate revenue is raised accurately and on time. The *Property Services* Department managed Council's acquisition and disposal of property, foreshore boatsheds, lease portfolio, legacy contaminated lands and closed landfill sites, road and drainage reserve discontinuances and valuations (for public open space, financial reporting, insurance and acquisition and disposal of property). The purpose of the *Procurement and Contracts* Department was to drive excellence in procurement and contracting processes. The department provided information and specialist advice to the organisation on procurement and contracts, overseeing tendering and contract compliance and probity, reporting organisational activity and driving best value procurement outcomes.

Central Executive Services

The Central Executive Services division included Council's Executive Services and Central Departments. Council's Central Department included expenditure of depreciation, non-capital expenditure from the capital works program plus all income for Council's rates, asset contributions and developer contributions.

2.2.2 Summary of income / revenues, expenses, assets and capital expenses by program

	Income / Revenue	Expenses	Surplus/ (Deficit)	Grants included in income / revenue	Total assets
	\$'000	\$'000	\$'000	\$'000	\$'000
2023					
Planning and Place	9,814	19,439	(9,625)	1,363	59
Infrastructure and Open Space	8,628	74,036	(65,408)	1,049	2,810,716
Community Strengthening	51,359	74,000	(22,641)	41,118	1
Customer & Corporate Support	54	21,414	(21,360)	44	555
CFO Office	4,369	8,393	(4,024)	-	163,877
Central Executive Services	203,124	47,321	155,803	30,236	-
	277,348	244,603	32,745	73,810	2,975,208

	Income / Revenue	Expenses	Surplus/ (Deficit)	Grants included in income / revenue	Total assets
	\$'000	\$'000	\$'000	\$'000	\$'000
2022					
Planning and Place	9,545	18,632	(9,087)	1,298	165
Infrastructure and Open Space	5,844	65,730	(59,886)	769	3,000,436
Community Strengthening	45,345	66,561	(21,216)	36,899	1
Customer & Corporate Support	263	18,572	(18,309)	146	671
CFO Office	3,808	7,522	(3,714)	-	183,635
Central Executive Services	188,979	44,529	144,450	17,893	-
	253,784	221,546	32,238	57,005	3,184,908

Notes to the Financial Report

For the Year Ended 30 June 2023

Note 3 Funding for the delivery of our services

3.1 Rates and charges

Council uses the Capital Improved Value (CIV) as the basis of valuation of all properties within the municipal district. CIV approximates the market value of land and improvements.

The valuation base used to calculate general rates for 2022/23 was \$77.9 billion (2021/22 \$66.2 billion). The 2022/23 declared general rate in the dollar was \$0.0016917 (2021/22 \$0.0019519).

A Municipal charge is levied at the rate of \$100 (2021/22 \$100) per rateable property and a waste service fee (choices A to F) is levied at the rate of \$203 to \$331 (2021/22 \$200 to \$326) per rateable property.

	2023	2022
	\$'000	\$'000
General rates	131,443	127,831
Municipal charge	7,680	7,611
Waste service fee	18,507	18,150
Special rates and charges	59	49
Supplementary rates	1,493	1,813
Interest on rates and charges	(1)	-
Total rates and charges	159,181	155,454

The date of the latest general revaluation of land for rating purposes within the municipal district was 1 January 2022 and the valuation was first applied in the rating year commencing 1 July 2022.

Annual rates and charges are recognised as revenue when Council issues annual rates notices. Supplementary rates are recognised when a valuation and reassessment is completed and a supplementary rate notice issued.

3.2 Statutory fees and fines

	2023	2022
	\$'000	\$'000
Infringements and costs	1,499	1,465
Parking infringements	2,059	1,692
Permits	585	560
Town planning fees	3,403	3,612
Family day care and school age care	471	501
Land information certificates	174	197
Other	212	217
Total Statutory fees and fines	8,403	8,244

Statutory fees and fines (including parking fees and fines) are recognised as revenue when the service has been provided, the payment is received, or when the penalty has been applied, whichever first occurs.

Notes to the Financial Report

For the Year Ended 30 June 2023

Note 3 Funding for the delivery of our services (cont'd)

3.3 User fees

	2023	2022
	\$' 000	\$' 000
Aged and health services	3,368	3,086
Building services	1,123	1,103
Family and children	4,997	4,192
Leisure centre and recreation	6,895	3,893
Registration and other permits	927	898
Waste management services	314	315
Rental Income	3,856	3,190
Other	135	287
Total User Fees	21,615	16,964

User fees by timing of revenue recognition

User fees recognised over time	7,799	6,700
User fees recognised at a point in time	13,816	10,264
Total user fees	21,615	16,964

User fees are recognised as revenue at a point in time, or over time, when (or as) the performance obligation is satisfied. Recognition is based on the underlying contractual terms.

3.4 Funding from other levels of government

	2023	2022
	\$' 000	\$' 000
Grants were received in respect of the following:		
Summary of grants		
Commonwealth funded grants	41,850	36,120
State funded grants	31,960	20,885
Total grants received	73,810	57,005

a) Operating grants

Recurrent - Commonwealth Government

Financial Assistance Grants (*see next page)	6,353	5,928
Access Care	14,342	8,615
Home and community care	11,577	13,568
Family and children	7,743	7,050
Other	92	142

Recurrent - State Government

Access Care	8,043	2,822
Family and children	2,681	3,098
Libraries and education	1,689	1,627
Beach cleaning	167	172
School crossing supervisor program	569	475
Level crossing income	652	668
Other	45	111
Total recurrent grants	53,953	44,276

Notes to the Financial Report

For the Year Ended 30 June 2023

	2023 \$'000	2022 \$'000
Non-Recurrent – State Government		
Working For Victoria	-	134
COVID Funding	508	171
Waste management	-	193
Local Government Business Concierge	259	34
Other	314	1,373
Total non-recurrent grants	1,081	1,905
Total operating grants	55,034	46,181
b) Capital grants		
Recurrent – commonwealth government		
Roads to Recovery	1,743	818
Total recurrent grants	1,743	818
Non-recurrent – State Government		
Sporting facilities	6,519	1,312
Lifesaving clubs	3,582	1,618
Children's facilities	282	236
Civil infrastructure	4,004	3,562
Community facilities	2,629	3,205
Other	17	73
Total non-recurrent grants	17,033	10,006
Total capital grants	18,776	10,824
Total Grants	73,810	57,005

* Victorian Grants Commission funding (previous page – Financial Assistance Grants) includes \$5.3 million received in advance, being 100% of the 2023/24 payment. This also occurred in 2020/21 in that the first two instalments (50%) for 2021/22 (\$2.4 million) were received in June 2021 and for 2022/23 (\$3.6 million) were received in June 2022.

(c) Recognition of grant income

Before recognising funding from government grants as revenue, Council assesses whether there is a contract that is enforceable and has sufficiently specific performance obligations in accordance with AASB 15 Revenue from Contracts with Customers. When both these conditions are satisfied, Council:

- identifies each performance obligation relating to revenue under the contract/agreement
- determines the transaction price
- recognises a contract liability for its obligations under the agreement
- recognises revenue as it satisfies its performance obligations, at the time or over time when services are rendered.

Where the contract is not enforceable and/or does not have sufficiently specific performance obligations, the Council applies AASB 1058 Income for Not-for-Profit Entities.

Grant revenue with sufficiently specific performance obligations is recognised over time as the performance obligations specified in the underlying agreement are met. Where performance obligations are not sufficiently specific, grants are recognised on the earlier of receipt or when an unconditional right to receipt has been established. Grants relating to capital projects are generally recognised progressively as the capital project is completed. The following table provides a summary of the accounting framework under which grants are recognised.

Notes to the Financial Report

For the Year Ended 30 June 2023

	2023	2022
Income recognised under AASB 1058 <i>Income of Not-for-Profit Entities</i>	\$'000	\$'000
General purpose	6,353	5,928
Specific purpose grants to acquire non-financial assets	18,776	10,824
Revenue recognised under AASB 15 <i>Revenue from Contracts with Customers</i>		
Specific purpose grants	48,681	40,253
	73,810	57,005

d) Unspent grants received on condition that they be spent in a specific manner

	2023	2022
Operating	\$'000	\$'000
Balance at start of year	8,837	8,178
Received during the financial year and remained unspent at balance date	3,563	8,837
Received in prior years and spent during the financial year	(6,537)	(8,178)
Balance at year end	5,863	8,837
Capital	2023	2022
	\$'000	\$'000
Balance at start of year	9,332	8,139
Received during the financial year and remained unspent at balance date	1,243	8,034
Received in prior years and spent during the financial year	(8,749)	(6,841)
Balance at year end	1,826	9,332

Unspent grants are determined and disclosed on a cash basis.

Notes to the Financial Report

For the Year Ended 30 June 2023

Note 3 Funding for the delivery of our services (cont'd)

3.5 Contributions

	2023 \$'000	2022 \$'000
Monetary	8,466	8,823
Non-monetary	-	-
Total contributions	8,466	8,823

No non-monetary assets were received in 2022/23.

Monetary and non-monetary contributions are recognised as revenue at their fair value when Council obtains control over the contributed asset.

3.6 Net gain on disposal of property, infrastructure, plant and equipment

	2023 \$'000	2022 \$'000
Proceeds from sale	76	163
Written down value of assets disposed	-	(16)
Written down value of assets demolished	(2,289)	-
Total net gain on disposal of property, infrastructure, plant and equipment	(2,213)	147

The profit or loss on sale of an asset is determined when control of the asset has passed to the buyer.

3.7 Other Income

	2023 \$'000	2022 \$'000
Interest Income		
Interest on cash and investments	4,281	591
	4,281	591
Other Income		
Found assets	-	5,560
Fair value adjustment for investment property	399	138
Other	1,117	858
	1,516	6,556
Total Other Income	5,797	7,147

Interest is recognised as it is earned. Other income is measured at the fair value of the consideration received or receivable and is recognised when Council gains control over the right to receive the income.

Notes to the Financial Report

For the Year Ended 30 June 2023

Note 4 The cost of delivering services

4.1 Employee costs

	2023 \$ '000	2022 \$ '000
(a) Employee costs		
Wages and salaries	81,087	76,544
Casual staff	8,968	7,661
Fringe benefits tax and WorkCover	1,590	1,284
Superannuation	9,256	8,162
Annual Leave and Long Service Leave	2,902	2,088
Total employee costs	103,803	95,739
(b) Superannuation		
Council made cash contributions to the following funds:		
Defined Benefit fund		
Employer contributions to Local Authorities Superannuation Fund (Vision Super)	233	268
	233	268
Accumulation funds		
Employer contributions to Local Authorities Superannuation Fund (Vision Super)	4,318	4,432
Employer contributions - other funds	4,705	3,780
Total contributions	9,023	8,212
Employer contributions payable at reporting date	883	809

Contributions made exclude amounts accrued at balance date.

Refer to Note 9.3 for further information relating to Council's superannuation obligations.

4.2 Materials and services

	2023 \$ '000	2022 \$ '000
Road infrastructure maintenance	10,685	13,219
Building maintenance	5,745	4,056
Waste and cleansing	22,185	20,132
Aged services	16,649	13,824
Parks, gardens and reserves	13,738	11,057
Leisure and culture	6,481	4,745
Accommodation expense	1,562	1,048
Information systems and telecommunications	7,022	5,477
Family services	3,338	3,219
Community engagement	2,332	1,981
Parking, monitoring and enforcement	1,605	1,538
Procurement and fleet management	2,349	2,159
Council business	388	448
People and culture	1,028	837
Finance and legal	3,393	2,457
Planning and building	1,420	2,007
Other	1,252	1,388
Total materials and services	101,172	89,592

Expenses are recognised as they are incurred and reported in the financial year to which they relate.

Notes to the Financial Report

For the Year Ended 30 June 2023

4.3 Depreciation

	2023	2022
	\$' 000	\$' 000
Property	9,239	8,328
Infrastructure	22,503	21,773
Plant and equipment	2,657	3,390
Total depreciation	34,399	33,491

Refer to Note 6.2 for a more detailed breakdown of depreciation charges and accounting policy.

4.4 Amortisation – Intangible assets

	2023	2022
	\$' 000	\$' 000
Software	300	277
Total Amortisation – Intangible assets	300	277

Refer to Note 5.2(b) for a more detailed breakdown of intangible amortisation charges and accounting policy.

4.5 Amortisation – Right of use assets

	2023	2022
	\$' 000	\$' 000
Property	125	131
Vehicles	493	511
Waste	450	449
Equipment	80	83
Total Amortisation – Right of use assets	1,148	1,174

Refer to Note 5.8 for a more detailed breakdown of lease amortisation charges and accounting policy.

4.6 Bad and doubtful debts - allowance for impairment losses

	2023	2022
	\$' 000	\$' 000
Other debtors	323	84
Total bad and doubtful debts - allowance for impairment losses	323	84

Movement in allowance for impairment losses in respect of debtors

Balance at the beginning of the year	109	166
New provisions recognised during the year	236	109
Amounts already provided for and written off as uncollectable	(105)	(166)
Balance at end of year	240	109

An allowance for impairment losses in respect of debtors is recognised based on an expected credit loss model. This model considers both historic and forward looking information in determining the level of impairment.

Notes to the Financial Report

For the Year Ended 30 June 2023

Note 4 The cost of delivering services (cont'd)

4.7 Borrowing costs

	2023 \$'000	2022 \$'000
Interest – borrowings	-	9
Total borrowing costs	-	9

Borrowing costs are recognised as an expense in the period in which they are incurred, except where they are capitalised as part of a qualifying asset constructed by Council.

4.8 Finance Costs - Leases

	2023 \$'000	2022 \$'000
Interest – Lease Liabilities	445	455
Total borrowing costs	445	455

4.9 Other expenses

	2023 \$'000	2022 \$'000
Auditors' remuneration (VAGO) – audit of the financial statements, performance statement and grant acquittals	66	66
Auditors' remuneration – internal	131	160
Councillor Allowances	527	499
Total other expenses	724	725

Notes to the Financial Report

For the Year Ended 30 June 2023

Note 5 Our financial position

5.1 Financial assets

(a) Cash and cash equivalents

	2023 \$'000	2022 \$'000
Cash on hand	10	11
Cash at bank	19,144	13,371
Total cash and cash equivalents	19,154	13,382

(b) Other financial assets

Current

Term Deposits – current	122,127	148,434
-------------------------	---------	---------

Total current other financial assets	122,127	148,434
---	----------------	----------------

Non-Current

Term Deposits – non-current	-	-
-----------------------------	---	---

Total non-current other financial assets	-	-
---	----------	----------

Total other financial assets	122,127	148,434
-------------------------------------	----------------	----------------

Total financial assets	141,281	161,816
-------------------------------	----------------	----------------

Intended allocations

Although not externally restricted, the following amounts have been allocated for specific future purposes by Council. Refer to note 9.1 for a description of individual reserve amounts.

Asset replacement reserve	259	299
Asset development reserve	27,456	21,758
Aged care reserve	8,698	8,698
Foreshore	4,182	2,007
Green Wedge	6,636	5,878
Defined benefit call reserve	1,000	1,000
Stormwater Quality reserve	3,471	2,936
Other reserves	632	360
Total funds subject to intended allocations	52,334	42,936

Cash and cash equivalents include cash on hand, deposits at call, and other highly liquid investments with original maturities of 90 days or less, net of outstanding bank overdrafts.

Other financial assets are valued at fair value at balance date. Term deposits are measured at original cost. Any unrealised gains and losses on holdings at balance date are recognised as either a revenue or expense.

Other financial assets include term deposits and those with original maturity dates of three to 12 months are classified as current, whilst term deposits with maturity dates greater than 12 months are classified as non-current.

Notes to the Financial Report

For the Year Ended 30 June 2023

Note 5 Our financial position (cont'd)

5.1 Financial assets (cont'd)

(c) Trade and other receivables

	2023	2022
	\$ '000	\$ '000
Current		
Statutory receivables		
Rate debtors	11,354	11,798
Net GST receivable	2,052	3,691
Infringement debtors	7,356	7,037
Provision for doubtful debts - infringements	(7,298)	(6,871)
	13,464	15,655
Non statutory receivables		
Other debtors	5,658	4,758
Provision for doubtful debts – other debtors	(240)	(109)
	5,418	4,649
Total current trade and other receivables	18,882	20,304
Total trade and other receivables	18,882	20,304

Short term receivables are carried at invoice amount. A provision for doubtful debts is recognised when there is objective evidence that an impairment has occurred. Long term receivables are carried at amortised cost using the effective interest rate method.

Notes to the Financial Report

For the Year Ended 30 June 2023

Note 5 Our financial position (cont'd)

5.1 Financial assets (cont'd)

(d) Ageing of receivables

The ageing of Council's trade and other receivables (excluding statutory receivables) that are not impaired was:

	2023	2022
	\$'000	\$'000
Current (not yet due)	1,008	962
Past due by up to 30 days	2,225	1,817
Past due between 31 and 180 days	1,092	934
Past due between 181 and 365 days	873	748
Past due by more than 1 year	220	188
Total trade and other receivables	5,418	4,649

(e) Ageing of individually impaired receivables

At balance date, other debtors representing financial assets with a nominal value of \$240k (2022: \$109k) were impaired. The amount of the provision raised against these debtors was \$240k (2022: \$109k). They individually have been impaired as a result of their doubtful collection. Many of the long outstanding past due amounts have been lodged with Council's debt collectors or are on payment arrangements.

The ageing of receivables that have been individually determined as impaired at reporting date was:

	2023	2022
	\$'000	\$'000
Current (not yet due)	-	-
Past due by up to 30 days	-	-
Past due between 31 and 180 days	-	-
Past due between 181 and 365 days	-	-
Past due by more than 1 year	240	109
Total trade and other receivables	240	109

Notes to the Financial Report

For the Year Ended 30 June 2023

Note 5 Our financial position (cont'd)

5.2. Non-financial assets

(a) Other assets

	2023 \$'000	2022 \$'000
Current		
Prepayments	859	1,052
Accrued income	2,665	378
Total other assets – current	3,524	1,430
Non-Current		
Refundable deposits paid	250	250
Total other assets – non-current	250	250
Total Other assets	3,774	1,680

(b) Intangible assets

	2023 \$'000	2022 \$'000
Software	555	671
Total intangible assets	555	671

Movement in gross carrying amount

	Software \$'000	Total \$'000
Gross carrying amount		
Balance at 1 July 2022	6,600	6,600
Additions from internal developments	184	184
Balance at 30 June 2023	6,784	6,784
Accumulated amortisation and impairment		
Balance at 1 July 2022	5,929	5,929
Amortisation expense	300	300
Balance at 30 June 2023	6,229	6,229
Net book value at 30 June 2022	671	671
Net book value at 30 June 2023	555	555

Notes to the Financial Report

For the Year Ended 30 June 2023

5.2. Non-financial assets (cont'd)

	Software	Total
	\$'000	\$'000
Gross carrying amount		
Balance at 1 July 2021	6,486	6,486
Additions from internal developments	114	114
Balance at 30 June 2022	6,600	6,600
Accumulated amortisation and impairment		
Balance at 1 July 2021	5,652	5,652
Amortisation expense	277	277
Balance at 30 June 2022	5,929	5,929
Net book value at 30 June 2021	834	834
Net book value at 30 June 2022	671	671

Intangible assets with finite lives are amortised as an expense on a systematic basis over the asset's useful life. Amortisation is generally calculated on a straight-line basis, at a rate that allocates the asset value, less any estimated residual value over its estimated useful life. Estimates of the remaining useful lives and amortisation method are reviewed at least annually, and adjustments made where appropriate.

Software

Purchased software is recognised as an intangible asset if it meets the recognition threshold of \$50,000. Purchased software is measured at cost less accumulated amortisation and impairment costs over a finite life not exceeding five years. The purchase price and any directly attributable costs of preparing the software for operation are included in the cost of the intangible asset. All expenditure below the threshold and ongoing maintenance and fees related to the software is expensed when incurred. Operating software integral to the operation of a personal computer is recorded as Property, Plant and Equipment.

5.3 Payables, trust funds and deposits and unearned income

a) Trade and other payables

	2023	2022
	\$'000	\$'000
Current		
Non-statutory payables		
Trade payables	2,735	6,208
Salary accruals	3,346	2,760
Other accruals	20,861	25,298
Total current trade and other payables	26,942	34,266

Notes to the Financial Report

For the Year Ended 30 June 2023

(b) Trust funds and deposits

	2023	2022
	\$'000	\$'000
Current		
Refundable deposits	52	264
Fire services levy	5,306	12,473
Retention amounts	6,055	5,674
Total current trust funds and deposits	11,413	18,411

Amounts received as deposits and retention amounts controlled by Council are recognised as trust funds until they are returned, transferred in accordance with the purpose of the receipt, or forfeited. Trust funds that are forfeited, resulting in Council gaining control of the funds, are recognised as revenue at the time of forfeit.

Purpose and nature of items

Refundable deposits – Deposits are taken by Council as a form of surety in a number of circumstances, including in relation to building works, tender deposits, contract deposits and the use of civic facilities.

Fire Service Levy - Council is the collection agent for the fire services levy on behalf of the State Government. Council remits amounts received on a quarterly basis. Amounts disclosed here will be remitted to the state government in line with that process.

Retention amounts – Council has a contractual right to retain certain amounts until a contractor has met certain requirements or a related warrant or defect period has elapsed. Subject to the satisfactory completion of the contractual obligations, or the elapsing of time, these amounts will be paid to the relevant contractor in line with Council's contractual obligations.

(c) Unearned Income/revenue

	2023	2022
	\$'000	\$'000
Current		
Grants received in advance - operating	5,863	8,837
Grants received in advance - capital	1,826	9,332
User fees received in advance	689	750
Total current unearned income/revenue	8,378	18,919

Unearned income/revenue represents contract liabilities and reflect consideration received in advance from customers in respect of operating grants, capital grants and user fees. Unearned income/revenue are derecognised and recorded as revenue when promised goods and services are transferred to the customer. Refer to Note 3.

5.4 Interest-bearing liabilities

Council had no interest-bearing liabilities as at 30 June 2023.

Notes to the Financial Report

For the Year Ended 30 June 2023

Note 5 Our financial position (cont'd)

5.5 Provisions

	Employee Leave	Landfill restoration	Parking Refunds	Personal Leave Bank (i)	Total
	\$'000	\$'000	\$'000	\$'000	\$'000
2023					
Balance at the beginning of the financial year	22,282	395	1,187	96	23,960
Additional provisions	7,946	422	-	16	8,384
Amounts used	(7,659)	-	32	-	(7,627)
Change in the discounted amount arising because of the time and the effect of any change in the discount rate	(14)	-	-	-	(14)
Balance at the end of the financial year	22,555	817	1,219	112	24,703
Provision – current	20,670	817	1,219	112	22,818
Provision – non-current	1,885	-	-	-	1,885
2022					
Balance at the beginning of the financial year	23,021	914	1,187	93	25,215
Additional provisions	5,436	-	-	3	5,439
Amounts used	(5,863)	(519)	-	-	(6,382)
Change in the discounted amount arising because of the time and the effect of any change in the discount rate	(312)	-	-	-	(312)
Balance at the end of the financial year	22,282	395	1,187	96	23,960
Provision – current	20,415	395	1,187	96	22,093
Provision – non-current	1,867	-	-	-	1,867

	2023 \$'000	2022 \$'000
(a) Employee leave provisions		
Current provisions expected to be wholly settled within 12 months		
Annual leave	7,834	7,643
Long service leave	987	1,136
	8,821	8,779
Current provisions expected to be wholly settled after 12 months		
Annual leave	917	1,444
Long service leave	10,932	10,192
	11,849	11,636
Total current employee leave provisions	20,670	20,415

Notes to the Financial Report

For the Year Ended 30 June 2023

Note 5 Our financial position (cont'd)

5.5 Provisions (cont'd)

	2023	2022
	\$ '000	\$ '000
Other provisions		
Current provisions expected to be wholly settled within 12 months		
Landfill restoration	817	395
Personal leave bank	112	96
Parking Refunds	1,219	1,187
	2,148	1,678
Total current provisions	22,818	22,093
	2023	2022
	\$ '000	\$ '000
Non-current employee provisions		
Long Service Leave	1,885	1,867
Total non-current provisions	1,885	1,867
Aggregate carrying amount of employee provisions:		
Current	20,670	22,093
Non-current	1,885	1,867
Total aggregate carrying amount of employee provisions	22,555	23,960

The calculation of employee costs and benefits includes all relevant on costs and are calculated as follows at reporting date:

Annual leave

A liability for annual leave is recognised in the provision for employee benefits as a current liability because Council does not have an unconditional right to defer settlement of the liability. Liabilities for annual leave are measured at:

- nominal value if the Council expects to wholly settle the liability within 12 months
- present value if the Council does not expect to wholly settle within 12 months.

Liabilities that are not expected to be wholly settled within 12 months of the reporting date are recognised in the provision for employee benefits as non-current liabilities, measured at present value of the amounts expected to be paid when the liabilities are settled using the remuneration rate expected to apply at the time of settlement.

Long service leave

Liability for Long Service Leave (LSL) is recognised in the provision for employee benefits. Unconditional LSL is disclosed as a current liability as Council does not have an unconditional right to defer settlement. Unconditional LSL is measured at nominal value if expected to be settled within 12 months or at present value if not expected to be settled within 12 months. Conditional LSL that has been accrued, where an employee is yet to reach a qualifying term of employment, is disclosed as a non-current liability and measured at present value.

Key Assumptions:	2023	2022
- Discount rate	4.06%	3.69%
- Index rate	4.35%	3.85%

Notes to the Financial Report

For the Year Ended 30 June 2023

Landfill restoration

Council is obligated to restore landfill sites to a particular standard. The forecast life of the site is based on current estimates of remaining capacity and the forecast rate of infill.

Key Assumptions:

The provision for landfill restoration has been calculated based on the undiscounted amount of the expected cost of works to be undertaken.

The expected cost of works has been estimated based on the current understanding of work required to reinstate the site to a suitable standard. Accordingly, the estimation of the provision required is dependent on the accuracy of the forecast timing of the work, work required and related costs.

Parking Refunds

Council has raised a provision to correct the consequences of an administrative process error that has occurred between 2006 and 2016 in processing of parking infringement reviews under the *Infringements Act 2006*. This provision will fund a reimbursement scheme for individuals who sought an internal review of a parking infringement issued under the *Infringements Act 2006* and were unsuccessful in having it overturned generally between 1 July 2006 and 26th December 2016. Analysis has identified that 21,851 infringements were impacted and the total value of the infringements issued that fall within this category was \$2 million. As at 30 June 2023, a total of \$1.2 million remains unclaimed due to historic nature.

Personal leave bank

Council has raised a new provision in 2020 to assist employees who have unforeseen extreme personal circumstances including serious personal health issues and serious health issues for dependents where they are the primary carer. Employees in these circumstances (at the discretion of the CEO) can apply to access leave when their personal circumstances have resulted in them having no leave available.

The provision is to be maintained at 2000 hours at the Band 6B rate of pay.

5.6 Financing arrangements

	2023	2022
	\$'000	\$'000
Bank overdraft	5,000	5,000
Credit card facilities	150	150
Loans	-	-
Total facilities	5,150	5,150
Used facilities – credit cards	68	68
Used facilities – loans	-	-
Total used facilities	68	68
Total unused facilities	5,082	5,082

The Council has an arrangement for offset of overdraft against bank balances including on-call accounts. As at balance date the overdraft facility was unused. Bank Overdraft and Credit Card facilities are held with the Commonwealth Bank with security mortgage over rates revenue.

Notes to the Financial Report

For the Year Ended 30 June 2023

Note 5 Our financial position (cont'd)

5.7 Commitments

(a) Commitments for expenditure

Council has entered the following commitments. Commitments are not recognised in the Balance Sheet. Commitments are disclosed at their nominal value and presented inclusive of the GST payable.

	Not later than 1 year \$'000	Later than 1 year and not later than 2 years \$'000	Later than 2 not later than 5 years \$'000	Later than 5 years \$'000	Total \$'000
2023					
Operating					
- Infrastructure works	1,245	325	-	-	1,570
- Parks, gardens, reserves	10,775	7,784	12,900	-	31,459
-Waste and cleansing	22,424	18,989	49,960	14,164	105,537
-Community sustainability	3,220	60	-	-	3,280
- Corporate services	3,769	1,561	804	-	6,134
	41,433	28,719	63,664	14,164	147,980
Capital					
- Buildings (i)	33,515	-	-	-	33,515
- Transport (i)	6,494	-	-	-	6,494
	40,009	-	-	-	40,009
Total	81,442	28,719	63,664	14,164	187,989

- (i) Major capital expenditure commitments as at 30 June 2023 include: GR Bricker Pavilion Redevelopment (\$6.0 million), Female Change Facilities - Regents Park (\$5.4 million), North Cheltenham early years centre (\$4.9 million), Aquatic Centre Development (\$4.9 million).

	Not later than 1 year \$'000	Later than 1 year and not later than 2 years \$'000	Later than 2 not later than 5 years \$'000	Later than 5 years \$'000	Total \$'000
2022					
Operating					
- Infrastructure works	2,320	1,245	325	-	3,890
- Parks, gardens, reserves	6,702	5,318	4,826	-	16,846
- Waste and cleansing	20,956	15,896	44,906	17,711	99,469
- Community sustainability	1,433	1,245	-	-	2,678
- Corporate services	5,304	3,257	330	-	8,891
	36,715	26,961	50,387	17,711	131,774
Capital					
- Buildings	16,879	-	-	-	16,879
- Transport	7,063	-	-	-	7,063
	23,942	-	-	-	23,942
Total	60,657	26,961	50,387	17,711	155,716

Notes to the Financial Report

For the Year Ended 30 June 2023

Note 5 Our financial position (cont'd)

5.7 Commitments

(b) Operating lease receivables

Council has entered into commercial property leases. These properties held under operating leases have remaining non-cancellable lease terms of between 1 and 50 years. All leases include a CPI based revision of the rental charge annually.

Future minimum rentals under non-cancellable operating leases are as follows:

	2023	2022
	\$'000	\$'000
Not later than one year	3,161	3,054
Later than one year and not later than five years	8,836	9,359
Later than five years	11,771	12,179
	23,768	24,592

5.8 Leases

At inception of a contract, Council assesses whether a contract is, or contains, a lease. A contract is, or contains, a lease if the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration. To identify whether a contract conveys the right to control the use of an identified asset, it is necessary to assess whether:

- The contract involves the use of an identified asset;
- Council has the right to obtain substantially all of the economic benefits from use of the asset throughout the period of use; and
- Council has the right to direct the use of the asset.

This policy is applied to contracts entered into, or changed, on or after 1 July 2019.

As a lessee, Council recognises a right-of-use asset and a lease liability at the lease commencement date. The right-of-use asset is initially measured at cost which comprises the initial amount of the lease liability adjusted for:

- any lease payments made at or before the commencement date less any lease incentives received; plus
- any initial direct costs incurred; and
- an estimate of costs to dismantle and remove the underlying asset or to restore the underlying asset or the site on which it is located.

The right-of-use asset is subsequently depreciated using the straight-line method from the commencement date to the earlier of the end of the useful life of the right-of-use asset or the end of the lease term. The estimated useful lives of right-of-use assets are determined on the same basis as those of property, plant and equipment. In addition, the right-of-use asset is periodically reduced by impairment losses, if any, and adjusted for certain re-measurements of the lease liability.

The lease liability is initially measured at the present value of the lease payments that are not paid at the commencement date, discounted using the interest rate implicit in the lease or, if that rate cannot be readily determined, an appropriate incremental borrowing rate. Generally, Council uses an appropriate incremental borrowing rate as the discount rate.

Lease payments included in the measurement of the lease liability comprise the following:

Notes to the Financial Report

For the Year Ended 30 June 2023

- Fixed payments
- Variable lease payments that depend on an index or a rate, initially measured using the index or rate as at the commencement date;
- Amounts expected to be payable under a residual value guarantee; and
- The exercise price under a purchase option that Council is reasonably certain to exercise, lease payments in an optional renewal period if Council is reasonably certain to exercise an extension option, and penalties for early termination of a lease unless Council is reasonably certain not to terminate early.

When the lease liability is remeasured in this way, a corresponding adjustment is made to the carrying amount of the right-of-use asset, or is recorded in profit or loss if the carrying amount of the right-of-use asset has been reduced to zero.

Under *AASB 16 Leases*, Council as a not-for-profit entity has elected not to measure right-of-use assets at initial recognition at fair value in respect of leases that have significantly below-market terms.

Notes to the Financial Report

For the Year Ended 30 June 2023

Note 5 Our financial position (cont'd)

5.8 Leases (cont'd)

Right-of-Use Assets	Property	Vehicles	Waste	Equipment	Total
	\$'000	\$'000	\$'000	\$'000	\$'000
2023					
Balance as at 1 July 2022	847	1,138	7,309	81	9,375
Additions	8	539	-	41	588
Terminations	(58)	(34)	-	-	(92)
Fair value adjustment	-	-	-	-	-
Amortisation charge	(125)	(493)	(450)	(80)	(1,148)
Balance as at 30 June 2023	672	1,150	6,859	42	8,723
2022					
Balance as at 1 July 2021	864	1,554	7,758	2	10,178
Additions	-	261	-	16	277
Fair value adjustment	114	(166)	-	146	94
Amortisation charge	(131)	(511)	(449)	(83)	(1,174)
Balance as at 30 June 2022	847	1,138	7,309	81	9,375

	2023	2022
	\$'000	\$'000
Lease Liabilities		
Maturity analysis – contractual undiscounted cash flows		
Less than one year	1,220	1,375
One to five years	3,755	3,785
More than five years	7,958	8,618
Total undiscounted lease liabilities as at 30 June	12,933	13,778

Lease liabilities included in the Balance Sheet at 30 June:

Current	802	951
Non-current	8,604	8,966
Total lease liabilities	9,406	9,917

Short-term and low value leases

Council has elected not to recognise right-of-use assets and lease liabilities for short-term leases of machinery that have a lease term of 12 months or less and leases of low-value assets (individual assets worth less than existing capitalisation thresholds for a like asset up to a maximum of AUD\$10,000), including IT equipment. Council recognises the lease payments associated with these leases as an expense on a straight-line basis over the lease term.

	2023	2022
	\$'000	\$'000
Expenses relating to:		
Short-term leases	-	-
Leases of low value assets	-	81
Total	-	81

Notes to the Financial Report

For the Year Ended 30 June 2023

Note 5 Our financial position (cont'd)

5.8 Leases (cont'd)

Non-cancellable lease commitments – Short-term and low-value leases

Commitments for minimum lease payments for short-term and low-value leases are payable as follows: Payable:

Within one year	-	76
Later than one year but not later than five years-	-	-
Total lease commitments	-	76

Note 6 Assets we manage

6.1 Non-current assets classified as held for sale

	2023	2022
	\$'000	\$'000
Balance at beginning of the year	1,199	960
Transfers (Note 6.2)	711	-
Revaluation	-	239
Balance at end of the year	1,910	1,199

Non-current assets classified as held for sale (including disposal groups) are measured at the lower of its carrying amount and fair value less costs of disposal, and are not subject to depreciation. Non-current assets, disposal groups and related liabilities and assets are treated as current and classified as held for sale if their carrying amount will be recovered through a sale transaction rather than through continuing use. This condition is regarded as met only when the sale is highly probable and the asset's sale (or disposal group sale) is expected to be completed within 12 months from the date of classification.

Non-current assets classified as held for sale in 2022/23 includes land and building at 6 Lochiel Avenue Edithvale and 33 Balcombe Road Mentone.

Notes to the Financial Report

For the Year Ended 30 June 2023

Note 6 Assets we manage (cont'd)

6.2 Property, infrastructure, plant and equipment

Summary of property, infrastructure, plant and equipment

	At Fair Value 30 June 2022	Acquisitions \$'000	Revaluation \$'000	Depreciation \$'000	Disposal \$'000	Write-off \$'000	Transfers \$'000	At Fair Value 30 June 2023 \$'000
Property	2,109,489	6,057	(274,517)	(9,238)	(2,290)	-	3,876	1,833,377
Plant and equipment	8,879	5,292	23	(2,658)	-	-	-	11,536
Infrastructure	839,100	25,228	56,680	(22,503)	-	-	1,779	900,284
Works in progress	28,357	28,469	-	-	-	(11)	(6,366)	50,449
	2,985,825	65,046	(217,814)	(34,399)	(2,290)	(11)	(711)	2,795,646

Summary of works in progress

	Opening WIP \$'000	Additions \$'000	Write-off \$'000	Transfers \$'000	Closing WIP \$'000
Property	25,849	23,516	-	(5,607)	43,758
Infrastructure	2,508	4,953	(11)	(759)	6,691
	28,357	28,469	(11)	(6,366)	50,449

Notes to the Financial Report

For the Year Ended 30 June 2023

Note 6 Assets we manage (cont'd)

6.2 Property, infrastructure, plant and equipment (cont'd)

a) Property	Land Under Roads \$'000	Land - specialised \$'000	Land - non specialised \$'000	Total Land \$'000	Heritage buildings \$'000	Buildings - specialised \$'000	Building improvements \$'000	Leasehold improvements \$'000	Total Buildings \$'000	Work In Progress \$'000	Total Property \$'000
At fair value 1 July 2022	720,242	740,815	343,087	1,804,144	38,998	523,212	12,435	1,867	576,512	25,849	2,406,505
Accumulated depreciation at 1 July 2022	-	-	-	-	(24,550)	(241,290)	(3,637)	(1,690)	(271,167)	-	(271,167)
	720,242	740,815	343,087	1,804,144	14,448	281,922	8,798	177	305,345	25,849	2,135,338
Movements in fair value											
Additions	-	580	-	580	-	5,477	-	-	5,477	23,516	29,573
Revaluation	(233,318)	(55,292)	(17,228)	(305,838)	3,841	53,446	-	-	57,287	-	(248,551)
Disposals	-	-	-	-	-	(7,796)	-	-	(7,796)	-	(7,796)
Transfers	-	15,184	(15,686)	(502)	-	3,980	-	-	3,980	(5,607)	(2,129)
Adjustment in the opening balance	-	-	-	-	15	(15)	-	-	-	-	-
	(233,318)	(39,528)	(32,914)	(305,760)	3,856	55,092	-	-	58,948	17,909	(228,903)
Movements in accumulated depreciation											
Depreciation and amortisation	-	-	-	-	(445)	(8,166)	(546)	(81)	(9,238)	-	(9,238)
Accumulated depreciation of revaluations	-	-	-	-	(2,468)	(23,498)	-	-	(25,966)	-	(25,966)
Accumulated depreciation of disposals	-	-	-	-	-	5,506	-	-	5,506	-	5,506
Transfers	-	-	-	-	-	398	-	-	398	-	398
Adjustment in the opening balance	-	-	-	-	(405)	405	-	-	-	-	-
	-	-	-	-	(3,318)	(25,355)	(546)	(81)	(29,300)	-	(29,300)
At fair value 30 June 2023	486,924	701,287	310,173	1,498,384	42,854	578,304	12,435	1,867	635,460	43,758	2,177,602
Accumulated depreciation at 30 June 2023	-	-	-	-	(27,868)	(266,645)	(4,183)	(1,771)	(300,467)	-	(300,467)
Carrying amount	486,924	701,287	310,173	1,498,384	14,986	311,659	8,252	96	334,993	43,758	1,877,135

Notes to the Financial Report

For the Year Ended 30 June 2023

Note 6 Assets we manage (cont'd)

6.2 Property, infrastructure, plant and equipment (cont'd)

(b) Plant and Equipment	Heritage plant and equipment	Plant machinery	Fixtures and fittings and furniture	Computers and telecomms	Library books	Total plant and equipment
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
At fair value 1 July 2022	1,871	3,274	20,421	8,492	22,248	56,306
Accumulated depreciation at 1 July 2022	(614)	(2,429)	(17,023)	(7,840)	(19,521)	(47,427)
	1,257	845	3,398	652	2,727	8,879
Movements in fair value						
Additions	-	379	1,477	2,269	1,167	5,292
Revaluation	47	-	-	-	-	47
Disposal	-	(180)	-	-	-	(180)
	47	199	1,477	2,269	1,167	5,159
Movements in accumulated depreciation						
Depreciation and amortisation	(18)	(248)	(1,355)	(113)	(924)	(2,658)
Accumulated depreciation of revaluations	(24)	-	-	-	-	(24)
Accumulated depreciation of disposals	-	180	-	-	-	180
	(42)	(68)	(1,355)	(113)	(924)	(2,502)
At fair value 30 June 2023	1,918	3,473	21,898	10,761	23,415	61,465
Accumulated depreciation at 30 June 2023	(656)	(2,497)	(18,378)	(7,953)	(20,445)	(49,929)
Carrying amount	1,262	976	3,520	2,808	2,970	11,536

Notes to the Financial Report

For the Year Ended 30 June 2023

Note 6 Assets we manage (cont'd)

6.2 Property, infrastructure, plant and equipment (cont'd)

(c) Infrastructure	Roads (i)	Bridges	Footpaths and cycleways	Other infrastructure	Drainage	Recreational, leisure and community facilities	Parks open space and streetscapes	Work In Progress	Total Infrastructure
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
At fair value 1 July 2022	827,746	10,694	137,084	13,468	470,842	44,481	35,183	2,508	1,542,006
Accumulated depreciation at 1 July 2022	(319,110)	(8,855)	(92,862)	(13,468)	(250,687)	(7,509)	(7,907)	-	(700,398)
	508,636	1,839	44,222	-	220,155	36,972	27,276	2,508	841,608
Movements in fair value									
Additions	7,880	-	2,833	-	6,040	3,299	5,176	4,953	30,181
Revaluation	77,528	-	5,737	-	25,961	-	-	-	109,226
Write-off	-	-	-	-	-	-	-	(11)	(11)
Transfers	24	-	-	-	-	509	1,246	(759)	1,020
	85,432	-	8,570	-	32,001	3,808	6,422	4,183	140,416
Movements in accumulated depreciation									
Depreciation and amortisation	(12,747)	(107)	(2,285)	-	(4,708)	(1,483)	(1,173)	-	(22,503)
Accumulated depreciation of revaluations	(34,612)	-	(3,901)	-	(14,033)	-	-	-	(52,546)
	(47,359)	(107)	(6,186)	-	(18,741)	(1,483)	(1,173)	-	(75,049)
At fair value 30 June 2023	913,178	10,694	145,654	13,468	502,843	48,289	41,605	6,691	1,682,422
Accumulated depreciation at 30 June 2023	(366,469)	(8,962)	(99,048)	(13,468)	(269,428)	(8,992)	(9,080)	-	(775,447)
Carrying amount	546,709	1,732	46,606	-	233,415	39,297	32,525	6,691	906,975

(i) Roads include off street car parks

Notes to the Financial Report

For the Year Ended 30 June 2023

Note 6 Assets we manage (cont'd)

6.2 Property, infrastructure, plant and equipment (cont'd)

Acquisition

The purchase method of accounting is used for all acquisitions of assets, being the fair value of assets provided as consideration at the date of acquisition plus any incidental costs attributable to the acquisition. Fair value is the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date.

Where assets are constructed by Council, cost includes all materials used in construction, direct labour, borrowing costs incurred during construction, and an appropriate share of directly attributable variable and fixed overheads.

In accordance with Council's policy, the threshold limits detailed previously in this note have applied when recognising assets within an applicable asset class and unless otherwise stated are consistent with the prior year.

Asset recognition thresholds and depreciation periods:

	Depreciation Period Years	Purchase/ Construction \$ '000	Asset Improvement \$ '000
Property			
Land	N/A	-	N/A
Land under roads	N/A	10	N/A
Land improvements	10-50	N/A	20
Buildings	20-150	-	20
Buildings improvements	20-50	-	20
Leasehold improvements	10	-	20
Plant and equipment			
Plant, machinery and equipment	3-10	5	N/A
Library Books	5	-	N/A
<i>Other plant and equipment</i>			
Heritage plant and equipment	10-20	5	N/A
Fixtures, fittings and furniture	3-10	2	N/A
Computers and telecommunications	3-5	2	N/A
Infrastructure			
Roads	25-100	-	50
Bridges	100	-	50
Footpaths and cycleways	60	-	50
Drainage	100	-	25
<i>Other Infrastructure</i>			
Recreational, leisure and community facilities	20-150	-	20
Parks, open space and streetscapes	10-50	N/A	20
Off street car parks	25-100	-	50
Other	25-100	-	50

Notes to the Financial Report

For the Year Ended 30 June 2023

Note 6 Assets we manage (cont'd)

6.2 Property, infrastructure, plant and equipment (cont'd)

Land under roads

Council recognises land under roads it controls at fair value.

Depreciation and amortisation

Buildings, parks, open space and streetscapes, recreation, leisure and community facilities, plant and equipment, infrastructure and other assets having limited useful lives are systematically depreciated over their useful lives to Council in a manner which reflects consumption of the service potential embodied in those assets. Estimates of remaining useful lives and residual values are made on a regular basis with major asset classes reassessed annually. Depreciation rates and methods are reviewed annually.

Where assets have separate identifiable components that are subject to regular replacement, these components are assigned distinct useful lives and residual values and a separate depreciation rate is determined for each component.

Road earthworks are not depreciated on the basis that they are assessed as not having a limited useful life.

Straight line depreciation is charged based on the residual useful life as determined each year. Depreciation periods used are listed below and are consistent with the prior year unless otherwise stated.

Repairs and maintenance

Routine maintenance, repair costs, and minor renewal costs are expensed as incurred. Where the repair relates to the replacement of a component of an asset and the cost exceeds the capitalisation threshold the cost is capitalised and depreciated. The carrying value of the replaced asset is expensed.

Leasehold improvements

Leasehold improvements are recognised at cost and are amortised over the unexpired period of the lease or the estimated useful life of the improvement, whichever is the shorter.

Valuation of land and buildings

A valuation of land and buildings, as describe below, was undertaken by the independent Certified Practising Valuer Stephen Davey, AAPI CPV API No: 63379, from Opteon Property Group ABN 78 144 732 589 as at 30 June 2023.

The valuation of land and buildings for financial reporting purposes is "Fair Value", being the "price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date." In the case of specialised buildings and other structures, fair value may be estimated by using depreciated replacement cost.

The land assets have been classified as non-specialised sites. Land assets were assessed based on valuation movements on a municipal-wide basis, by reviewing industry data, comparable sales as well as value changes over the past twelve-month period.

Specialised land (land under roads) has been valued at fair value using site values adjusted for engloba (undeveloped and/or unserviced) characteristics, access rights and private interest of other parties and entitlements of infrastructure assets and services.

The building assets valued within Council's portfolio comprises a broad range of improvements, including sheds, pavilions, toilet blocks, sports facilities, and Council offices. Given the nature of the improvements and in the absence of an active and liquid markets, the depreciated replacement cost (DRC) approach has been utilised. This approach is used where the market approach is not suitable as the asset is rarely sold except as part of a continuing business, or alternatively, the improvements are of a specialised nature and the market buying price would differ materially to the market selling price as the asset is normally bought as a new asset but could only be sold for its residual value.

Notes to the Financial Report

For the Year Ended 30 June 2023

Note 6 Assets we manage (cont'd)

6.2 Property, infrastructure, plant and equipment (cont'd)

The date and type of the current valuation is detailed in the following table. An indexed based revaluation and Depreciated Replacement Cost (DRC) was conducted in the current year. A full revaluation of these assets will be conducted in 2023/24.

Details of the Council's land and buildings and information about the fair value hierarchy as at 30 June 2023 are as follows:

	Level 1 \$'000	Level 2 \$'000	Level 3 \$'000	Date of Valuation	Type of Valuation
Land under roads	-	-	486,924	June 2023	Indexation
Land - specialised	-	-	701,287	June 2023	Indexation
Land – non-specialised	20,871	289,302	-	June 2023	Indexation
Heritage buildings	-	-	14,986	June 2023	DRC
Buildings - specialised	-	-	311,659	June 2023	DRC
Building improvements	-	-	8,252	June 2023	DRC
Leasehold improvements	-	-	96	June 2023	DRC
Total	20,871	289,302	1,523,204		

Valuation of infrastructure

Valuation of infrastructure assets was performed by qualified engineers at Council.

The date and type of the current valuation is detailed in the following table. A Depreciated Replacement Cost (DRC) method was conducted in the current year, A full revaluation of these assets will be conducted in 2023/24.

Details of Council's infrastructure and information about the fair value hierarchy as at 30 June 2023 are as follows:

	Level 1 \$'000	Level 2 \$'000	Level 3 \$'000	Date of Valuation	Type of Valuation
Roads	-	-	546,709	June 2023	DRC
Bridges	-	-	1,732	June 2022	DRC
Footpaths and cycleways	-	-	46,606	June 2023	DRC
Drainage	-	-	233,415	June 2023	DRC
Recreational, leisure and community facilities	-	-	39,297	June 2022	DRC
Parks open space and streetscapes	-	-	32,525	June 2022	DRC
Total	-	-	900,284		

Notes to the Financial Report

For the Year Ended 30 June 2023

Note 6 Assets we manage (cont'd)

6.2 Property, infrastructure, plant and equipment (cont'd)

Description of significant unobservable inputs into level 3 valuations

Specialised land and land under roads are valued using a market based direct comparison technique. Significant unobservable inputs include the extent and impact of restriction of use and the market cost of land per square metre. The extent and impact of restrictions on use varies and results in a reduction to surrounding land values between 5% and 90%. The market value of land varies significantly depending on the location of the land and the current market conditions. Current land values range from \$7.00 to \$10,480 per square metre.

Specialised buildings are valued using a depreciated replacement cost technique. Significant unobservable inputs include the current replacement cost and remaining useful lives of buildings. Current replacement costs are calculated on a square metre basis ranging from \$308 to \$9,467. The remaining useful lives of buildings are determined on the basis of the current condition of buildings and vary from 20 years to 150 years. Replacement cost is sensitive to changes in market conditions with any increase or decrease in cost flowing through to the valuation. Useful lives of buildings are sensitive to changes in expectations or requirements that could either shorten or extend the useful lives of buildings.

Infrastructure assets are valued based on the depreciated replacement cost. Significant unobservable inputs include the current replacement cost and remaining useful lives of infrastructure. The remaining useful lives of infrastructure assets are determined on the basis of the current condition of the asset and vary from 10 years to 100 years. Replacement cost is sensitive to changes in market conditions, with any increase or decrease in cost flowing through to the valuation. Useful lives of infrastructure are sensitive to changes in use, expectations or requirements that could either shorten or extend the useful lives of infrastructure assets.

	2023	2022
	\$'000	\$'000
Reconciliation of specialised land		
Land under roads	486,924	720,242
Parks and reserves	701,287	740,815
Total specialised land	1,188,211	1,461,057

Notes to the Financial Report

For the Year Ended 30 June 2023

Note 6 Assets we manage (cont'd)

6.3 Investment property

	2023	2022
	\$'000	\$'000
Balance at beginning of financial year	4,038	3,900
Revaluation of existing investment property	399	138
Balance at the end of financial year	4,437	4,038

Investment property is held to generate long-term rental yields. Investment property is measured initially at cost, including transaction costs. Costs incurred subsequent to initial acquisition are capitalised when it is probable that future economic benefit in excess of the originally assessed performance of the asset will flow to Council. Subsequent to initial recognition at cost, investment property is carried at fair value, determined annually by independent valuers. Changes to fair value are recorded in the comprehensive income statement in the period that they arise.

Investment Property consists of a building at Peter Scullin Reserve, Mordialloc that is leased by a third party to operate a commercial restaurant.

Valuation of investment property

Valuation of investment property has been determined in accordance with an independent Certified Practising Valuer Stephen Davey, AAPI CPV API No:63379, from Opteon Solutions who has recent experience in the location and category of the property being valued. The valuation is at depreciated replacement cost. The latest valuation of investment property is as at 30 June 2023.

Notes to the Financial Report

For the Year Ended 30 June 2023

Note 7 People and relationships

7.1 Council and key management remuneration

(a) Related Parties

Kingston Council is a stand-alone entity.

(b) Key Management Personnel

Key management personnel (KMP) are those people with the authority and responsibility for planning, directing and controlling the activities of Kingston City Council. The Councillors, Chief Executive Officer, General Managers and Chief Finance Officer are deemed KMP.

Details of key management personnel at any time during the year are:

Councillors	Councillor H Saab	(Councillor 1st July 2022 - 8th November 2022) (Mayor 9th November 2022 – 30th June 2023)
	Councillor C Hill	(Councillor 1st July 2022 – 8th November 2022) (Deputy Mayor 9th November 2022 – 30th June 2023)
	Councillor S Staikos	(Mayor 1st July 2022 – 8th November 2022) (Councillor 9th November 2022 – 30th June 2023)
	Councillor J Davey-Burns	(Deputy Mayor 1st July 2022 – 8th November 2022) (Councillor 9th November 2022 – 30th June 2023)
	Councillor T Bearsley	(1st July 2022 - 30th June 2023)
	Councillor T Cochrane	(1st July 2022 - 30th June 2023)
	Councillor T Davies	(1st July 2022 - 30th June 2023)
	Councillor D Eden	(1st July 2022 - 30th June 2023)
	Councillor C Howe	(1st July 2022 - 30th June 2023)
	Councillor G Hua	(1st July 2022 - 30th June 2023)
	Councillor G Oxley	(1st July 2022 - 30th June 2023)
CEO	Mr Peter Bean	
General Managers	Mr Jonathan Guttman	General Manager Planning & Place
	Ms Samantha Krull	General Manager Infrastructure & Open Space
	Mr Daniel Hogan	General Manager Customer & Corporate Support
	Ms Sally Jones	General Manager Community Strengthening
	Mr Bernard Rohan	Chief Finance Officer

	2023 No.	2022 No.
Total Number of Councillors	11	11
Chief Executive Officer and other Key Management Personnel	6	10
Total Key Management Personnel	17	21

Notes to the Financial Report

For the Year Ended 30 June 2023

Note 7 People and relationships (cont'd)

7.1 Council and key management remuneration (cont'd)

(c) Remuneration of Key Management Personnel

Remuneration comprises employee benefits including all forms of consideration paid, payable or provided by Council, or on behalf of the Council, in exchange for services rendered. Remuneration of Key Management Personnel and Other senior staff is disclosed in the following categories.

Short-term employee benefits include amounts such as wages, salaries, annual leave or sick leave that are usually paid or payable on a regular basis, as well as non-monetary benefits such as allowances and free or subsidised goods or services.

Other long-term employee benefits include long service leave, other long service benefits or deferred compensation.

Post-employment benefits include pensions, and other retirement benefits paid or payable on a discrete basis when employment has ceased.

Termination benefits include termination of employment payments, such as severance packages.

Total remuneration of key management personnel was as follows:

	2023 \$'000	2022 \$'000
Short-term employee benefits	2,205	1,905
Other long-term employee benefits	179	151
Termination benefits	-	-
Total	2,384	2,056

Total remuneration includes total salary package and superannuation but excludes accrued leave.

The numbers of Key Management Personnel whose total remuneration from Council and any related entities, fall within the following bands:

Income Range	2023 No.	2022 No.
\$ 1,000-\$ 9,999	-	2
\$ 10,000 -\$ 19,999	-	1
\$ 30,000-\$ 39,999	7	10
\$ 40,000 -\$ 49,999	1	-
\$ 50,000-\$ 59,999	1	-
\$ 70,000 - \$ 79,999	1	-
\$ 90,000 - \$ 99,999	1	-
\$ 100,000-\$ 109,999	-	1
\$ 130,000-\$ 139,999	-	2
\$ 180,000-\$ 189,999	-	1
\$ 240,000-\$ 249,999	-	1
\$ 260,000-\$ 269,999	1	-
\$ 270,000-\$ 279,999	1	-
\$ 280,000-\$ 289,999	-	1
\$ 290,000-\$ 299,999	-	1
\$ 300,000-\$ 309,999	2	1
\$ 310,000-\$ 319,999	1	-
\$ 390,000-\$ 399,999	1	-
	17	21

Notes to the Financial Report

For the Year Ended 30 June 2023

Note 7 People and relationships (cont'd)

(d) Remuneration of other senior staff

Other senior staff are officers of Council, other than Key Management Personnel, whose total remuneration exceeds \$160,000 and who report directly to a member of the KMP.*

Total remuneration of other senior staff was as follows:

	2023	2022
	\$'000	\$'000
Short-term employee benefits	3,883	3,192
Other long-term employee benefits	592	379
Post-employment benefits	-	-
Termination benefits	-	-
Total	4,475	3,571

The number of other senior staff are shown below in the relevant income bands.

Income Range	2023	2022
	No.	No.
\$160,000-\$169,999	5	-
\$170,000-\$179,999	-	3
\$180,000-\$189,999	3	7
\$190,000-\$199,999	3	3
\$200,000-\$209,999	5	1
\$210,000-\$219,999	4	2
\$220,000-\$229,999	-	-
	20	16

	\$'000	\$'000
Total remuneration for the reporting year for other senior staff included above amounted to:	3,883	3,192

* Due to a definitional change the comparative figures in this note may not align with the previous year's annual report, which included disclosure of senior officers as defined in the Local Government Act 1989.

Remuneration to Key Management Personnel and Senior Officers calculated on accrual basis and previous year figures being adjusted for comparison purposes.

7.2 Related party disclosure

(a) Transactions with related parties

During the period Council entered into no transactions with related parties.

(b) Outstanding balances with related parties

No balances are outstanding at the end of the reporting period in relation to transactions with related parties.

(c) Loans to/from related parties

No loans were made to/from related parties of Council during the financial year.

(d) Commitments to/from related parties

No commitments were made to/from related parties of Council during the financial year.

Notes to the Financial Report

For the Year Ended 30 June 2023

Note 8 Managing uncertainties

8.1 Contingent assets and liabilities

Contingent assets and contingent liabilities are not recognised in the Balance Sheet, but are disclosed and if quantifiable, are measured at nominal value. Contingent assets and liabilities are presented inclusive of GST receivable or payable, respectively.

(a) Contingent liabilities

Contingent liabilities are:

- possible obligations that arise from past events, whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of Council; or
- present obligations that arise from past events but are not recognised because:
 - it is not probable that an outflow of resources embodying economic benefits will be required to settle the obligation; or
 - the amount of the obligation cannot be measured with sufficient reliability.

Superannuation

Council has obligations under a defined benefit superannuation scheme that may result in the need to make additional contributions to the scheme; matters relating to this potential obligation are outlined below and in Note 9.3. As a result of the volatility in financial markets, the likelihood of making such contributions in future periods exists.

Future superannuation contributions

In addition to the disclosed contributions, Council has not paid any unfunded liability payments to Vision Super. There were no contributions outstanding and no loans issued from or to the above schemes as at 30 June 2023. The expected contributions to be paid to the Defined Benefit category of Vision Super for the year ending 30 June 2023 are \$0.2 million (2022: \$0.3 million). At this point in time it is not known if additional contributions will be required, their timing or potential amount. 13 Council staff (2022: 14) are members of Vision Super's multi-employer defined benefits fund. Council established a Defined Benefit Call Reserve in 2014 to help provide for possible future calls on any unfunded liability of the fund. This reserve currently has a balance of \$1 million (2022: \$1 million).

Contingent liabilities arising from public liability

As a local authority with ownership of numerous parks, reserves, roads and other land holdings including former landfill sites, Council is regularly met with claims and demands allegedly arising from incidents which occur on land belonging to Council. There are a number of outstanding claims against Council in this regard. Council is currently a member of the MAV's Liability Mutual Insurance Scheme which provides \$600 million of public liability insurance and the maximum liability of the Council in any single claim is the extent of its excess.

Contingent liability arising from professional indemnity

As a local authority with statutory regulatory responsibilities, including the responsibility of issuing permits and approvals, Council is met with claims and demands for damages allegedly arising from the actions of Council or its officers. Council is currently a member of the MAV's Liability Mutual Insurance Scheme which provides \$50 million of professional indemnity insurance and the maximum liability of Council in any single claim is the extent of its excess. There are no instances or claims, that Council is aware of, which would fall outside the terms of Council's policy.

Other Contingent Liabilities

Council is presently involved in several confidential legal matters which are being conducted through Council's solicitors. As these matters are yet to be finalised and the financial outcomes are unable to be reliably estimated, no allowance for these contingencies has been made in the financial statements.

Insurance claims

Council has no major insurance claims that could have a material impact on future operations. Maximum liability per claim is \$20,000 excess. Public Liability coverage of \$120 million is maintained. Various under excess claims are also under consideration, for which an annual budgetary provision is approved.

Notes to the Financial Report

For the Year Ended 30 June 2023

Legal matters

Council has no major legal matters that could have a material impact on future operations.

Building cladding

Council has no potential contingent liabilities in relation to rectification works or other matters associated with building cladding that may have the potential to adversely impact on Council. However, rate relief has been provided to ratepayers adversely impacted by cladding issues.

Liability Mutual Insurance

Council was a participant of the MAV Liability Mutual Insurance (LMI) Scheme up until 2014. The LMI scheme provides public liability and professional indemnity insurance cover. The LMI scheme states that each participant will remain liable to make further contributions to the scheme in respect of any insurance year in which it was a participant to the extent of its participant's share of any shortfall in the provision set aside in respect of that insurance year, and such liability will continue whether the participant remains a participant in future insurance years.

(b) Contingent assets

Contingent assets are possible assets that arise from past events, whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the Council.

Council is presently involved in several confidential legal matters which are being conducted through Council's solicitors and may result in received compensation. As these matters are yet to be finalised and the financial outcomes are unable to be reliably estimated, no allowance for these contingencies has been made in the financial statements.

Notes to the Financial Report

For the Year Ended 30 June 2023

Note 8 Managing uncertainties (cont'd)

8.2 Change in accounting standards

Certain new Australian Accounting Standards and interpretations have been published that are not mandatory for the 30 June 2023 reporting period. Council assesses the impact of these new standards. As at 30 June 2023 there were no new accounting standards or interpretations issued by the AASB which are applicable for the year ending 30 June 2024 that are expected to impact Council.

8.3 Financial instruments

(a) Objectives and policies

Council's principal financial instruments comprise cash assets, term deposits, receivables (excluding statutory receivables), payables (excluding statutory payables) and bank borrowings. Details of the significant accounting policies and methods adopted, including the criteria for recognition, the basis of measurement and the basis on which income and expenses are recognised, in respect of each class of financial asset, financial liability and equity instrument is disclosed in the notes of the financial statements. Risk management is carried out by senior management under policies approved by the Council. These policies include identification and analysis of the risk exposure to Council and appropriate procedures, controls and risk minimisation.

(b) Market risk

Market risk is the risk that the fair value or future cash flows of Council's financial instruments will fluctuate because of changes in market prices. Council's exposure to market risk is primarily through interest rate risk with only insignificant exposure to other price risks and no exposure to foreign currency risk.

Interest rate risk

Interest rate risk refers to the risk that the value of a financial instrument or cash flows associated with the instrument will fluctuate due to changes in market interest rates. Council's interest rate liability risk arises primarily from long term loans and borrowings at fixed rates which exposes council to fair value interest rate risk. Council does not hold any interest bearing financial instruments that are measured at fair value, and therefore has no exposure to fair value interest rate risk. Cash flow interest rate risk is the risk that the future cash flows of a financial instrument will fluctuate because of changes in market interest rates. Council has minimal exposure to cash flow interest rate risk through its cash and deposits that are at floating rates.

Investment of surplus funds is made with approved financial institutions under the *Local Government Act 2020*. Council manages interest rate risk by adopting an investment policy that ensures:

- diversification of investment product;
- monitoring of return on investment; and
- benchmarking of returns and comparison with budget.

There has been no significant change in Council's exposure, or its objectives, policies and processes for managing interest rate risk or the methods used to measure this risk from the previous reporting period.

Interest rate movements have not been sufficiently significant during the year to have an impact on Council's year end result.

Notes to the Financial Report

For the Year Ended 30 June 2023

Note 8 Managing uncertainties (cont'd)

8.3 Financial instruments (cont'd)

(c) Credit risk

Credit risk is the risk that a contracting entity will not complete its obligations under a financial instrument and cause Council to make a financial loss. Council has exposure to credit risk on some financial assets included in the balance sheet. Particularly significant areas of credit risk exist in relation to outstanding fees and fines as well as receivables from sporting clubs and associations. To help manage this risk:

- council has a policy for establishing credit limits for the entities council deals with;
- council may require collateral where appropriate; and
- council only invests surplus funds with financial institutions which have a recognised credit rating specified in council's investment policy.

Receivables consist of a large number of customers, spread across the ratepayer, business and government sectors. Credit risk associated with Council's financial assets is minimal because the main debtor is secured by a charge over the rateable property.

There are no material financial assets which are individually determined to be impaired.

Council may also be subject to credit risk for transactions which are not included in the balance sheet, such as when Council provides a guarantee for another party. Council has no guarantees to other parties. Details of our contingent liabilities are disclosed in note 8.1 (a).

The maximum exposure to credit risk at the reporting date to recognised financial assets is the carrying amount, net of any provisions for impairment of those assets, as disclosed in the balance sheet and notes to the financial statements. Council does not hold any collateral.

(d) Liquidity risk

Liquidity risk includes the risk that, as a result of Council's operational liquidity requirements, it will not have sufficient funds to settle a transaction when required or will be forced to sell a financial asset at below value or may be unable to settle or recover a financial asset.

To help reduce these risks Council:

- has a liquidity policy which targets a minimum and average level of cash and cash equivalents to be maintained;
- has readily accessible standby facilities and other funding arrangements in place;
- has a liquidity portfolio structure that requires surplus funds to be invested within various bands of liquid instruments;
- monitors budget to actual performance on a regular basis; and
- sets limits on borrowings relating to the percentage of loans to rate revenue and percentage of loan principal repayments to rate revenue.

Council's maximum exposure to liquidity risk is the carrying amounts of financial liabilities as disclosed on the face of the balance sheet and any amounts related to financial guarantees disclosed in Note 8.1 (b) and is deemed insignificant based on prior periods' data and current assessment of risk.

There has been no significant change in Council's exposure, or its objectives, policies and processes for managing liquidity risk or the methods used to measure this risk from the previous reporting period.

Unless otherwise stated, the carrying amounts of financial instruments reflect their fair value.

Notes to the Financial Report

For the Year Ended 30 June 2023

Note 8 Managing uncertainties (cont'd)

8.3 Financial instruments (cont'd)

(e) Sensitivity disclosure analysis

Taking into account past performance, future expectations, economic forecasts, and management's knowledge and experience of the financial markets (and particularly the impact of COVID19), Council believes there will be minimal movement over the next 12 months from the already low base cash rate of 4.1% (Base rates are sourced from Reserve Bank of Australia).

Thus, there will be minimal impact on the valuation of Council's financial assets and liabilities, and no material impact on the results of Council's operations.

8.4 Fair value measurement

Fair value hierarchy

Council's financial assets and liabilities are not valued in accordance with the fair value hierarchy, Council's financial assets and liabilities are measured at amortised cost.

Council measures certain assets and liabilities at fair value where required or permitted by Australian Accounting Standards. AASB 13 Fair Value Measurement, aims to improve consistency and reduce complexity by providing a definition of fair value and a single source of fair value measurement and disclosure requirements for use across Australian Accounting Standards.

All assets and liabilities for which fair value is measured or disclosed in the financial statements are categorised within a fair value hierarchy, described as follows, based on the lowest level input that is significant to the fair value measurement as a whole:

Level 1 — Quoted (unadjusted) market prices in active markets for identical assets or liabilities;

Level 2 — Valuation techniques for which the lowest level input that is significant to the fair value measurement is directly or indirectly observable; and

Level 3 — Valuation techniques for which the lowest level input that is significant to the fair value measurement is unobservable.

For the purpose of fair value disclosures, Council has determined classes of assets and liabilities on the basis of the nature, characteristics and risks of the asset or liability and the level of the fair value hierarchy as explained above.

In addition, Council determines whether transfers have occurred between levels in the hierarchy by re-assessing categorisation (based on the lowest level input that is significant to the fair value measurement as a whole) at the end of each reporting period.

Revaluation

Subsequent to the initial recognition of assets, non-current physical assets, other than plant and equipment, are measured at their fair value, being the price that would be received to sell an asset (or paid to transfer a liability) in an orderly transaction between market participants at the measurement date. (For plant and equipment carrying amount is considered to approximate fair value given short useful lives). At balance date, the Council reviewed the carrying value of the individual classes of assets measured at fair value to ensure that each asset materially approximated its fair value. Where the carrying value materially differed from the fair value at balance date, the class of asset was revalued.

Fair value valuations are determined in accordance with a valuation hierarchy. Changes to the valuation hierarchy will only occur if an external change in the restrictions or limitations of use of an asset result in changes to the permissible or practical highest and best use of the asset. In addition, Council undertakes a formal revaluation of land, buildings, and infrastructure assets on a regular basis ranging from 1 to 2 years. The valuation is performed either by experienced council officers or independent experts. The following table sets out the frequency of revaluations by asset class.

Notes to the Financial Report

For the Year Ended 30 June 2023

Note 8 Managing uncertainties (cont'd)

8.4 Fair value measurement (cont'd)

Asset class	Revaluation frequency
Land	Annually
Buildings	Annually
Roads	Annually
Bridges	Annually
Footpaths and cycleways	Annually
Drainage	Annually
Recreational, leisure and community facilities	Annually
Waste management	Annually
Parks, open space and streetscapes	Annually
Aerodromes	Annually
Other infrastructure	Annually

Where the assets are revalued, the revaluation increments are credited directly to the asset revaluation reserve except to the extent that an increment reverses a prior year decrement for that class of asset that had been recognised as an expense in which case the increment is recognised as revenue up to the amount of the expense. Revaluation decrements are recognised as an expense except where prior increments are included in the asset revaluation reserve for that class of asset in which case the decrement is taken to the reserve to the extent of the remaining increments. Within the same class of assets, revaluation increments and decrements within the year are offset.

Impairment of assets

At each reporting date, the Council reviews the carrying value of its assets to determine whether there is any indication that these assets have been impaired. If such an indication exists, the recoverable amount of the asset, being the higher of the asset's fair value less costs to sell and value in use, is compared to the assets carrying value. Any excess of the assets carrying value over its recoverable amount is expensed to the comprehensive income statement unless the asset is carried at the revalued amount in which case, the impairment loss is recognised directly against the revaluation surplus in respect of the same class of asset to the extent that the impairment loss does not exceed the amount in the revaluation surplus for that same class of asset.

8.5 Events Occurring After Balance Date

No matters have occurred after balance date which require disclosure in the financial report.

Notes to the Financial Report

For the Year Ended 30 June 2022

Note 9 Other matters

9.1 Reserves

	Balance at beginning of reporting period \$ '000	Increment (decrement) \$ '000	Balance at end of reporting period \$ '000
(a) Asset revaluation reserve			
2023			
Property (i):			
- Land (incl held for sale)	458,605	(72,568)	386,037
- Land under roads	319,112	(233,318)	85,794
- Buildings (incl held for sale)	119,531	31,369	150,900
	897,248	(274,518)	622,731
Infrastructure (ii):			
- Transport	460,578	44,752	505,330
- Drainage	190,712	11,928	202,640
	651,290	56,680	707,970
Other:			
- Heritage and culture	1,334	23	1,357
- Other	3,966	-	3,966
	5,300	23	5,323
Total Asset revaluation reserve	1,553,838	(217,814)	1,336,024
2022			
Property:			
- Land	335,727	122,878	458,605
- Land under roads	298,823	20,289	319,112
- Buildings	110,877	8,654	119,531
	745,427	151,821	897,248
Infrastructure:			
- Transport	457,896	2,682	460,578
- Drainage	181,209	9,503	190,712
	639,105	12,185	651,290
Other:			
- Heritage and culture	1,327	7	1,334
- Other	3,966	-	3,966
	5,293	7	5,300
Total Asset revaluation reserve	1,389,825	164,013	1,553,838

The Asset revaluation reserve is used to record the increased (net) value of Council's assets over time.

- (i) Valuation of property was performed by qualified independent valuers. Land and buildings and land under roads were valued by Opteon Solutions as at June 2023.
- (ii) Valuation of Infrastructure assets was performed by qualified engineers at Council. The valuation is at fair value based on replacement cost less accumulated depreciation as at the date of valuation. Valuation levels can fluctuate depending on contract rates incurred by Council during each year.

Notes to the Financial Report

For the Year Ended 30 June 2022

Note 9 Other matters (cont'd)

9.1 Reserves (cont'd)

	Balance at beginning of reporting period \$'000	Transfer from Accumulated Surplus \$'000	Transfer to Accumulated Surplus \$'000	Balance at end of reporting period \$'000
(b) Other reserves				
2023				
Asset replacement reserve	299	-	(40)	259
Asset development reserve	21,758	6,812	(1,114)	27,456
Aged care	8,698	-	-	8,698
Foreshore	2,007	5,475	(3,300)	4,182
Green wedge	5,878	1,126	(368)	6,636
Defined benefit call	1,000	-	-	1,000
Stormwater Quality reserve	2,936	535	-	3,471
Other	360	301	(29)	632
Total Other reserves	42,936	14,249	(4,851)	52,334
2022				
Asset replacement reserve	332	-	(33)	299
Asset development reserve	16,832	6,952	(2,026)	21,758
Aged care	8,698	-	-	8,698
Foreshore	1,761	2,885	(2,639)	2,007
Green wedge	3,803	2,200	(125)	5,878
Defined benefit call	1,000	-	-	1,000
Stormwater Quality reserve	2,045	893	(2)	2,936
Other	379	-	(19)	360
Total Other reserves	34,850	12,930	(4,844)	42,936

The Asset replacement reserve is an appropriation to partially fund future costs associated with Council's buildings.

The Asset development reserve recognises the cash contributions made by developers, pursuant to the requirements of the Subdivision of Land Act. Total open space cash contributions of \$7.136 million were received in 2022/23 (2021/22: \$6.9m). Council has elected to utilise these contributions for open space purchase and development.

Aged care reserves include funds for home care clients that have not fully spent their Linkages packages.

The Foreshore and Green Wedge reserves were reserves created in 2011 via a Council resolution which are used to accelerate the renewal and improvement to Council's foreshore and non-urban green wedge area.

The Defined benefit call reserve was established in 2014 to provide for possible future calls on any unfunded liability of the Defined benefit superannuation fund. Council ceased making contributions into this reserve in 2014/15.

The Stormwater Quality reserve was first established in 2017/18 to help fund various stormwater improvement projects throughout Council.

Other reserves represent appropriations provided by the community to be used for specific purposes, including reserves created in 2012 for Sundowner Neighbourhood House and Chelsea Senior Citizens Centre due to Council taking over the operation of these facilities plus reserves for special rates.

Notes to the Financial Report

For the Year Ended 30 June 2022

Note 9 Other matters (cont'd)

9.2 Reconciliation of cash flows from operating activities to surplus

	2023	2022
	\$'000	\$'000
Surplus for the year	32,745	32,238
Depreciation of property, infrastructure, plant and equipment	34,399	33,491
Amortisation of intangible assets	300	277
Amortisation of right of use assets	1,148	1,174
Capital Work in progress written off	11	-
Loss/(gain) on sale of property, infrastructure, plant & equipment	2,213	(147)
Found assets / other (note 3.7)	-	(5,560)
Fair value adjustment for investment property	(399)	(138)
Finance costs - leases	445	455
Borrowing costs (included in profit but not operating cash flow)	-	9
Changes in assets and liabilities:		
(Increase)/decrease in trade and other receivables	1,422	(3,377)
(Increase)/decrease in other assets	(2,287)	-
(Increase)/decrease in prepayments	193	58
(Increase)/decrease in accrued income	-	(274)
Increase/(decrease) in trade and other payables	(7,324)	17,889
Increase/(decrease) in other provisions	454	(519)
Increase/(decrease) in employee provisions	289	(736)
Increase/(decrease) in unearned income	(10,541)	1,942
Increase/(decrease) in trust funds and deposits	(6,998)	8,547
Net cash provided by operating activities	46,070	85,329

Notes to the Financial Report

For the Year Ended 30 June 2022

Note 9 Other matters (cont'd)

9.3 Superannuation

Council makes the majority of its employer superannuation contributions in respect of its employees to the Local Authorities Superannuation Fund (the Fund). This Fund has two categories of membership, accumulation and defined benefits, each of which is funded differently. The Defined Benefit category provides lump sum benefits based on years of service and final average salary. In certain circumstances a defined benefit member may be eligible to purchase a lifetime pension with up to 50% of their lump sum benefit. The accumulation category receives fixed contributions from Council and the Council's legal or constructive obligation is limited to these contributions.

Obligations for contributions to the Fund are recognised as an expense in the Comprehensive Income Statement when they are made or due.

Accumulation

The Fund's accumulation category, Vision MySuper/Vision Super Saver, receives both employer and employee contributions on a progressive basis. Employer contributions are normally based on a fixed percentage of employee earnings. For the year ended 30 June 2023, this was 10.5% (10.0% in 2021/22) as required under Superannuation Guarantee legislation. Our commitment to accumulation plans is limited to making contributions in accordance with our minimum statutory requirements. No further liability accrues to the employer as the superannuation benefits accruing to employees are represented by their share of the net assets of the Fund.

The Superannuation Guarantee (SG) rate will eventually increase to 12% from 1 July 2025 based on the current SG legislation.

Defined Benefit

As provided under Paragraph 34 of AASB 119 *Employee Benefits*, Council does not use defined benefit accounting for its defined benefit obligations under the Fund's Defined Benefit category. This is because the Fund's Defined Benefit category is a multi-employer sponsored plan. As a multi-employer sponsored plan, the Fund was established as a mutual scheme to allow for the mobility of the workforce between the participating employers without attaching a specific liability to particular employees and their current employer. Therefore, there is no proportional split of the defined benefit liabilities, assets or costs between the participating employers as the defined benefit obligation is a floating obligation between the participating employers and the only time that the aggregate obligation is allocated to specific employers is when a call is made. As a result, the level of participation of Council in the Fund cannot be measured as a percentage compared with other participating employers. While there is an agreed methodology to allocate any shortfalls identified by the Fund Actuary for funding purposes, there is no agreed methodology to allocate benefit liabilities, assets and costs between the participating employers for accounting purposes. Therefore, the Fund Actuary is unable to allocate benefit liabilities, assets and costs between employers for the purposes of AASB 119 because of the pooled nature of the Fund's Defined Benefit category.

Funding arrangements

Council makes employer contributions to the Defined Benefit category of the Fund at rates determined by the Trustee on the advice of the Fund Actuary.

An interim actuarial investigation as at 30 June 2022 was conducted and was completed by the due date of 31 October 2022. The vested benefit index (VBI) of the Defined Benefit category of which Council is a contributing employer was 102.2% as at 30 June 2022 (109.8% at 30 June 2021). The financial assumptions used to calculate the VBIs were:

	30 June 2022 (Interim Review)	30 June 2021 (Full Review)
- Net investment returns	5.5% pa	4.75% pa
- Salary information	2.5% to 30 June 2023, 3.5% pa thereafter	2.75% pa
- Price inflation (CPI)	3% pa	2.25% pa

Notes to the Financial Report

For the Year Ended 30 June 2022

Note 9 Other matters (cont'd)

9.3 Superannuation (cont'd)

A triennial actuarial investigation is currently underway for the Defined Benefit category as at 30 June 2023 as the Fund provides lifetime pensions in the Defined Benefit category. It is expected to be completed by 31 October 2023.

Vision Super has advised that the estimated VBI at 30 June 2023 was 104.1%. The financial assumptions used to calculate this VBI were:

Net investment returns	5.7% pa
Salary information	3.5% pa
Price inflation (CPI)	2.8% pa.

The Australian Prudential Regulation Authority (APRA) superannuation prudential standard (SPS 160) - Defined Benefit Matters determines the funding requirements of a defined benefit (DB) arrangement. Under this standard:

- The VBI is the measure to determine whether there is an unfunded liability, and
- Any unfunded liability that arises must be paid within three years.

Under SPS 160, the VBI is to be used as the primary funding indicator. Because the VBI was above 100%, the 2022 interim actuarial investigation showed that the Defined Benefit category was in a satisfactory financial position under SPS 160. As a result, the Fund Actuary determined that no change was necessary to the Defined Benefit category's funding arrangements from prior years.

The Fund's employer funding arrangements comprise of three components as follows:

1. Regular contributions - which are ongoing contributions needed to fund the balance of benefits for current members and pensioners;
2. Funding calls – which are contributions in respect of each participating employer's share of any funding shortfalls that arise; and
3. Retrenchment increments – which are additional contributions to cover the increase in liability arising from retrenchments.

Council is also required to make additional contributions to cover the contributions tax payable on components 2 and 3 referred to above.

Employees are also required to make member contributions to the Fund. As such, assets accumulate in the Fund to meet member benefits, as defined in the Trust Deed, as they accrue.

Employer contributions

(a) Regular contributions

On the basis of the results of the 2022 interim actuarial investigation conducted by the Fund Actuary, Council makes employer contributions to the Fund's Defined Benefit category at rates determined by the Fund's Trustee. For the year ended 30 June 2023, this rate was 10.5% of members' salaries (10.0% in 2021/22). This rate will increase in line with the SG increases.

In addition, Council reimburses the Fund to cover the excess of the benefits paid as a consequence of retrenchment above the funded resignation or retirement benefit (the funded resignation or retirement benefit is calculated as the VBI multiplied by the benefit).

(b) Funding calls

The Fund is required to comply with the superannuation prudential standards. Under the superannuation prudential standard SPS 160, the Fund is required to target full funding of its vested benefits. There may be circumstances where:

- A fund is in an unsatisfactory financial position at an actuarial investigation (i.e. its vested benefit index (VBI) is less than 100% at the date of the actuarial investigation); or
- A fund's VBI is below its shortfall limit at any time other than at the date of the actuarial investigations.

Notes to the Financial Report

For the Year Ended 30 June 2022

Note 9 Other matters (cont'd)

9.3 Superannuation (cont'd)

If either of the above occur, the fund has a shortfall for the purposes of SPS 160 and the fund is required to put a plan in place so that the shortfall is fully funded within three years of the shortfall occurring. There may be circumstances where APRA may approve a period longer than three years.

The Fund monitors its VBI on a quarterly basis and the Fund has set the Defined Benefit category's shortfall limit at 97%.

In the event that the Fund Actuary determines that there is a shortfall based on the above requirement, the Fund's participating employers (including Council) are required to make an employer contribution to cover the shortfall. The methodology used to allocate the shortfall was agreed in 1997 to fairly and reasonably apportion the shortfall between the participating employers.

Using the agreed methodology, the shortfall amount is apportioned between the participating employers based on the pre-1 July 1993 and post-30 June 1993 service liabilities of the Fund's Defined Benefit category, together with the employer's payroll at 30 June 1993 and at the date the shortfall has been calculated.

The pre-1 July 1993 and post-30 June 1993 service liabilities of the Fund are based on:

- The service periods of all active members split between the active members pre-1 July 1993 and post-30 June 1993 service period, and
- The pensioner (including fixed term pension) liabilities which are allocated to the pre-1993 period.

The pre-1 July 1993 component of the shortfall is apportioned between the participating employers based on the employer's share of the total participating employer payroll at 30 June 1993.

The post-30 June 1993 component of the shortfall is apportioned between the participating employers based on the employer's share of the total participating employer payroll at the date the shortfall has been calculated.

Due to the nature of the contractual obligations between the participating employers and the Fund, and that the Fund includes lifetime pensioners and their reversionary beneficiaries, it is unlikely that the Fund will be wound up. In the unlikely event that the Fund is wound up and there is a surplus in the Fund, the surplus cannot be applied for the benefit of the defined benefit employers where there are on-going defined benefit obligations. The surplus would be transferred to the fund accepting those defined benefit obligations (including the lifetime pension obligations) of the Fund.

In the event that a participating employer is wound-up, the defined benefit obligations of that employer will be transferred to that employer's successor.

(c) Retrenchment increments

During 2022/23, Council was not required to make payments to the Fund in respect of retrenchment increments (\$0 in 2021/22).

Council's liability to the Fund as at 30 June 2023, for retrenchment increments, accrued interest and tax is \$0 (\$0 in 2021/22).

The 2022 interim actuarial investigation surplus amounts

An actuarial investigation is conducted annually for the Defined Benefit category of which Council is a contributing employer. Generally, a full actuarial investigation is conducted every three years and interim actuarial investigations are conducted for each intervening year. An interim investigation was conducted as at 30 June 2022 and the last full investigation was conducted as at 30 June 2020.

Notes to the Financial Report

For the Year Ended 30 June 2022

Note 9 Other matters (cont'd)

9.3 Superannuation (cont'd)

The Fund's actuarial investigations identified the following for the Defined Benefit category of which Council is a contributing employer:

	2022 (Interim) \$m	2021 (Interim) \$m
- A VBI Surplus	44.6	214.7
- A total service liability surplus	105.8	270.3
- A discounted accrued benefits surplus	111.9	285.2

The VBI surplus means that the market value of the fund's assets supporting the defined benefit obligations exceed the vested benefits that the defined benefit members would have been entitled to if they had all exited on 30 June 2022.

The total service liability surplus means that the current value of the assets in the Fund's Defined Benefit category plus expected future contributions exceeds the value of expected future benefits and expenses as at 30 June 2022.

The discounted accrued benefits surplus means that the current value of the assets in the Fund's Defined Benefit category exceeds the value of benefits payable in the future but accrued in respect of service to 30 June 2022.

Council was notified of the 30 June 2022 VBI during August 2022 (2021: August 2021).

The 2023 triennial actuarial investigation

A triennial actuarial investigation is being conducted for the Fund's position as at 30 June 2023. It is anticipated that this actuarial investigation will be completed by 31 October 2023. The financial assumptions for the purpose of this investigation are:

	2023 Triennial investigation	2020 Triennial investigation
Net investment return	5.7% pa	5.6% pa
Salary inflation	3.50% pa	2.5% pa for the first two years and 2.75% pa thereafter
Price inflation	2.8% pa	2.0% pa

Council was notified of the 30 June 2023 VBI during August 2023 (2022: August 2022).

Accrued benefits

The Fund's liability for accrued benefits was determined in accordance with the Australian Accounting Standards. The relevant accounting standard is AASB 1056 - Superannuation entities.

	30 June 2022 (Interim) \$m	30 June 2021 (Interim) \$m
Net Market Value of Assets	2,154.8	2,436.4
Accrued Benefits	2,042.9	2,151.8
Difference between Assets and Accrued Benefits	111.9	284.6
Vested Benefits (Minimum sum which must be paid to members when they leave the fund)	2,110.1	2,222.7

Notes to the Financial Report

For the Year Ended 30 June 2022

Note 9 Other matters (cont'd)

9.3 Superannuation (cont'd)

The financial assumptions used to calculate the Accrued Benefits for the Defined Benefit category of the Fund were:

	30 June 2022	30 June 2021
Net investment return	5.5% pa	4.75% pa
Salary inflation	2.50% pa to 30 June 2023 And 3.5% pa thereafter	2.75% pa
Price inflation	3% pa	2.25% pa

Superannuation contributions

Contributions by Council (excluding any unfunded liability payments) to the above superannuation plans for the financial year ended 30 June 2023 are detailed below:

			2023	2022
Scheme	Type of Scheme	Rate	\$'000	\$'000
Vision Super	Defined benefit	10.5% (2022: 10.0%)	233	268
Vision Super	Accumulation fund	10.5% (2022: 10.0%)	4,551	4,280
Other funds	Accumulation fund	10.5% (2022: 10.0%)	4,562	3,765

There were \$0.8 million contributions outstanding as at 30 June 2023 (2022: \$0.8 million).

The expected contributions to be paid to the Defined Benefit category of Vision Super for the year ending 30 June 2024 is \$0.2 million.

Note 10 Change in accounting policy

There have been no changes to accounting policies in the 2022-23 year.

There are no pending accounting standards that are likely to have a material impact on Council.



Performance Statement

For the Year Ended 30 June 2023

This blank page is intentional

Victorian Auditor-General's Report

2 Pages reserved for VAGO report – to be inserted when available.

Performance Statement

For the year ended 30 June 2023

DESCRIPTION OF MUNICIPALITY

The City of Kingston is located in the middle and outer southern suburbs of Melbourne, approximately 20km south-east of the Melbourne CBD. Kingston covers an area of 91 square kilometres, including significant areas of foreshore. Every suburb offers something different, from diverse businesses, housing, community facilities, shops and restaurants to beaches and bushland. Our city is also home to an exciting range of parks and recreation reserves including 116 playgrounds and significant green spaces such as Bicentennial Park in Chelsea, Kingston Heath in Cheltenham and Grange Reserve in Clayton South.

Kingston is recognised as one of Victoria's main employment centres and largest industrial sectors, with more than 92,000 people employed across 18,500 businesses. 30% of our community work locally and are able to enjoy shorter travel times and an improved work-life balance.

Community and business networks play an important role in linking and supporting local businesses. Kingston's shopping amenities range from local neighbourhood shops and friendly village strips to Southland Shopping Centre, DFO Moorabbin and major activity centres in Moorabbin, Cheltenham, Mentone, Mordialloc and Chelsea.

Our community facilities are located across the municipality, providing libraries, arts centres, community hubs, neighbourhood houses and early years services to residents, workers and visitors. A vast array of community groups, programs and services are also available for our community.

Kingston's suburbs include Aspendale, Aspendale Gardens, Bonbeach, Braeside, Carrum, Chelsea, Chelsea Heights, Cheltenham, Clarinda, Clayton South, Dingley Village, Edithvale, Heatherton, Highett, Mentone, Moorabbin, Moorabbin Airport, Mordialloc, Oakleigh South, Parkdale, Patterson Lakes and Waterways.

Kingston is a diverse community with a current estimated resident population of 159,908 people spanning a wide range of ages, cultures, and abilities. Our community is constantly growing; by 2041 Kingston's population is expected to reach 195,819 people, and an anticipated 82,983 dwellings. Consistent with national trends, Kingston's oldest residents comprise the fastest growing population group in the municipality.

Kingston is a culturally diverse city with residents from over 106 countries and more than 84 languages spoken. About 32% of Kingston's population was born overseas, including the United Kingdom, Greece, China, Italy, Vietnam, Sri Lanka and India, with 26% speaking a language other than English at home. Our community members identifying as Aboriginal and Torres Strait Islander is increasing, now 714

people in 2021. People who need assistance due to a disability make up 6% of our population and 32% report to have at least one long-term chronic health condition.

Overview of 2022-23

The current economic environment is challenging, with high inflation, high interest rates, and supply chain constraints affecting Council's delivery of services and capital projects. As well as challenges in the construction sector and the impacts this has had on some local builders and associated contractors. There is considerable uncertainty in how these trends will unfold into the future.

This is not only impacting Council's capacity to provide services but is also unfortunately placing significant cost of living pressures on our community and their capacity to manage personal financial hardship. The increased cost of housing in both the purchase and rental markets is also having an impact low to medium income earners currently living in the municipality. There is also significant pressure on welfare and support organisations to meet the increasing demands of our community's needs.

Council is continuing to provide critical services to our community and will continue to work with individual ratepayers on payment arrangements in these difficult times.

Sustainable Capacity Indicators

For the year ended 30 June 2023

Indicator/measure [formula]	Results				Material Variations and Comments
	2020	2021	2022	2023	
Population					
<i>Expenses per head of municipal population</i> [Total expenses / Municipal population]	\$1,250.51	\$1,249.04	\$1,388.42	\$1,529.77	This result is consistent with budget expectations. It is forecast to increase in future years, in line with increased service delivery costs post-pandemic.
<i>Infrastructure per head of municipal population</i> [Value of infrastructure / Municipal population]	\$6,170.08	\$6,467.16	\$7,405.53	\$8,112.26	The result is consistent with budget expectations and has risen from the previous year due to Council's increased investment in its strong capital works program and the effect of the revaluation of infrastructure assets.
<i>Population density per length of road</i> [Municipal population / Kilometres of local roads]	268.53	277.16	258.12	258.67	The result demonstrates a consistent population density as Kingston's population increases when compared to an already established road network.
Own-source revenue					
<i>Own-source revenue per head of municipal population</i> [Own-source revenue / Municipal population]	\$1,066.44	\$1,008.54	\$1,177.91	\$1,219.90	Council's own source revenue is continuing to recover from the COVID-19 pandemic, and the trend indicates this will continue.
Recurrent grants					
<i>Recurrent grants per head of municipal population</i> [Recurrent grants / Municipal population]	\$234.67	\$261.69	\$282.60	\$348.30	The result is in line with expectations and reflects a continued strong level of operating grants being received by Council particularly in aged care and childcare.

Indicator/measure [formula]	Results				Material Variations and Comments
	2020	2021	2022	2023	
Disadvantage					
Relative Socio-Economic Disadvantage [Index of Relative Socio- Economic Disadvantage by decile]	9	9	9	9	The result reflects a relatively low level of socio-economic disadvantage within Kingston's diverse communities.
Workforce turnover					
Percentage of staff turnover [Number of permanent staff resignations and terminations / Average number of permanent staff for the financial year] x 100	9.70%	9.96%	16.51%	16.90%	The result highlights an increase in staff turnover levels following the COVID-19 period in line with broader labour market conditions.

Note: definitions are at the end of this document.

Service Performance Indicators

For the year ended 30 June 2023

Service/indicator/measure [formula]	Results				Material Variations and Comments
	2020	2021	2022	2023	
Aquatic Facilities					
Utilisation					
<i>Utilisation of aquatic facilities</i> [Number of visits to aquatic facilities / Municipal population]	3.92	1.73	2.60	3.76	The City of Kingston's Waves Leisure Centre had 600,572 visits by community members during 2022-23. The significant increase in Waves utilisation compared to the previous year is due to the facility being fully operational in 2022-23, with no further impacts from COVID-19. With the return of consumer confidence, attendance has been strong across all programs, including Learn to Swim, group fitness classes and gym usage. This result is within the range expected by Council.
Animal Management					
Health and safety					
<i>Animal management prosecutions</i> [Number of successful animal management prosecutions / Total number of animal management prosecutions] x 100	100.00%	100.00%	100.00%	100.00%	The City of Kingston investigates all issues under the Domestic Animals Act 1994, and initiates legal proceedings for animal related offences, including dog attacks, to safeguard and protect the community and to enhance compliance. Where appropriate, Council plays a proactive role to directly resolve animal-related complaints or incidents with the involved parties. In 2022-23, all animal management prosecutions initiated by Council were successful. This result remains

Service/indicator/measure [formula]	Results				Material Variations and Comments
	2020	2021	2022	2023	
					within the range expected by Council.

Service/indicator/measure [formula]	Results				Material Variations and Comments
	2020	2021	2022	2023	
Food Safety					
Health and safety					
<p><i>Critical and major non-compliance outcome notifications</i></p> <p>[Number of critical non-compliance outcome notifications and major non-compliance notifications about a food premises followed up / Number of critical non-compliance outcome notifications and major non-compliance notifications about a food premises] x100</p>	98.60%	100.00%	94.22%	96.76%	The City of Kingston prioritises food safety and ensured that any high-risk issues identified during an assessment were attended to immediately, and action taken to remove or reduce the risk. There were a total of 185 critical and major non-compliance outcome notifications about food premises, with a few of these premises not assessed because they were closed at the time a follow-up visit was conducted. The result improved compared to the previous year and is within the range expected by Council.
Governance					
Satisfaction					
<p><i>Satisfaction with council decisions</i></p> <p>[Community satisfaction rating out of 100 with how council has performed in making decisions in the interest of the community]</p>	55	65	61	55	While the 2023 Community Satisfaction Survey results have dropped by 6 points compared to last year, the City of Kingston continues to work hard to make decisions in the best interest of our community. We remain in-line with the metro average and 4 points higher than the state average. This rating is sourced from the annual Community Satisfaction Survey conducted by an independent research company on behalf of the Victoria Government.
Libraries					
Participation					

Service/indicator/measure [formula]	Results				Material Variations and Comments
	2020	2021	2022	2023	
<p><i>Active library borrowers in municipality</i></p> <p>[Number of active library borrowers in the last three years / The sum of the population for the last three years] x100</p>	16.05%	14.27%	13.28%	13.75%	<p>The City of Kingston recorded an increase in active library borrowers for the 2022–23 financial year when compared to the previous year. Overall, the service is continuing to recover from the effects of the pandemic on active borrowers. The library service continues to see growth in the uptake of electronic resources, while maintaining physical borrowing levels. This result remains within the range set by Council.</p>

Service/indicator/measure [formula]	Results				Material Variations and Comments
	2020	2021	2022	2023	
Maternal and Child Health (MCH)					
Participation					
<i>Participation in the MCH service</i> [Number of children who attend the MCH service at least once (in the year) / Number of children enrolled in the MCH service] x100	76.74%	74.31%	74.54%	79.60%	The City of Kingston is committed to providing high quality MCH services. This result sees an increase compared to the 2021-22 financial year, which was under the COVID-19 pandemic health orders from the Department of Health. This result remains in the range set by Council.
Participation					
<i>Participation in the MCH service by Aboriginal children</i> [Number of Aboriginal children who attend the MCH service at least once (in the year) / Number of Aboriginal children enrolled in the MCH service] x100	77.67%	84.85%	72.92%	83.48%	The City of Kingston continues to maintain a high level of engagement with our First Nation families with young children. This result sees an increase back to the high participation levels prior to COVID-19. This result remains in the range set by Council.
Roads					
Satisfaction					
<i>Satisfaction with sealed local roads</i> [Community satisfaction rating out of 100 with how council has performed on the condition of sealed local roads]	65	67	65	61	The City of Kingston remains in line with the metro average and 13 points higher than the state-wide average. The decrease in satisfaction rating compared to the previous year was likely influenced by the high rainfall throughout 2022-23, which increased the number of potholes which formed on sealed roads. The municipality's major roads such as the Nepean Highway, Centre Dandenong Rd and South Rd are managed and maintained by the

Service/indicator/measure [formula]	Results				Material Variations and Comments
	2020	2021	2022	2023	
					Victorian Government rather than the City of Kingston. This data is collected annually in a Community Satisfaction Survey by an independent research company on behalf of the Victorian Government.

Service/indicator/measure [formula]	Results				Material Variations and Comments
	2020	2021	2022	2023	
Statutory Planning					
Decision making					
<p><i>Council planning decisions upheld at VCAT</i></p> <p>[Number of VCAT decisions that did not set aside council's decision in relation to a planning application / Number of VCAT decisions in relation to planning applications] x100</p>	44.44%	47.37%	48.00%	58.00%	<p>The City of Kingston is committed to providing an efficient and effective statutory planning service. During 2022-23, there was a significant improvement in the number of planning decisions upheld at VCAT compared to the previous year. Furthermore, a number of items were resolved at VCAT through consent or at mediation. Although these are still reflected as decisions 'not upheld', Council considers this a good outcome as agreement was reached by all parties through mediation. This result remains in the range expected by Council.</p>
Waste Collection					
Waste diversion					
<p><i>Kerbside collection waste diverted from landfill</i></p> <p>[Weight of recyclables and green organics collected from kerbside bins / Weight of garbage, recyclables and green organics collected from kerbside bins] x100</p>	52.83%	56.53%	55.28%	55.16%	<p>The City of Kingston continues to encourage the diversion of waste from landfill, with an efficient kerbside recycling and green organics collection service. The amount of kerbside waste diverted from landfill remains stable, with an overall drop in collected tonnages from all three bin streams compared to the previous year. In March 2023, Kingston launched a temporary soft plastics recycling program in response to the collapse of recycling company Redcycle, which had previously collected soft plastics for recycling. This result is</p>

Service/indicator/measure [formula]	Results				Material Variations and Comments
	2020	2021	2022	2023	
					within the range expected by Council.

Note: definitions are at the end of this document.

Financial Performance Indicators

For the year ended 30 June 2023

Forecasts are based on the Financial Plan adopted by Council in June 2023 as part of the Adopted Budget.

Dimension/indicator/measure	Results						Forecasts			Material Variations and Comments
	2020	2021	2022	2023	2024	2025	2026	2027		
Efficiency Expenditure level Expenses per property assessment [Total expenses / Number of property assessments]	\$2,764.16	\$2,753.62	\$2,900.54	\$3,176.58	\$3,421.47	\$3,504.56	\$3,602.91	\$3,717.36	As services are back to usual levels following the COVID-19 pandemic, combined with an increase in property assessments and inflationary pressures, there was an increase in expenditure compared to 2021-22. Council expects this indicator to continue to increase in future years, as services return to normal delivery.	
Revenue level Average rate per property assessment [General rates and Municipal charges / Number of property assessments]	\$1,741.24	\$1,767.84	\$1,796.98	\$1,825.99	\$1,880.78	\$1,931.19	\$1,967.62	\$2,009.19	This indicator was new in 2019-20 and has remained consistent over the 3-year period. The forecast trend is for this indicator to remain around the same level with a slight increase each year. Kingston is compliant with the State Government's Rate Cap each year.	
Liquidity Working capital Current assets compared to current liabilities [Current assets / Current liabilities] x100	260.46%	238.03%	195.22%	235.35%	166.63%	156.11%	165.92%	154.66%	This indicator has increased due to a decrease in current liabilities, specifically in unearned income (grants received in advance). Council anticipates this indicator will reduce in future years as it utilises its cash holdings to fund its capital works program.	
Unrestricted cash Unrestricted cash compared to current liabilities [Unrestricted cash / Current liabilities] x100	224.43%	195.50%	151.53%	184.60%	106.21%	99.28%	112.00%	102.42%	This indicator has increased slightly due to a decrease in trust funds and deposits liabilities, and unearned income. The unrestricted cash reduces for a short period of time in future years as Council utilises its cash reserves to fund its extensive capital works program.	
Obligations										

Performance Statement for the year ended 30 June 2023

Dimension/indicator/measure	Results					Forecasts				Material Variations and Comments
	2020	2021	2022	2023	2024	2025	2026	2027		
Loans and borrowings Loans and borrowings compared to rates [(Interest bearing loans and borrowings / Rate revenue] x100	1.43%	0.48%	0.00%	0.00%	0.00%	14.08%	30.24%	28.46%	The indicator is in line with budget expectations as Kingston has focused on reducing debt. Further borrowing is anticipated in 2024-25, to fund the planned new Aquatic Facility.	

Dimension/indicator/measure	Results					Forecasts				Material Variations and Comments
	2020	2021	2022	2023	2024	2025	2026	2027		
Loans and borrowings repayments compared to rates [Interest and principal repayments on interest bearing loans and borrowings / Rate revenue] x100	2.17%	1.00%	0.45%	0.00%	0.00%	0.00%	1.25%	2.73%	2.65%	The indicator is in line with budget expectations as Kingston has focused on reducing debt. Further borrowing is anticipated in 2024-25, to fund the planned new Aquatic Facility.
Indebtedness Non-current liabilities compared to own source revenue [Non-current liabilities / Own source revenue] x100	6.77%	6.85%	5.76%	5.38%	4.89%	15.82%	28.53%	26.20%	This indicator has decreased slightly this year as Council's Non-Current Liabilities have reduced with the reduction in lease liabilities. A large increase is forecast in 2024-25 when Council plans to increase its borrowings to fund the new Aquatic Facility.	
Asset renewal and upgrade Asset renewal and upgrade compared to depreciation [Asset renewal and asset upgrade Expenditure / Asset depreciation] x100	158.49%	101.21%	114.91%	111.10%	92.66%	157.50%	144.18%	88.84%	This indicator has decreased this year, but is anticipated to increase in the future years. Council is working hard on its asset management data and information, and this will inform future capital works programs to ensure the right balance between new and renewal projects.	
Operating position Adjusted underlying result Adjusted underlying surplus (or deficit) [Adjusted underlying surplus (deficit) / Adjusted underlying revenue] x100	6.78%	6.10%	9.12%	6.03%	-2.25%	-2.53%	-3.78%	-3.25%	The result has decreased this year with the challenging economic environment and inflationary pressures. The forecast trend going forward is that the underlying result is a slight deficit, reflecting growth in expenses above the level of growth in revenue from rates, user fees, statutory fees and fines and operating grants.	

Dimension/indicator/measure	Results					Forecasts			Material Variations and Comments
	2020	2021	2022	2023	2024	2025	2026	2027	
Stability Rates concentration Rates compared to adjusted underlying revenue [Rate revenue / Adjusted underlying revenue] x100	65.25%	64.32%	63.75%	61.13%	64.08%	64.34%	64.51%	63.47%	The indicator has decreased slightly with revenue varying for some services in this financial year. The forecast trend is for this indicator to remain relatively consistent.
Rates effort Rates compared to property values [Rate revenue / Capital improved value of rateable properties in the municipality] x100	0.23%	0.22%	0.23%	0.20%	0.21%	0.21%	0.22%	0.23%	This indicator is consistent with the forecast. The forecast trend moving forward is for this indicator to gradually increase, as both rate revenue and the CIV gradually increase over time.

Note: definitions are at the end of this document.

Retired Indicators

Service/indicator/measure	Results 2019	Comments
Animal Management		
Health and safety		
<i>Animal management prosecutions</i> [Number of successful animal management prosecutions]	7	This measure was replaced by <i>Animal management prosecutions (%)</i> from 1 July 2019.
Efficiency		
Revenue level		
<i>Average residential rate per property assessment</i> [Residential rate revenue / Number of residential property assessments]	\$1,840.48	This measure was replaced by <i>Average rate per property assessment</i> from 1 July 2019.
Obligations		
Asset renewal		
<i>Asset renewal compared to depreciation</i> [Asset renewal expense / Asset depreciation] x 100	117.11%	This measure was replaced by <i>Asset renewal and upgrade compared to depreciation</i> from 1 July 2019.

Other Information

For the year ended 30 June 2023

1. Basis of preparation

Council is required to prepare and include a performance statement within its annual report. The performance statement includes the results of the prescribed sustainable capacity, service performance and financial performance indicators and measures together with a description of the municipal district and an explanation of material variations in the results. This statement has been prepared to meet the requirements of the *Local Government Act 2020* and *Local Government (Planning and Reporting) Regulations 2020*.

Where applicable the results in the performance statement have been prepared on accounting bases consistent with those reported in the Financial Statements. The other results are based on information drawn from council information systems or from third parties (e.g. Australian Bureau of Statistics).

The performance statement presents the actual results for the current year and for the prescribed financial performance indicators and measures, the results forecast by the council's strategic resource plan. The *Local Government (Planning and Reporting) Regulations 2020* requires explanation of any material variations in the results contained in the performance statement. Council has adopted materiality thresholds relevant to each indicator and measure and explanations have not been provided for variations below the materiality thresholds unless the variance is considered to be material because of its nature.

The forecast figures included in the performance statement are those adopted by council in its financial plan on 26 June 2023 and which forms part of the council plan. The financial plan includes estimates based on key assumptions about the future that were relevant at the time of adoption and aimed at achieving sustainability over the long term. Detailed information on the actual financial results is contained in the General Purpose Financial Statements. The financial plan can be obtained by contacting council.

Certification of the Performance Statement

In my opinion, the accompanying performance statement has been prepared in accordance with the *Local Government Act 2020* and the Local Government (Planning and Reporting) Regulations 2020.

Principal Accounting Officer
Bernard Rohan FCPA, BBus(Acc) _____

Dated: _____

In our opinion, the accompanying performance statement of the Kingston City Council for the year ended 30 June 2023 presents fairly the results of Council's performance in accordance with the *Local Government Act 2020* and the Local Government (Planning and Reporting) Regulations 2020.

The performance statement contains the relevant performance indicators, measures and results in relation to service performance, financial performance and sustainable capacity performance.

At the date of signing, we are not aware of any circumstances that would render any particulars in the performance statement to be misleading or inaccurate.

We have been authorised by the Council and by the Local Government (Planning and Reporting) Regulations 2020 to certify this performance statement in its final form.

Mayor
Cr Hadi Saab _____

Dated: _____

Deputy Mayor
Cr Chris Hill _____

Dated: _____

Chief Executive Officer
Peter Bean _____

Dated: _____

Definitions

Aboriginal child	means a child who is an Aboriginal person
Aboriginal person	has the same meaning as in the <i>Aboriginal Heritage Act 2006</i>
active library borrower	means a member of a library who has borrowed a book from the library
adjusted underlying revenue	means total income other than: (a) non-recurrent grants used to fund capital expenditure; and (b) non-monetary asset contributions; and (c) contributions to fund capital expenditure from sources other than those referred to above
adjusted underlying surplus (or deficit)	means adjusted underlying revenue less total expenditure
annual report	means an annual report prepared by a council under section 98 of the Act
asset renewal expenditure	means expenditure on an existing asset or on replacing an existing asset that returns the service capability of the asset to its original capability
Australian Accounting Standards (AAS)	means the accounting standards published by the Australian Accounting Standards Board
class 1 food premises	means food premises, within the meaning of the <i>Food Act 1984</i> , that have been declared as class 1 food premises under section 19C of that Act
class 2 food premises	means food premises, within the meaning of the <i>Food Act 1984</i> , that have been declared as class 2 food premises under section 19C of that Act
critical non-compliance outcome notification	means a notification received by council under section 19N(3) or (4) of the <i>Food Act 1984</i> , or advice given to council by an authorised officer under that Act, of a deficiency that poses an immediate serious threat to public health
current assets	has the same meaning as in the AAS
current liabilities	has the same meaning as in the AAS
food premises	has the same meaning as in the <i>Food Act 1984</i>
infrastructure	means non-current property, plant and equipment excluding land
local road	means a sealed or unsealed road for which the council is the responsible road authority under the <i>Road Management Act 2004</i>
local road	means a sealed or unsealed road for which the council is the responsible road authority under the <i>Road Management Act 2004</i>
major non-compliance outcome notification	means a notification received by a council under section 19N(3) or (4) of the <i>Food Act 1984</i> , or advice given to council by an authorised officer under that Act, of a deficiency that does not pose an immediate serious threat to public health but may do so if no remedial action is taken
MCH	means the Maternal and Child Health Service provided by a council to support the health and development of children within the municipality from birth until school age
non-current assets	means all assets other than current assets
non-current liabilities	means all liabilities other than current liabilities
non-recurrent grant	means a grant obtained on the condition that it be expended in a specified manner and is not expected to be received again during the period covered by a council's Strategic Resource Plan
own-source revenue	means adjusted underlying revenue other than revenue that is not under the control of council (including government grants)
population	means the resident population estimated by council
rate revenue	means revenue from general rates, municipal charges, service rates and service charges

recurrent grant	means a grant other than a non-recurrent grant
relative socio-economic disadvantage	in relation to a municipality, means the relative socio-economic disadvantage, expressed as a decile for the relevant financial year, of the area in which the municipality is located according to the Index of Relative Socio-Economic Disadvantage (Catalogue Number 2033.0.55.001) of SEIFA
residential rates	means revenue from general rates, municipal charges, service rates and service charges levied on residential properties
restricted cash	means cash and cash equivalents, within the meaning of the AAS, that are not available for use other than for a purpose for which it is restricted, and includes cash to be used to fund capital works expenditure from the previous financial year
SEIFA	means the Socio-Economic Indexes for Areas published from time to time by the Australian Bureau of Statistics on its Internet website
unrestricted cash	means all cash and cash equivalents other than restricted cash

Governance and Management Checklist 2022–23

Governance and Management Items	✓	Date	Related Documentation
1. Community Engagement Policy	✓	22/02/2021	The Community Engagement Policy was adopted at the Kingston Council Meeting on 22 February 2021 (in accordance with section 55 of the <i>Local Government Act 2020</i>) outlining Council's commitment to engaging with the community on matters of public interest. It also includes Best Practice Guiding Principles and Council's deliberative engagement approach. kingston.vic.gov.au/council/council-documents/plans-policies-and-reports/community-engagement-policy
2. Community Engagement Guidelines	✓	12/10/2017	Kingston's Community Engagement toolkit was first introduced on 12 October 2017 to assist staff to determine when and how to engage with the community and is regularly reviewed and updated.
3. Financial Plan	✓	27/06/2022	The Long-Term Financial Plan 2022–2032 was adopted at the Kingston Council Meeting on 27 June 2022 (in accordance with Section 91(3)(a) of the <i>Local Government Act 2020</i>) and complies with the financial management principles as detailed under Section 101 outlining the financial and non-financial resources required for at least the next 10 financial years. kingston.vic.gov.au/council/council-documents/plans-policies-and-reports/council-plan-and-budget
4. Asset Plan	✓	27/06/2022	The Asset Plan 2021–2031 was adopted at the Kingston Council Meeting on 27 June 2022 (in accordance with section 92 of the <i>Local Government Act 2020</i>) setting out the asset maintenance and renewal needs for key infrastructure asset classes for at least the next 10 years. kingston.vic.gov.au/council/council-documents/plans-policies-and-reports/council-plan-and-budget
5. Revenue and Rating Plan	✓	27/06/2022	The Revenue and Rating Plan 2022–2026 was adopted at the Kingston Council Meeting on 27 June 2022 (in accordance with section 93 of the <i>Local Government Act 2020</i>) setting out the rating structure of Council to levy rates and charges. kingston.vic.gov.au/council/your-council/council-meetings/agendas-and-minutes
6. Annual Budget	✓	27/06/2022	The Annual Budget 2022–2023 was adopted at the Kingston Council Meeting on 27 June 2022 (in accordance with section 94 of the <i>Local Government Act 2020</i>) setting out the services to be provided and initiatives to be undertaken during the budget year and the funding and other resources required. kingston.vic.gov.au/council/council-documents/plans-policies-and-reports/council-plan-and-budget
7. Risk Policy	✓	15/05/2023	Kingston's Risk Management Policy commenced on 15 May 2023, outlining Council's commitment and approach to minimising the risks to Council's operations. This policy aligns

Governance and Management Items	✓	Date	Related Documentation
			with the Kingston's Good Governance Framework and is compliant with the Australian Standards <i>ISO 31000:2018</i> .
8. Fraud Policy	✓	15/09/2022	<p>Kingston's Fraud and Corruption Policy commenced on 15 September 2022 outlining council's commitment and approach to minimising the risk of fraud to meet council's legislative obligations under the <i>Local Government Act 2020</i>.</p> <p>Related documentations include Council's Fraud and Corruption Control Plan, Code of Conduct Policy, Public Interest Disclosure Procedure, and Good Governance Framework.</p> <p>kingston.vic.gov.au/council/council-documents/plans-policies-and-reports/fraud-and-corruption-policy</p>
9. Municipal Emergency Management Plan	✓	06/07/2021	<p>The Kingston District Municipal Emergency Management Plan was prepared on 6 July 2021 (under section 20 of the <i>Emergency Management Act 1986</i>) and authorised by the Municipal Emergency Management Planning Committee Chair.</p> <p>The Municipal Emergency Management Plan identifies Councils' emergency mitigation, response and recovery and is the result of the cooperative efforts of the Kingston Municipal Emergency Management Planning Committee.</p> <p>kingston.vic.gov.au/council/council-documents/plans-policies-and-reports/municipal-emergency-management-planning</p>
10. Procurement Policy	✓	22/11/2021	<p>The Procurement Policy was adopted at the Kingston Council Meeting on 22 November 2021 (in accordance with section 108 of the <i>Local Government Act 2020</i>) and outlines the principles, processes and procedures that will apply to the purchase of goods and services by the Council.</p> <p>kingston.vic.gov.au/council/council-documents/plans-policies-and-reports/procurement-policy</p>
11. Business Continuity Plan	✓	19/06/2019	<p>The Business Continuity Master Plan commenced on 19 June 2019 and applies to all critical services and support functions and associated infrastructure provided and/or maintained by the Kingston City Council.</p> <p>The plan sets out the actions that will be undertaken to ensure that key services continue to operate in the event of a disaster.</p>
12. Disaster Recovery Plan	✓	12/07/2021	<p>The Disaster Recovery Plan is incorporated into Kingston's Business Continuity Plan which commenced on 12 July 2021 and sets out the actions that will be undertaken to recover and restore business capability in the event of a disaster.</p>
13. Risk Management Framework	✓	15/05/2023	<p>Council's Enterprise Risk Management Framework 2023 commenced on 15 May 2023 and outlines Council's approach to managing risks to the Council's operations in accordance with the <i>Local Government Act 2020</i> and in line with the Australian Standards <i>ISO 31000:2018</i>.</p>

Governance and Management Items	✓	Date	Related Documentation
14. Audit and Risk Committee	✓	26/04/2021	<p>The Audit and Risk Committee is established in accordance with sections 53 of the <i>Local Government Act 2020</i>.</p> <p>The Audit and Risk Committee Charter has been developed in accordance with sections 53 of the <i>Local Government Act 2020</i>. The Charter was adopted at the Kingston Council Meeting on 26 April 2021.</p> <p>The next Charter review date is 26 April 2025.</p> <p>kingston.vic.gov.au/council/your-council/audit-and-risk-committee</p>
15. Internal Audit	✓	14/12/2018	<p>Council's internal audit service is Pitcher Partners. They were engaged on 14 December 2018 by Council to provide analyses and recommendations aimed at improving Council's governance, risk and management control.</p> <p>Pitcher Partners were initially engaged by Council on 01 July 2013, and following a rigorous tender process, were reappointed as per the date above.</p> <p>kingston.vic.gov.au/council/your-council/audit-and-risk-committee</p>
16. Performance Reporting Framework	✓	28/09/2022 15/03/2023	<p>Performance Reporting indicator results (Local Government Performance Reporting Framework) were reported to Council's Audit and Risk Committee on 28 September 2022 and 15 March 2023.</p>
17. Council Plan Report	✓	28/11/2022 27/02/2023 22/05/2023	<p>Our Road Map: Council Plan 2021 – 2025, Kingston's Council Plan was adopted at the Kingston Council Meeting on 25 October 2021.</p> <p>Year Two (2022–23) Council Plan Performance Reports were noted by Council at Council Meetings on:</p> <ul style="list-style-type: none"> • 28 November 2022 (Year 2, Quarter 1) • 27 February 2023 (Year 2, Quarter 2) • 22 May 2023 (Year 2, Quarter 3) <p>The final quarterly report (Year 1, Quarter 4) will be presented for noting at the Council Meeting on 28 August 2023.</p> <p>kingston.vic.gov.au/council/council-documents/plans-policies-and-reports/council-plan-performance-reports</p>
18. Quarterly Budget Reports	✓	28/11/2022 27/02/2023 22/05/2023	<p>Quarterly budget reports were noted by Council in accordance with section 97(1) of the <i>Local Government Act 2020</i> at Council Meetings on:</p> <ul style="list-style-type: none"> • 28 November 2022 (for the period ending September 2022) • 27 February 2023 (for the period ending December 2022) • 22 May 2023 (for the period ending March 2023)
19. Risk Reports	✓	24/01/2023 27/06/2023	<p>The six-monthly strategic risk reports on Council's operations were presented to the Executive Leadership Team on 24 January 2023 and 27 June 2023.</p>

Governance and Management Items	✓	Date	Related Documentation
20. Performance Reports	✓	15/03/2023 27/02/2023 23/10/2023	Performance Reporting indicator results (Local Government Performance Reporting Framework) half-year results were presented to the Audit and Risk Committee on 15 March 2023. Kingston's Council Plan Performance Report 6-monthly update was noted by Council on 27 February 2023. Kingston's Annual Report 2022–23 is estimated to be adopted by Council at the Council Meeting the 23 October 2023.
21. Annual Report	✓	24/10/2022	The Annual Report 2021–22 was adopted at the Kingston Council Meeting on 24 October 2022 in accordance with Section 100 of the <i>Local Government Act 2020</i> .
22. Councillor Code of Conduct	✓	22/02/2021	The Councillor Code of Conduct 2021 was adopted at the Kingston Council Meeting on 22 February 2021 in accordance with Section 139 of the <i>Local Government Act 2020</i> . kingston.vic.gov.au/council/your-council/council-meetings/agendas-and-minutes
23. Delegations	✓	12/04/2023	Kingston City Council's Instrument of Sub-Delegation by Chief Executive Officer (CEO) to Staff demonstrates Council's delegation of authority in accordance with section 11(7) of the Act and a register kept in accordance with sections 11(8) and 47(7) of the <i>Local Government Act 2020</i> . The Instrument of Sub-Delegation is dated 12 April 2023 and was made by the CEO under authority of an instrument of delegation authorised by Resolution of Council made on 23 August 2021. kingston.vic.gov.au/council/council-documents/plans-policies-and-reports/instrument-of-sub-delegation-by-the-ceo-to-staff
24. Meeting Procedures	✓	22/08/2022	Kingston's Governance Rules were adopted on 22 August 2022 (in accordance with section 60 of the <i>Local Government Act 2020</i>) governing the conduct of meetings of Council and delegated committees. kingston.vic.gov.au/council/council-documents/plans-policies-and-reports/governance-rules

I certify that this information presents fairly the status of Council's governance and management arrangements.

Signature of Chief Executive Officer:

Date:

Signature of Mayor:

Date:

Ordinary Council Meeting

25 September 2023

Agenda Item No: 12.2

2022/23 BUDGET OUTCOME

Contact Officer: Magda Hordejuk, Team Leader Budgeting and Reporting

Purpose of Report

The purpose of this report is to inform Council on the Capital Budget carryover from financial year 2022/23 to 2023/24 and seek approval from Council to revise the 2023/24 Capital Budget.

Disclosure of Officer / Contractor Conflict of Interest

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

RECOMMENDATION

That Council approve the Capital Budget carryover of \$16 million from financial year 2022/23 to 2023/24, noting that this amount is:

1. \$3.1 million above the existing approved budget
2. recommended to be funded from:
 - unspent capital funding from 2022/23 of \$12.9 million
 - 2022/23 Surplus \$1.5 million
 - Reserve drawdown \$1.2 million
 - Capital Reserve \$0.4 million.

1. Background

The financial audit for 2022/23 has been finalised with the financial statements and performance statements being considered by the Victorian Auditor-General's Officer and Council for adoption in September-October 2023.

The Finance Department and the Project Management Office have assessed the impacts of finalised accounts and capital project expenditure. Project requirements for continued expenditure in 2023/24 require additional authorisation from Council as this is beyond the level approved in the 2023/24 Budget.

2. Discussion

2.1 Capital Budget Carryover

Council's adopted Capital Budget in 2023/24 is \$53.0 million. At the time of preparing a capital budget, it was forecast that there would be carried-forward project budget required in 2023/24 but this was not able to be specifically finalised until July 2023. As part of the 2022/23 year end process, the Project Management Office and Finance have reviewed the unspent capital budgets in 2022/23 and assessed that **\$16 million is required** to continue to deliver 2022/23 projects in 2023/24 to complete the projects. Please refer to Appendix 1 for the carryover amounts.

2.2 Funding sources for the requested Carryover

The 2022/23 Capital Budget (including approved carryover from 2021/22) was \$80.1 million and the actual expenditure or utilisation of this budget in the 2022/23 financial year was \$69.1 million. Therefore, there is \$10.9 million of approved unspent capital funds available for carryover to 2023/24.

Whilst the 2022/23 Capital Works Program expenditure is \$10.9 million under budget in total terms, there is a combination of under/over-expenditure project budgets:

- \$23.2 million underspend projects
- \$12.3 million overspend projects
- \$2.0 million additional grant revenue

In particular, the additional grant revenue of \$2.0 million, together with the \$10.9 million of approved unspent capital budget provides **\$12.9 million** of available carry-over budget. Given that the carryover requirement is \$16 million, there is \$3.1 million additional carryover requested to continue to deliver on the 2022/23 projects. These projects have all been affected by escalation factors in the current economic climate.

2.3 Proposed funding of the additional Carryover

It is proposed that Council approves to fund the requested additional \$3.1 million from:

- \$1.5 million (cash) 2022/23 Surplus (see table below)
- \$1.2 million from Reserve with a breakdown of \$0.3 million Open Space Reserve and \$0.9 million Foreshore Reserve (Please refer to the appendix to show full list of projects and funding from Reserves).
- \$0.4 million from newly created Capital Reserve \$3.0 million in accordance to Adopted 2023/24 Budget.

The use of \$1.2 million from reserves is proposed as follows:

- Peter Scullin Reserve Upgrade - \$430,000 – Foreshore Reserve
- Mentone Foreshore Precinct - \$182,955 - Foreshore Reserve
- Foreshore Infrastructure Renewals - \$300,000 - Foreshore Reserve
- Don Tatnell Site Management – \$333,355 - Public Open Space Reserve

The use of \$1.5 million of identified 2022/23 cash surplus is explained in the below table:

**City of Kingston
Ordinary Council Meeting**

Agenda

25 September 2023

(\$'000)	2022/23 Budget	2022/23 Actual	Variance	Cash Surplus/ Deficit	Explanation
Income					
Rates and charges	159,733	159,181	(552)	(552)	Waived rates and charges interests and penalties
Statutory fees and fines	9,870	8,403	(1,467)	(1,467)	
User fees	20,439	21,615	1,176	1,176	
Grants – Operating	43,518	55,034	11,516		Timing issue, Access Care acquitted past years grants and Commonwealth paid Financial Assistance Grants in advance
Grants – Capital	15,834	18,776	2,942		Project specific outcomes, income has been matched against spending
Contributions – monetary	6,801	8,466	1,665		Transferred to Reserve
Other income	1,313	5,797	4,484	4,484	
Net proceeds from Disposal	100	76	(24)	(24)	
Total Income	257,608	277,348	19,740	3,617	
Expenses					
Employee costs	105,283	103,803	1,480	1,480	
Materials and services	97,660	101,172	(3,512)	(3,512)	
Depreciation	36,695	34,399	2,296		Accounting entry, non-cash item
Amort'n – Intangible assets	300	300	0		Accounting entry, non-cash item
Amort'n – Right of use assets	1,250	1,148	102		Accounting entry, non-cash item
Bad and doubtful debts	50	323	(273)		Accounting entry, non-cash item
Finance costs – Leases	500	445	55		Accounting entry, non-cash item
Other expenses	651	723	(72)	(72)	
Net Loss from Disposal	-	2,289	(2,289)		Accounting entry, non-cash item
Total Expenses	242,389	244,603	(2,215)	(2,104)	
Surplus (deficit) for the year	15,220	32,745	17,525	1,513	\$1.5 million is the cash surplus for 2022/23

2.4 2023/24 forecast issues

The purpose of this paper is to clarify and seek approval for known 2022/23 budgeted projects to continue to be delivered in 2023/24.

Officers are also reviewing the budget requirements for 2023/24 in light of the current economic conditions and will provide further advice to Council in October-November on any other potential budget adjustments. This advice will confirm the alignment of affordable budget delivery and deliverable projects, including potential deferrals from 2023/24 to 2024/25.

3. Consultation

3.1 Internal Consultation:

There is ongoing collaboration between Finance and Project Management Office on budget carry over.

3.2 Community Consultation:

N/A

4. Compliance Checklist

4.1 Council Plan Alignment

Strategic Direction: Well-governed - Council will be collaborative, accountable, transparent, responsive, well-informed and efficient.

Strategy: Look after the community's financial resources responsibly and efficiently

4.2 Governance Principles Alignment

Principle (g) - the ongoing financial viability of the Council is to be ensured.

4.3 Risk considerations

The financial sustainability of council will be challenged by inflation and budget pressures and this requires active management from council and officers.

Appendices

Appendix 1 - Attachment 1 - 2022-23 Capital Budget Carry Over (Ref 23/242109)  

Author/s: Magda Hordejuk, Team Leader Budgeting and Reporting
Reviewed and Approved By: Yenni Lim, Manager Finance
Bernard Rohan, Chief Financial Officer

12.2

2022/23 BUDGET OUTCOME

1	Attachment 1 - 2022-23 Capital Budget Carry Over	713
---	--	-----

Kingston City Council

Capital Budget 2023/24 including carry overs from 2022/23

Project	Program	TOTAL Active/ Inactive	52,982,810	16,020,437	69,003,247	1,246,310
			Budget Adopted 2023-24	Carry Over (values are positive)	Budget Adopted with carryovers 2023-24	Funded from Reserves
C0001 - KINGSTON INDUSTRIAL DEVELOPMENT STRATEGY	INDUSTR	Active	200,000	-	200,000	
C0011 - Plant & Equipment Replacement (Operational Areas)	OTHERW	Active	250,000	-	250,000	
C0012 - Playground Improvement & Renewal Program	PLAYSPC	Active	1,100,000	-	1,100,000	
C0014 - Irrigation and Drainage Upgrade/Renewals	IRRIGAT	Active	200,000	-	200,000	
C0015 - Cricket Infrastructure Repairs & Synthetic Surfaces	OTHERW	Active	50,000	-	50,000	
C0018 - Parks & Open Space Strategy Implementation	OPENSPTS	Active	650,000	-	650,000	
C0033 - Bike & Walking Trails	OTHERW	Active	50,000	-	50,000	
C0049 - Waves - Asset Replacement Program	OTHERW	Active	400,000	-	400,000	
C0060 - Desktop Fleet - Pc's And Notebooks	OTHERW	Active	100,000	-	100,000	
C0068 - Asset Management System - Development & Support	OTHERW	Active	410,000	-	410,000	
C0158 - Cycling & Walking - East/West Cycleway	OTHERW	Active	-	200,000	200,000	
C0167 - LS- Local Shopping Centre Amenity Renewal - Notional	SHOPPING	Active	250,000	-	250,000	
C0424 - Library Service Stock Purchasing	OTHERW	Active	1,165,916	-	1,165,916	
C0427 - Inner Harbour Boardwalk and DDA access to Public Jetty	OTHERW	Active	1,000,000	465,287	1,465,287	
C0445 - Female Change Facilities - Regents Park	OTHERW	Active	4,448,709	-	4,448,709	
C0448 - Dingley Souter Res Pavilion - Refurb & Ext	OTHERW	Active	1,075,217	2,188,058	3,263,275	
C0454 - Intersection Signals Upgrades (Cheltenham)	TRAFFIC	Active	-	50,000	50,000	
C0468 - Street Lighting LED Conversion - Non-Standard Poles	TRAFFIC	Active	150,000	132,000	282,000	
C0518 - Climate Change Strategy - Solar Initiative	OTHERW	Active	200,000	185,000	385,000	
C0519 - Parkdale Yacht Club Carpark Construction	OTHERW	Active	-	739,222	739,222	
C0520 - Bonbeach Life Saving Club Redevelopment	OTHERW	Active	-	19,737	19,737	
C0521 - Carrum Life Saving Club Expansion	OTHERW	Active	495,520	-	495,520	
C0523 - Elder St Reserve Development	OTHERW	Active	946,948	590,011	1,536,959	
C0583 - Peter Scullin Reserve Masterplan & Regional Playground Upgra	OTHERW	Active	-	430,000	430,000	430,000
C0585 - GW Recycled Water Supply in the Green Wedge (Purple Pipe)	OTHERW	Active	50,000	-	50,000	
C0586 - Public Park Lighting	SPORTLIG	Active	50,000	-	50,000	
C0592 - Aquatic Centre Development	OTHERW	Active	3,950,000	657,921	4,607,921	
C0603 - DDA Compliance - Scout and Guide Halls	OTHERW	Active	-	279,270	279,270	
C0667 - Roy Dore Reserve Tennis Pavilion	ROYDORE	Active	-	1,158,691	1,158,691	
C0680 - Mentone Heritage Station Commercial Fitout	OTHERW	Active	-	638,171	638,171	
C0684 - Highett Children's HUB (Grant Dependent)	OTHERW	Active	50,000	-	50,000	
C0686 - Adapting to Climate Change (Urban Cooling Strategy)	OTHERW	Active	100,000	62,000	162,000	
C0687 - Chelsea Netball Court Redevelopment	OTHERW	Active	850,000	14,415	864,415	
C0688 - Exercise Equipment in Parks	OTHERW	Active	120,000	135,000	255,000	
C0694 - North Cheltenham early years centre	OTHERW	Active	2,585,547	1,840,330	4,425,877	
C0695 - Shed Replacement - Edithvale Public Golf Course	OTHERW	Active	400,000	108,507	508,507	
C0698 - Mentone Foreshore Precinct - Playground and BBQ area	OTHERW	Active	356,200	182,955	539,155	182,955
C0699 - Dingley Village Community Centre (Phase 2)(Grant Dependent)	OTHERW	Active	4,850,000	-	4,850,000	
C0700 - Hawthorn - Kennedy Centre & AFLW Sports Ground Contribution	OTHERW	Active	1,500,000	-	1,500,000	
C0702 - Namatjira Park Masterplan (\$12.3m project - \$5m Grant)	OTHERW	Active	100,000	-	100,000	
C0706 - LS- Edithvale Shopping Strip Revitalisation	SHOPPING	Active	100,000	-	100,000	
C0712 - Men's Shed Alternate Site - Chelsea	OTHERW	Active	515,000	380,413	895,413	
N0007 - Minor Reserve Improvements	OTHERW	Active	400,000	-	400,000	
N0020 - Foreshore Infrastructure Renewals	FORESHOR	Active	600,000	300,000	900,000	300,000
N0027 - Renewal Program identified from condition audit	BUILDING	Active	300,000	-	300,000	
N0040 - RD- ROAD INFRASTRUCTURE RENEWAL PROGRAM	ROADS	Active	6,267,981	-	6,267,981	
N0087 - DRAINAGE FLOOD MITIGATION PROGRAM	DRAINAGE	Active	2,500,000	-	2,500,000	
N0117 - TRAFFIC MANAGEMENT PROGRAM	TRAFFIC	Active	650,000	152,651	802,651	
N0119 - FOOTPATH RENEWAL PROGRAM	FOOTPATH	Active	700,000	-	700,000	
N0144 - Kingston Hall - Facility Development Plan	OTHERW	Active	-	134,471	134,471	
N0154 - IS Strategy Implementation	OTHERW	Active	80,000	-	80,000	
N0239 - Warm Season Grass Conversion/Turf Replacement	OTHERW	Active	700,000	-	700,000	
N0401 - Library Amenity Improvements -(carpet, shelving, minor works	OTHERW	Active	200,000	-	200,000	
N0669 - SL-SPORTSGROUND LIGHTING - Renewal and Upgrade	SPORTLIG	Active	500,000	230,000	730,000	
N0766 - Spring Road Landfill Remediation	OTHERW	Active	65,000	-	65,000	
N0767 - Heatherton Park Landfill Remediation	OTHERW	Active	75,000	-	75,000	
N0769 - Elder St Landfill Remediation	OTHERW	Active	15,000	-	15,000	
N0803 - Minor Public Lighting Upgrades	TRAFFIC	Active	50,000	-	50,000	

Project	Program	Active/ Inactive	Budget Adopted 2023-24	Carry Over (values are positive)	Budget Adopted with carryovers 2023-24	Funded from Reserves
N0982 - Smart City Initiatives	OTHERW	Active	100,000	-	100,000	
N0983 - Christmas Decorations	OTHERW	Active	150,000	13,636	163,636	
N1004 - GR Bricker Pavilion Redevelopment - Concept	OTHERW	Active	2,150,772	3,617,281	5,768,053	
N1041 - Mural Art in Activity Centres	OTHERW	Active	200,000	-	200,000	
N1073 - Turf Cricket Wicket Renewal Program	OTHERW	Active	50,000	-	50,000	
N1079 - Don Tatnell Site Management of Closure	OTHERW	Active	1,750,000	333,355	2,083,355	333,355
N1110 - Integrated Water Management (Merging Bays& Waterways and Gre	OTHERW	Active	85,000	-	85,000	
N1111 - Environmental Efficiency Upgrades (Merge Energy and Water Co	OTHERW	Active	250,000	55,193	305,193	
N1113 - Community Sports Clubs Infrastructure Renewal Fund	COMSPORT	Active	650,000	-	650,000	
P0078 - Mordialloc Beach Promenade Wall Renewal	FORESHOR	Active	160,000	142,675	302,675	
P0111 - Kingston Heath Hockey And Baseball Facility Development	OTHERW	Active	30,000	50,000	80,000	
P0155 - Patterson River Art Trail	OTHERW	Active	200,000	188,664	388,664	
P0181 - Chelsea Life Saving Club And Precinct Redevelopment	OTHERW	Active	20,000	-	20,000	
P0223 - CCTV at Waterways	OTHERW	Active	-	234,000	234,000	
P0227 - Foreshore Car Parks Additional Payment Machines	OTHERW	Active	-	11,524	11,524	
P0228 - Wayfinding Strategy Implementation	OTHERW	Active	100,000	-	100,000	
P0232 - Disc Golf Bicentennial Park	OTHERW	Active	200,000	-	200,000	
P0233 - Public Arts Contribution	OTHERW	Active	460,000	-	460,000	
P0234 - Epsom Estate Paths	OTHERW	Active	500,000	-	500,000	
P0235 - Nurseries	OTHERW	Active	50,000	-	50,000	
P0353 - Chelsea Little Athletics Upgrade	OTHERW	Active	510,000	-	510,000	
P0436 - Walter Galt Pavilion - Upgrade	BUILDING	Active	1,000,000	-	1,000,000	
P0437 - Beauty Spot Park	OTHERW	Active	650,000	-	650,000	
P0438 - Southern Road Pavilion - Internal Refurbishment	BUILDING	Active	350,000	-	350,000	
P0439 - Leslie Road Construction	ROADS	Active	675,000	-	675,000	
P0440 - Chelsea Local Area Traffic Management	ROADS	Active	20,000	-	20,000	
P0441 - Recruitment and Onboarding, Learning and Development Systems	OTHERW	Active	150,000	-	150,000	
P0442 - Thames Promenade & Fourth Avenue Chelsea Heights - Signal In	ROADS	Active	50,000	-	50,000	
P0443 - Kingston City Hall & Arts Centre Precinct Masterplan - Plann	BUILDING	Active	50,000	100,000	150,000	
P0444 - Snowdon Drive Reserve Dog Off-Leash Park	OTHERW	Active	500,000	-	500,000	
P0445 - Corboy Pavilion Mentone - Terrace Upgrades	BUILDING	Active	100,000	-	100,000	

13. Notices of Motion

Ordinary Council Meeting

25 September 2023

Agenda Item No: 13.1

NOTICE OF MOTION NO. 26/2023 - CR HOWE - BEAUTY SPOT SCULPTURE

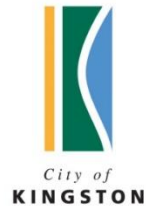
That Council does not proceed with the sculpture selection at The Beauty Spot, proceeding to review and select an alternative sculpture from submissions immediately, as the industrial sculpture is completely inappropriate with no connection to the coastal culture and landscape.

Cr Cameron Howe

Guidance Note

Notice of Motion No. 26/2023 – Cr Howe

Beauty Spot Sculpture



Officer Advice

1. Recommendation

It is recommended that council honours its commitment to the contracted Artist and proceeds with the Beauty Spot Public Art Project commission as planned.

The commission was awarded through a rigorous assessment process and in accordance with current industry best practice and the newly adopted Public Art Policy, Public Art Placement Plan and Public Art Guidelines.

Delays associated with the selection of an alternative sculpture from submissions received will impact the park refurbishment timeline and therefore associated budgets as the installation of the artwork is part of the overall delivery of the wider project.

As outlined a respected Selection Panel of industry specialists deemed that the artwork does offer connection to the coastal culture and landscape, is respectful to the existing war memorial and the landscape design proposed for the seaside park and meets other aims as specified in the Artist Brief and in more detail below.

An additional risk that council may wish to consider is that to its reputation as a reliable commissioner of artworks. As due process was followed, and senior artists and industry specialists were engaged in this process, deviation from the outcome will carry the risk of unfavourable sentiment within the arts community with relation to the Kingston Arts brand.

2. Background

Council Officers followed the Public Art procurement process as outlined in the Public Art Policy and associated Guidelines to award The Beauty Spot Public Art Project commission to a senior Victorian artist as part of the refurbishment of the public park.

The intent of the [Beauty Spot Memorial Park Upgrade](#) aimed to:

- improve accessibility into and within the park
- create a meaningful and iconic war memorial park for the community
- create a multi-functional and adaptable space for diverse activities
- encourage visitors of all ages to engage with the site and get their own insights into the wars involving Australia
- enhance biodiversity and acknowledge the indigenous landscape.

To achieve this, Council has developed a draft concept plan, proposing:

- new concrete step seating along the northern boundary
- new accessible path with various memorial-related elements
- upgraded benches, picnic seating and BBQ facilities
- new native sensory garden with walkway
- future art sculpture along the proposed path
- new signage, drink fountain, bike racks, bollard lights and bin
- new native planting and garden beds.

The draft Public Art Policy, Public Art Placement Plan and Guidelines were endorsed at the 24 July 2023 Council Meeting and were finalised and implemented by council officers since then as is required. These documents aim to help Council identify priority projects, locations and the types of public art council should invest in.

Before the endorsement of the new Public Art Policy, Public Art Placement Plan and Public Art Guidelines it had become customary, although not contained within policy, to provide public art briefs to the Arts and Cultural Advisory Committee for feedback. Feedback around this process had been received from members of the ACAC that the level of requests for document review was too high for some members. The Public Art Policy and Guidelines now utilise targeted and co-opted Public Art Selection Panels. The drafting of the Beauty Spot Brief was undertaken before the endorsement of the new Public Art documents.

The artist responded to a Project Brief for the design and delivery of a major sculpture for the north-west corner of the open lawn area of the Beauty Spot Carrum Foreshore to which Cr Howe, as a member of the Arts and Cultural Advisory Committee, contributed. This included the following commission aims:

- Attract visitors and draw diverse audiences to stay and enjoy the new open space and facilities
- Contribute to a sense of place and belonging for the local community in Carrum
- Create opportunities for reflection, commemoration and remembrance
- Adds to the cultural fabric of Kingston
- A suitable artwork for the entrance to the Patterson River Sculpture Trail

The Brief also detailed the Artwork Scope as follows:

- Artwork is to be aesthetically and conceptually engaging with the site
- Artwork is to be cohesive with the design of the park upgrade
- Artwork is to be interactive, contemporary, innovative and memorable
- Materials are to be robust and durable able to withstand the harsh weather conditions and exposed nature of the park
- Cost of the artwork and its installation to be no greater than the budget of \$150,000 exc GST

3. Process

Stage 1: Expression of Interest

- Expression of Interest (EOI) advertised with the Project Brief issued to prospective candidates through Kingston Visual Arts email from 5 April 2023 - 1 May 2023
- Art Advisory Panel comprised of three (3) industry experts and three (3) internal stakeholders assessed the twenty-two (22) submissions received and selected a shortlist of three (3) artists.

Stage 2: Design concept development

- Each of the shortlisted artists were offered a concept design \$2,000 fee to develop a site-specific artwork on 15 May 2023 and met with the landscape designer at Beauty Spot on 22 May 2023 to ensure they understood the plans for the park.
- Artists submitted their concepts via a video presentation and graphic visualisations on 12 June 2023
- Two (2) artists met with operational officers in an online meeting 7 July, so they could detail proposed project timeline, fabrication and installation methods and budget, appropriateness of materials, as well as maintenance requirements.
- The second Selection Panel comprising of three (3) internal stakeholders and three (3) creative industry specialists assessed each submission against the following Selection Criteria:

- Experience in delivering similar public art projects that demonstrates technical skills and has strong aesthetic content
 - Concept strong consideration to art commission objectives outlined in the brief
 - Appropriateness to site: contribution to local area and the experience for residents and visitors using the space
 - Proven ability to meet required budget and timeline
 - Considerations of maintenance requirements, durability of materials, health and safety issues in design and implementation
- The Selection Panel comprised Senior Landscape Architects and Public Art Specialists.

The Artist's concept – Contemplative Meeting Place Bell

- Concept seeks to draw citizens together in shared community creative play experience
- Interactive sound element – low pitch, low decibel, (Meditation Om), physical touch
- Meditative sound to encourage listener's mind to reflect on surroundings and moment they are in
- Robust materials: silicone bronze bell hung in a 316 stainless-steel frame, 2m tall, diameter 160m
- Install: circular concrete footing set below the surface area, sculpture fitted to footing and covered by soil/sand/grass
- Rectangular repurpose bluestone seating
- Low maintenance

Stage 3: Commission Award

The Selection Panel finalised feedback to the submissions by 28 July 2023 awarding the commission to the Artist determining that the artwork was:

- Appropriate for Beauty Spot in design, material and site,
- Offered an elegant and accessible design that seamlessly harmonised with the surrounding landscape,
- Well researched in theme, complemented the war memorial, the seaside location and the interactive acoustic element would contribute positively to the visitor experience, and
- By an established artist working in sound sculpture using digital and traditional technologies whose artistic practice encourages people to share creative imaginations through accessible, interactive and participatory play with the example of 'Federation Bells', Birrarung Marr Park provided.

4. Communications

- The Artist was notified by email that he had been awarded the commission on 8 August 2023 and the onboarding process of this council service provider commenced.
- At the request of Cr. Howe, as the Ward Councillor; Sally Jones - General Manager Community Strengthening, Simon Doyle - Manager Arts, Events & Libraries, and Francesca Valmorbida - Head of Arts and Cultural Development presented Mayor Cr Hadi Saab and Cr Howe the Artist's winning design on 14 August 2023 ahead of the CWU update to all Councillors that same week.
- Councillors were informed of the Artist's successful design concept via CWU 17 August 2023
- The contract agreement with the Artist was signed on 13 September 2023.

Author/s: Simon Doyle, Manager Arts, Events and Libraries
Reviewed and Approved By: Sally Jones, General Manager Community Strengthening
Peter Bean, Chief Executive Officer

**City of Kingston
Ordinary Council Meeting**

Agenda

25 September 2023

15. Confidential Items

15 Confidential Items

This information is confidential information under section 3(1) of the *Local Government Act 2020* and therefore suitable for consideration in closed session. In accordance with the *Local Government Act 2020*, Council may resolve to consider these items in open or closed session.

15.1 Kingston Heritage Review - Stage 1 Findings

Agenda item 15.1 *Kingston Heritage Review - Stage 1 Findings* is designated confidential because it is:

- because it is land use planning information, being information that if prematurely released is likely to encourage speculation in land values (section 3(1)(c)), and
- the explanation as to why the specified ground/s applies is due to the report's discussion of heritage significant properties within Kingston..

15.2 Property Matter

Agenda item 15.2 *Property Matter* 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 (section 3(1)(a) and (g)), and
- This report relates to a property transaction and includes sensitive information regarding the value of the property in question.

Confidential Appendices

9.1 Commercial Use of Council Land applications - November 2023 - December 2024

Appendix 1, Commercial Event EOI 2023/24 - Mordialloc Summer Carnival Proposal is designated confidential as it relates to (s3(1)(g))

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:

15.1 Kingston Heritage Review - Stage 1 Findings

This agenda item is confidential information for the purposes of section 3(1) of the Local Government Act 2020:

- because it is land use planning information, being information that if prematurely released is likely to encourage speculation in land values (section 3(1)(c)), and

- the explanation as to why the specified ground/s applies is due to the report's discussion of heritage significant properties within Kingston..

15.2 Property Matter

This agenda item is confidential information for the purposes of section 3(1) of the Local Government Act 2020:

- 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 (section 3(1)(a) and (g)), and
- This report relates to a property transaction and includes sensitive information regarding the value of the property in question.

Confidential Appendices

**9.1 Commercial Use of Council Land applications - November 2023 - December 2024
Appendix 1, Commercial Event EOI 2023/24 - Mordialloc Summer Carnival Proposal**

This appendix is confidential in accordance with the Local Government Act 2020, s3(1) as it relates to (s3(1)(g)).