

Agenda

Council Meeting

Wednesday, 27th January 2021

Commencing at 7.00pm

Council Chamber
1230 Nepean Highway, Cheltenham

kingston.vic.gov.au

Julie Reid
Chief Executive Officer
Kingston City Council



Notice is given that a Meeting of Kingston City Council will be held at 7.00pm at Council Chamber, 1230 Nepean Highway, Cheltenham, on Wednesday, 27 January 2021.

1. Apologies

2. Confirmation of Minutes of Previous Meetings

Minutes of Ordinary Council Meeting 14 December 2020

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

Reopen and Upgrade McIndoe Parade/Elm Grove, Parkdale Pedestrian Crossing
Extend Carrum Foreshore Boardwalk

5. Presentation of Awards

Nil

6. Reports from Delegates Appointed by Council to Various Organisations

7. Question Time

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Explanation of Meeting Procedure



Meeting Procedure is Regulated by the City of Kingston Governance Rules

The procedures for this Council Meeting are regulated by Council's Governance Rules.

Chairperson

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

Agenda

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

Motions

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

Voting

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

Amendments

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

Speaking at the Meeting

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

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

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

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Explanation of Meeting Procedure



Questions

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

- Submitting an online question form on Council's website by 12.00 noon on the day of the Council meeting; or
- Placing a hard copy question form in the Question Box situated in the foyer by 7.30pm on the day of the Council meeting.

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

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

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

Confidential Business

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

Courtesy to the Mayor

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

Emergency Evacuation of Chamber

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

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

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

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

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Explanation of Meeting Procedure



Do You Have a Hearing Difficulty?

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

Interpreting Service



Recording of Meetings

Council Meetings are recorded and streamed live on the internet.

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

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

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Cheltenham 1230 Nepean Highway **Chelsea** 1 Chelsea Road

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8. Planning and Development Reports

Council Meeting

27 January 2021

Agenda Item No: 8.1

KP-2016/171/A - 101A, 101, 103, 105 & 107 COLLINS STREET MENTONE - VCAT AMENDED PLANS POSITION SOUGHT

Contact Officer: Alfred Carnovale, Planning Appeals Advocate

Purpose of Report

The purpose of this report is to advise Councillors that amended plans have been lodged at the Victorian Civil and Administrative Tribunal (VCAT) in response to an interim VCAT Order and to seek formal direction from Councillors regarding the position for Council's submissions in response to these plans.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That Council at its meeting and prior to 29 January 2021:

1. Elect to make a submission in support of the changes made on the attached 'VCAT Amended Plans' provided by Mercy Aged and Community Care Limited.

OR

2. Elect to make a submission not to support the changes made on the attached 'VCAT Amended Plans' provided by Mercy Aged and Community Care Limited.

Background

On 25 February 2019 Council resolved to refuse an amendment to the existing planning permit KP-2016/171 seeking the following changes:

- a) Amending the address to include No.107 Collins Street;
- b) Incorporating an additional storey and increasing the height of the building;
- c) Increasing the building footprint;
- d) Increasing the number of beds; and
- e) Deleting the basement and increasing the number of car parking spaces.

The grounds that Council refused the application on were as follows:

1. The proposal constitutes an over-development of the site.
2. The proposal would detract from the visual amenity of the locality and the streetscape.
3. The proposed building height is inconsistent with the requirements of Precincts 3 and 4 of the Mentone Activity Centre, the Activity Centre Zone and the Section 173 agreement signed as part of the contract of sale.
4. The proposal fails to satisfy all the requirements of Clause 55 of the Kingston Planning Scheme (ResCode), in particular Clause 55.02-1 Neighbourhood Character Objective, Clause 55.04-1 Side and Rear Setback Objective, Clause 55.04-6 Overlooking.

5. The proposal does not fully satisfy the requirements of Clause 22.11 – Residential Development Policy, of the Kingston Planning Scheme.

On 12, 13 and 14 October and 6 November 2020 Council participated in a VCAT application for review against the above refusal decision. At the conclusion of the final hearing day the VCAT handed down an oral decision and subsequently issued the attached interim order dated 12 November 2020.

The VCAT's interim decision provided the applicant the opportunity to resubmit amended plans to address three issues directed by the VCAT. If the resubmitted plans do not adequately address the issues to the satisfaction of the VCAT, the Proposal will be refused.

The three issues are:

1. Internal amenity problems caused by overshadowing on the internal courtyard in the north east of the site;
2. Visual bulk caused by the three storey built form to 22a and 24 Teague Avenue; and
3. The presentation of the four storey built form to the Collins Street frontage not being setback from Collins Street an appropriate distance.

The plans that the applicant has put forward to address the above issues were received by Council on 21 December 2020. Whilst a full list of changes is attached, the primary changes are described as follows:

- a) Delete 'House 11', comprising 8 beds and communal areas, on the second floor (third storey) of the development.
- b) Increase the third floor (fourth storey) minimum setback from Collins Street to the roof terrace by 2.8 metres from 9.0 metres to 11.8 metres.
- c) Increase the third floor (fourth storey) minimum setback from Collins Street to the building line (excluding the stair wall) by 2.1 metres from 12.1 metres to 14.2 metres.
- d) Rearrange 'House 17' on the third floor (fourth storey) with built form further north into the site.





Officer's opinion of the proposed changes are as follows:

- The deletion of 'House 11' addresses the internal overshadowing and external visual bulk concerns outlined in the attached interim order, as the amended plans delete all of 'House 11' as directed.
- The changes to 'House 17' address the VCAT's direction provided during the oral decision, that the new building façade should be setback in line with the existing store and WC setbacks of 13 and 14 metres. As the new minimum setback to the building façade is 14.2 metres it is considered that this meets the VCAT's direction.

Council now has until 29 January 2021 to file and circulate its position in relation to the plans as amended. For Officers to provide a response to the Tribunal by the due date we request Council's position on the proposed changes listed above. If no submissions are received VCAT will assume support for the changes.

Once any submissions are received, the VCAT will consider the amended plans and will issue its final decision to either approve the proposal, based on the amended plans, or refuse it. If the VCAT determine to approve the application the final order will detail the list of permit conditions that the approval is subject too.

Appendices

- Appendix 1 - KP-2016/171/A - 101A, 101, 103 & 105 Collins Street Mentone - Council Report Attachment 1 - VCAT Order (Ref 20/299550)  [↓](#)
- Appendix 2 - KP-2016/171/A - 101A, 101, 103 & 105 Collins Street Mentone - Council Report Attachment 2 - VCAT Existing Plans (Ref 20/299551)  [↓](#)
- Appendix 3 - KP-2016/171/A - 101A, 101, 103 & 105 Collins Street Mentone - Council Report Attachment 3 - VCAT Amended Plans (Ref 20/299552)  [↓](#)
- Appendix 4 - KP-2016/171/A - 101A, 101, 103 & 105 Collins Street Mentone - Council Report Attachment 4 - VCAT Amended Plans List of Changes (Ref 20/299553)  [↓](#)

Author/s: Alfred Carnovale, Planning Appeals Advocate
Reviewed and Approved By: Jaclyn Murdoch, Manager City Development
Paul Marsden, A/General Manager Planning and Development

8.1

KP-2016/171/A - 101A, 101, 103, 105 & 107 COLLINS STREET MENTONE - VCAT AMENDED PLANS POSITION SOUGHT

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VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL**PLANNING AND ENVIRONMENT LIST**VCAT REFERENCE NO. P627/2019
PERMIT APPLICATION NO. KP-2016/171/A

APPLICANT	Mercy Aged and Community Care Ltd
RESPONSIBLE AUTHORITY	Kingston City Council
RESPONDENTS	Gavin Roberts & Others, Martha Baptist & Others, M.E (Ted) McNally, Nigel Baptist, G Grundy and C A Mackie, Susan Perovic, Grazyna Bartnicki, Glenda Ford, Judith Hance, Aaron Johnson, Angelo Ferro
SUBJECT LAND	101A, 101, 103, 105 and 107 Collins Street MENTONE VIC 3194
WHERE HELD	Melbourne
BEFORE	Philip Martin, Senior Member Peter Gaschk, Member
HEARING TYPE	Hearing
DATE OF HEARING	12 - 14 October and 6 November 2020
DATE OF ORDER	12 November 2020

ORDER

- Pursuant to clause 64 of Schedule 1 of the *Victorian Civil & Administrative Tribunal Act 1998*, the permit application is amended by substituting the following plans filed with the Tribunal:
 - Prepared by: Smith + Tracey Architects
 - Drawing numbers: DA0011, DA0012, DAA110, DA0111, DA0112, DA 1102-DA1106, DA2000-DA2003, DA3001, DA3002, DA3005, DA3006, DA3100, DA3101, DA7000-DA7002, DA8000, DA9000, DA9001.
 - Dated: All 11 February 2020
- On or before 25 November 2020, the Applicant must confirm in writing to the Responsible Authority, the other parties and the Tribunal whether it will be taking up the opportunity given by the orders below to prepare revised plans responding to the unresolved concern set out in the Tribunal's remarks further below.
- If so, then on or before 21 December 2020, the Applicant must file with the Tribunal and serve on the Responsible Authority and other parties revised



plans responding to such unresolved concern. This new information must include a covering written summary of the changes made with any changes also marked on updated plans.

- 4 By no later than 29 January 2021, the Responsible Authority and any other party may file with the Tribunal and serve on the Applicant/other parties any written submissions relating to the updated plans. If no such written submission is provided by the Responsible Authority or other party in this period, the Tribunal shall assume that such party has no objection or further comments to make on the updated plans.
- 5 Subject to the orders above, the Tribunal anticipates then issuing its final decision 'on the papers', having taken into account all of the new information. The Tribunal reserves the right to approve or refuse any updated plans provided.
- 6 If the Applicant responds to Order 2 in the negative, then the Notice of Refusal to Grant a Permit will be affirmed by the Tribunal and no permit shall issue.

Philip Martin
Senior Member

Peter Gaschk
Member

APPEARANCES

For Mercy Aged and
Community Care Ltd

Mr Andrew Walker of Counsel, instructed by Minter Ellison Lawyers, who called the following expert witnesses:

- Ms Amanda Ring, planner of SJB Planning consultants
- Ms Charmaine Dunstan, traffic engineer of the Traffix Group
- Mr Matthew McFall, landscape architect, of Memla consultants

For responsible authority

Ms Jane Sharp, instructed by Russell Kennedy lawyers. She called expert urban design evidence from Mr Craig Czarny of Hansen consultants.

Other respondents

Ms Martha Baptist, also representing other joint objectors

Mr Gavin Roberts, also representing other objectors and Ms Glenda Ford

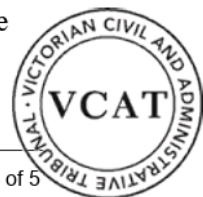


REMARKS

1. In relation to the subject land, a planning permit No. KP-171/2016 (the Permit) was granted on 26 September 2016, authorising the development of a three storey aged care facility. Over time there was also a related 173 Agreement No. AM718045 dated 18 April 2018, between the responsible authority (the Council) and then landowner.
2. With the site being sold later in 2018 to a new aged care provider in Mercy Aged and Community Care Ltd (Mercy), Mercy now seeks to amend the Permit essentially to allow for a 3 to 4 storey building with at-grade car parking (the proposal). The revised building would utilise the particular layout which we understand Mercy uses at all of its aged care facilities. The at-grade car park would be on the 107 Collins Street property which Mercy has purchased more recently.
3. The proposed amendment to the Permit (the proposal) has attracted considerable neighbour objections and the Council has issued a Notice of Refusal to Grant a Permit, which has come on review to the Tribunal. In the final result, we required four days over 12 – 14 October and on 6 November 2020 to complete the hearing process. The pre-circulated revised plans dated 11 February 2020 were substituted by consent at the beginning of the hearing.
4. At the conclusion of the normal hearing steps on 6 November 2020, after a short break, we returned and provided an oral interim decision, as follows.
5. With respect to the aforementioned Section 173 Agreement, we noted that SM Daicic had already ruled in her decision of 24 January 2020 that the proposal would not breach same. We noted that the submissions made to us confirmed that many resident objectors had found this decision surprising/disappointing, but also that the Section 173 Agreement had caused the applicant considerable angst/delays with the processing of the proposal. We affirmed that the Section 173 Agreement has to be assessed on an objective basis and we have given due weight to this Agreement.
6. In terms of the interface between the Section 173 Agreement and the merits of the proposal, we advised as follows. We found that the Section 173 Agreement's default position of an anticipated three storey building with nominated setbacks on the review site was not determinative but did carry some real weight with the planning merits.
7. Moving on to the broad sweep of the planning merits, we provided detailed verbal reasons why we considered the following aspects of the proposal to be favourable/acceptable:
 - The commendable and thoughtful architectural expression of the building.
 - The benevolent interface of the abutting VicTrack land.
 - The fact that the Council Delegate Planner supported the proposal.



- The substantial high level strategic planning support for aged care facilities, noting that Victoria is grappling with the aging of an abnormally large population group in the form of the ‘baby boomers’.
 - The fact that an ‘aged care facility’ is an ‘as-of-right use’ on the review site.
 - The wide range of favourable features of the site including its large size and relevant planning controls that support to some extent more robust new built form.
 - The positive car parking provision.
 - The acceptable ‘traffic’ and ‘loading bay’ aspects of the proposal.
 - The generally commendable intended internal layout and amenity offered by the proposed facility (but with one major proviso detailed below).
 - The good quality and thoughtful landscaping response.
 - The otherwise acceptable interface with neighbours and Teague Avenue to the north (but with one notable proviso detailed below).
8. The two above-mentioned provisos can be explained as follows. We confirmed in our oral reasons that we found the third level proposed north-facing ‘House 11’ group of 8 bedrooms to unacceptably cause excessive visual bulk, particularly for the two small adjacent rear courtyards of the 22A and 24 Teague Avenue residential properties to the north. We also found ‘House 11’ proposed at the third level to cause excessive internal overshadowing to the central courtyard to the south of ‘House 11’. We found the combination of these design outcomes as significant shortcomings.
9. Accordingly, we indicated that we required all of the House 11 floor area at the third level to be removed to reduce visual bulk and improve solar access to the central courtyard proposed on the review site.
10. The final aspect of our oral findings focused on the interface between Collins Street to the south and that part of the proposed fourth storey that would face towards Collins Street. We provided detailed oral reasons why we consider the planning merits of this south-facing proposed fourth storey to be quite finely balanced.
11. We confirmed that we ultimately see this fine balance as tipping over to the situation where we do not support the south-facing fourth level as it presents to Collins Street. That is, we ultimately see this south-facing fourth level as posing an excessive level of visual bulk, resulting in an unreasonably poor neighbourhood character and streetscape outcome.
12. However, we also highlighted that the Council expert urban design witness Mr Czarny, in response to questions, had conceded that a more recessive fourth level facing Collins Street would in his judgement be acceptable.

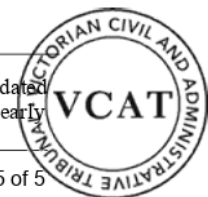


13. Accordingly, at the end of our oral interim decision, we confirmed that it seemed fair and reasonable to allow Mercy the opportunity to prepare and circulate further revised plans which:
 - Showed the aforementioned 'House 11' at third level fully deleted.
 - Achieve a demonstrable stepping-inwards of the fourth level built form which faces south to Collins Street.
 - Have the opportunity to potentially re-locate the four fourth level south facing bedrooms, so that these bedrooms are instead essentially located behind (to the north of) the balance of the proposed south-facing fourth level area.
14. In respect to the stepping-inwards of the fourth level facing Collins Street, as discussed with the parties, we anticipate the revised location of the wall and associated features facing Collins Street at this level will still achieve a high quality architectural presentation that includes some articulation and modulation in built form as it presents to the public realm.
15. There was a helpful discussion at the very end of the hearing as to the best way to deal with the further steps needed, with the Christmas break coming up. Hence the relevant deadlines set out in our orders above essentially reflect the position reached by the end of this discussion¹.
16. We now await these further plans (assuming this opportunity is taken up by Mercy) and then the written submissions in response from the other parties. As mentioned, the other parties are required to keep their feedback within the very confined scope explained above – all of the other issues associated with the proposal have now been ruled upon by the Tribunal.

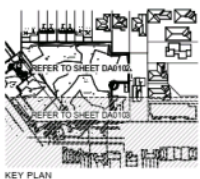
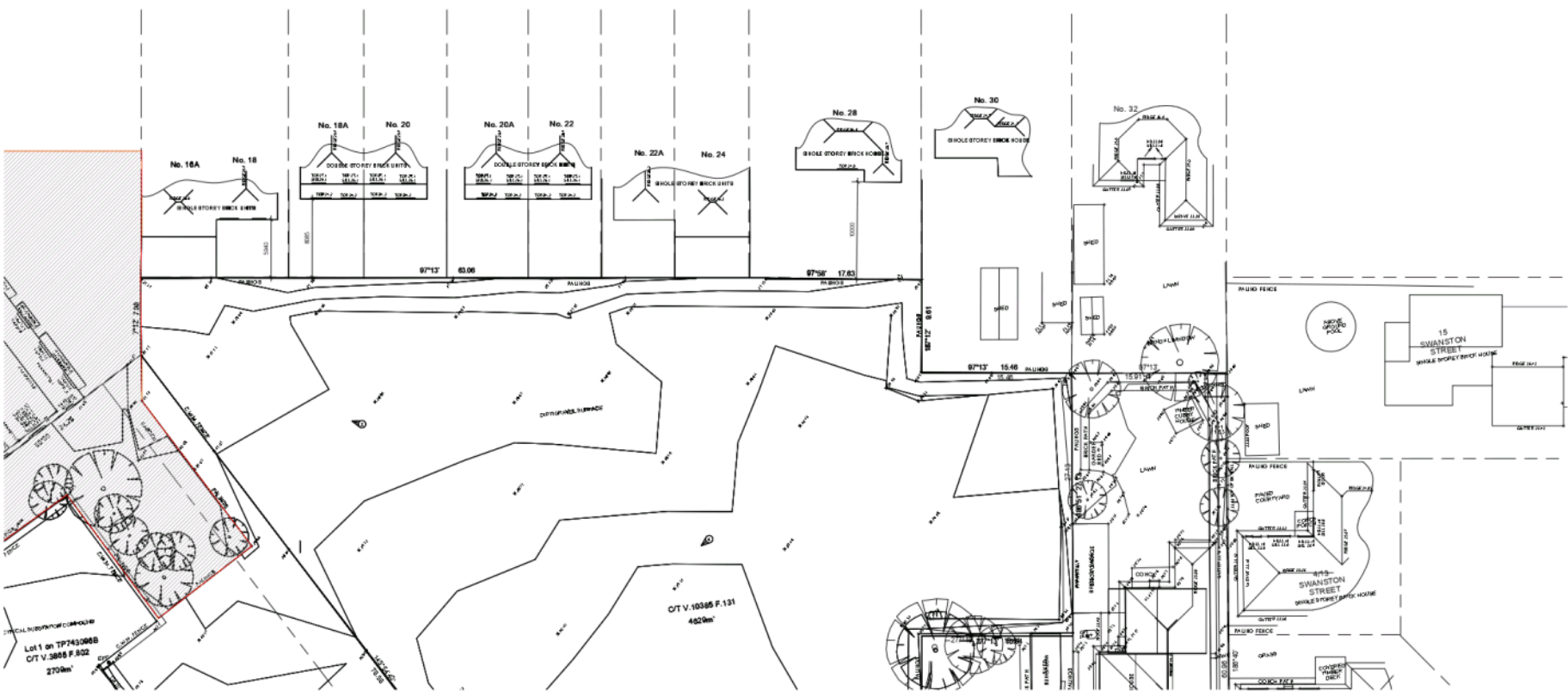
Philip Martin
Senior Member

Peter Gaschk
Member

¹ On balance, we consider it fair to allow the time up to Monday 21 December 2020 for the updated plans to be generated, but no later than that, as some relevant objector neighbours may leave early for their Christmas holidays.



PRELIMINARY ISSUE



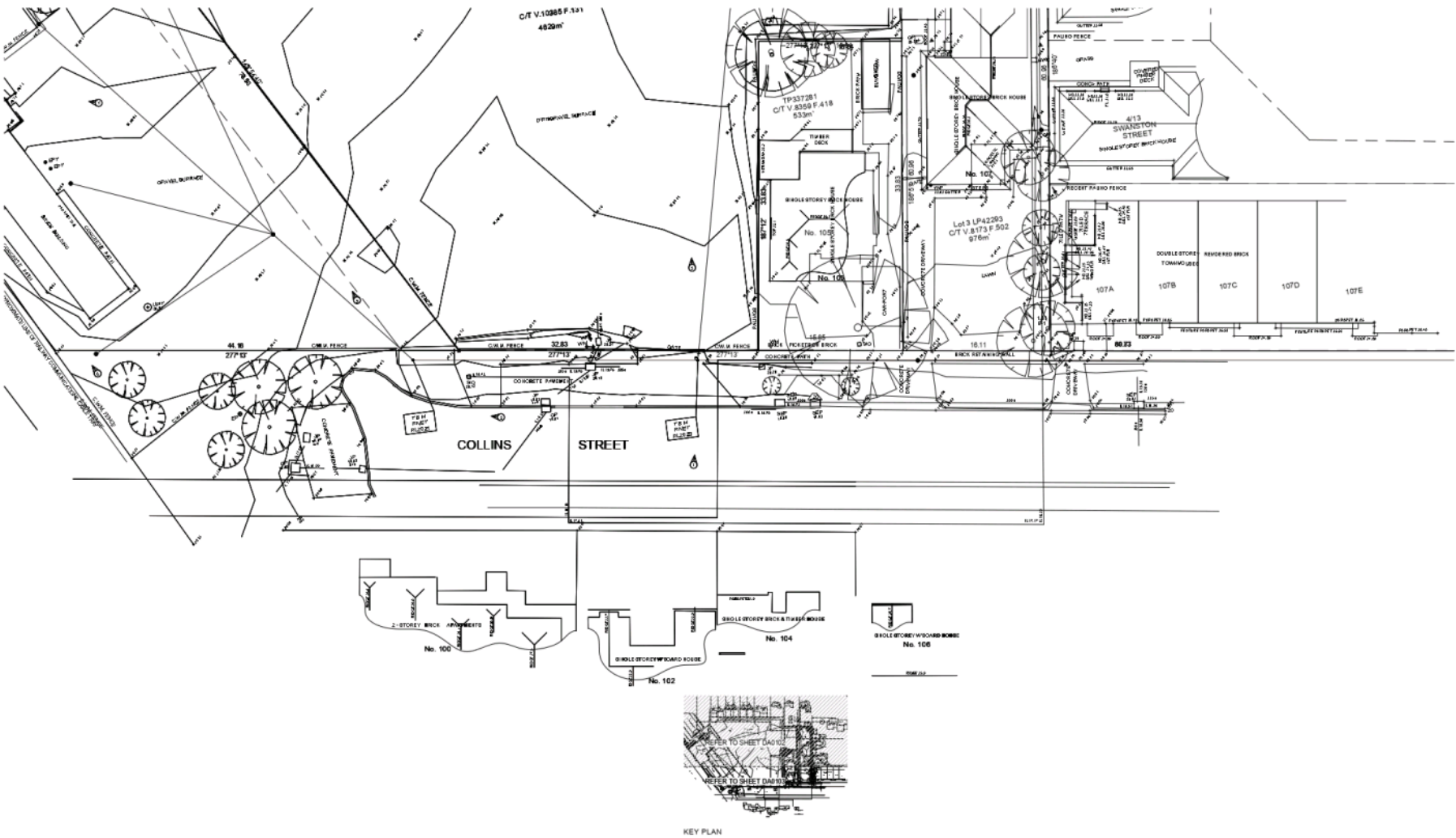
smith+tracey architects  **Mercy Health**
Care first

EXISTING SURVEY - SHEET 01
MERCY HEALTH RACF
101 - 107 COLLINS STREET MENTONE

SCALE: 1:200 A1
A3
JOB NO: 17061
DATE: 11.02.2020
DWG NO: DA0011 /B



PRELIMINARY





PRELIMINARY ISSUE



PRELIMINARY ISSUE



LEGEND

- 1. PROPOSED AGED CARE RESIDENCE COMPRISING (1, 2 & 3) STOREY ELEMENTS DESIGNED TO MINIMISE THE IMPACT ON THE STREETSCAPE (COLLINS STREET) AND ADJOINING RESIDENTIAL PROPERTIES
- 2. EXISTING SINGLE STOREY BRICK HOUSE TO BE DEMOLISHED (105 COLLINS STREET)
- 3. EXISTING TREES TO BE DEMOLISHED
- 4. ENTRY CROSSINGS AND DROP OFF CANOPY LOCATED ON COLLINS STREET.
- 5. MAXIMUM AREA OF FRONTAGE DEDICATED TO LANDSCAPING AND PLANTING
- 6. BUILDING INTERFACE TO COLLINS STREET 3- STOREY (MAXIMUM) WITH UPPER LEVEL SET WELL BACK
- 7. EASTERN BOUNDARY INTERFACE 3- STOREY (TO ADJ. CARPARK UPPER LEVEL SET BACKS 12.0M FROM CARPARK BOUNDARY)
- 8. LANDSCAPE BUFFER TO EAST BOUNDARY TO PROVIDE PRIVACY TO ADJOINING RESIDENCE
- 9. PROPOSED CARPARK
- 10. ENDS OF RESIDENCE ARTICULATED TO REDUCE MASS AND POTENTIAL OVERLOOKING VISUAL SCREENING PROVIDED TO UPPER LEVEL.
- 11. 5.8m WIDE LANDSCAPE BUFFER TO NORTHERN BOUNDARY ADJOINING MULTIUNIT RESIDENTIAL AREAS
- 12. LANDSCAPING TO SOUTH WEST BOUNDARY TO SOFTEN 3- STOREY INTERFACE
- 13. ACOUSTIC TREATMENT TO WALLS AND WINDOWS ADDRESSING RAILWAY LINE
- 14. INTERNAL COURTYARDS TO ALLOW NATURAL LIGHT & VENTILATION INTO HABITABLE ROOMS AND PROVIDE BREAK-OUT EXTERNAL AREAS FOR RESIDENTS
- 15. 1.8m LANDSCAPE SCREEN BUFFER AT BOUNDARY TO CAR PARK
- 16. EXISTING CARPARKS TO BE REINSTATED
- 17. PRIVACY SCREENS TO UPPER WINDOWS TO PREVENT OVERLOOKING TO NORTH NEIGHBOURS
- EXISTING TREES TO BE RETAINED
- ⊗ EXISTING TREES OR BUILDINGS TO BE DEMOLISHED



PRELIMINARY ISSUE



SCALE:	1:500	A1
		A3
JOB NO:	17061	
DATE:	11.02.2020	
DWG NO:	DA0112	/D

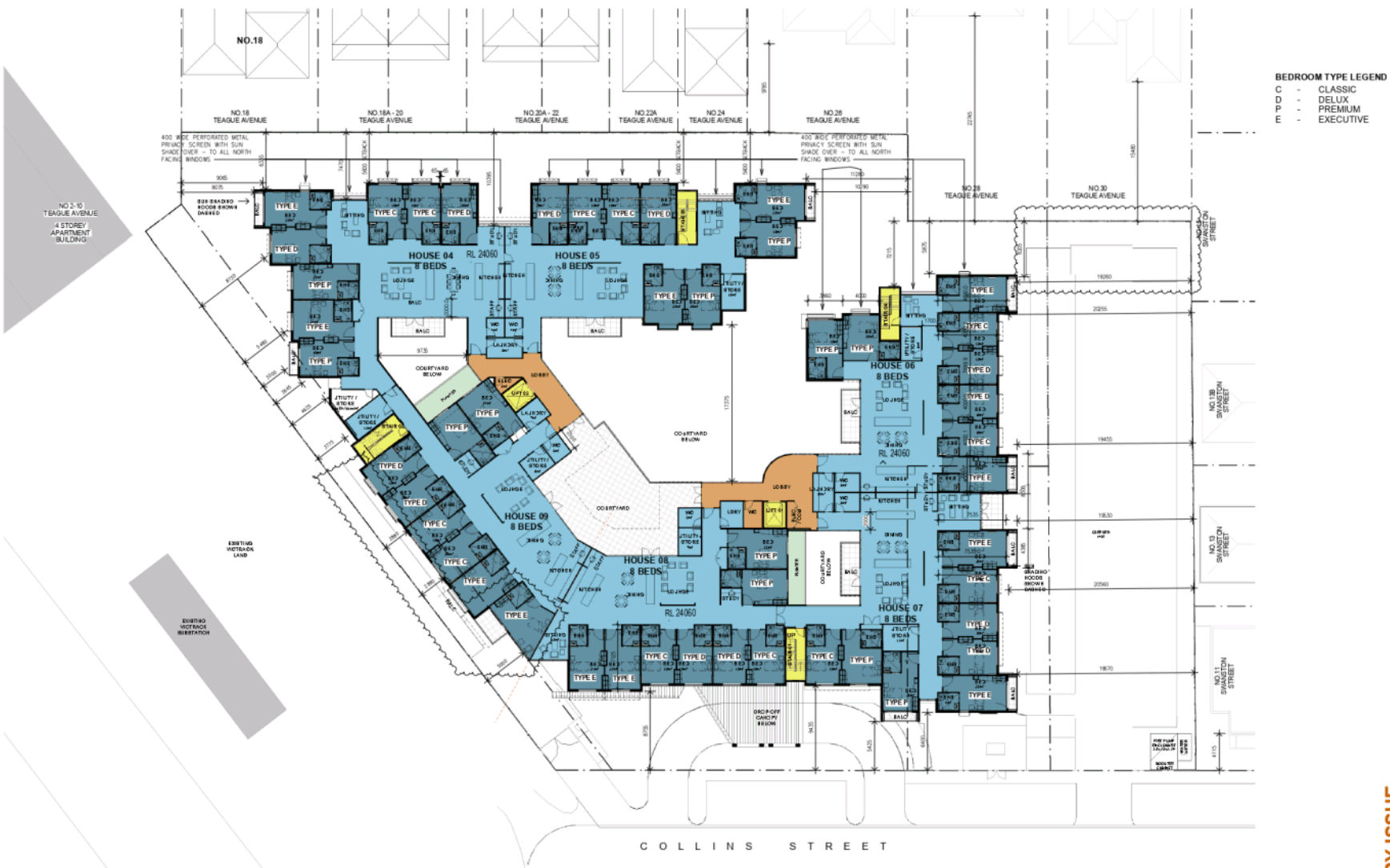


PROPOSED SITE PLAN
 MERCY HEALTH RACF
 101 - 107 COLLINS STREET MENTONE





PRELIMINARY



BEDROOM TYPE LEGEND
 C - CLASSIC
 D - DELUX
 P - PREMIUM
 E - EXECUTIVE

smith+tracey architects  **Mercy Health**
 Care first

LEVEL 01 FLOOR PLAN
 MERCY HEALTH RACF
 101 - 107 COLLINS STREET MENTONE

SCALE: 1:200 A1
 1:400 A3
 JOB NO: 17061
 DATE: 11.02.2020
 DWG NO: DA1103 /C



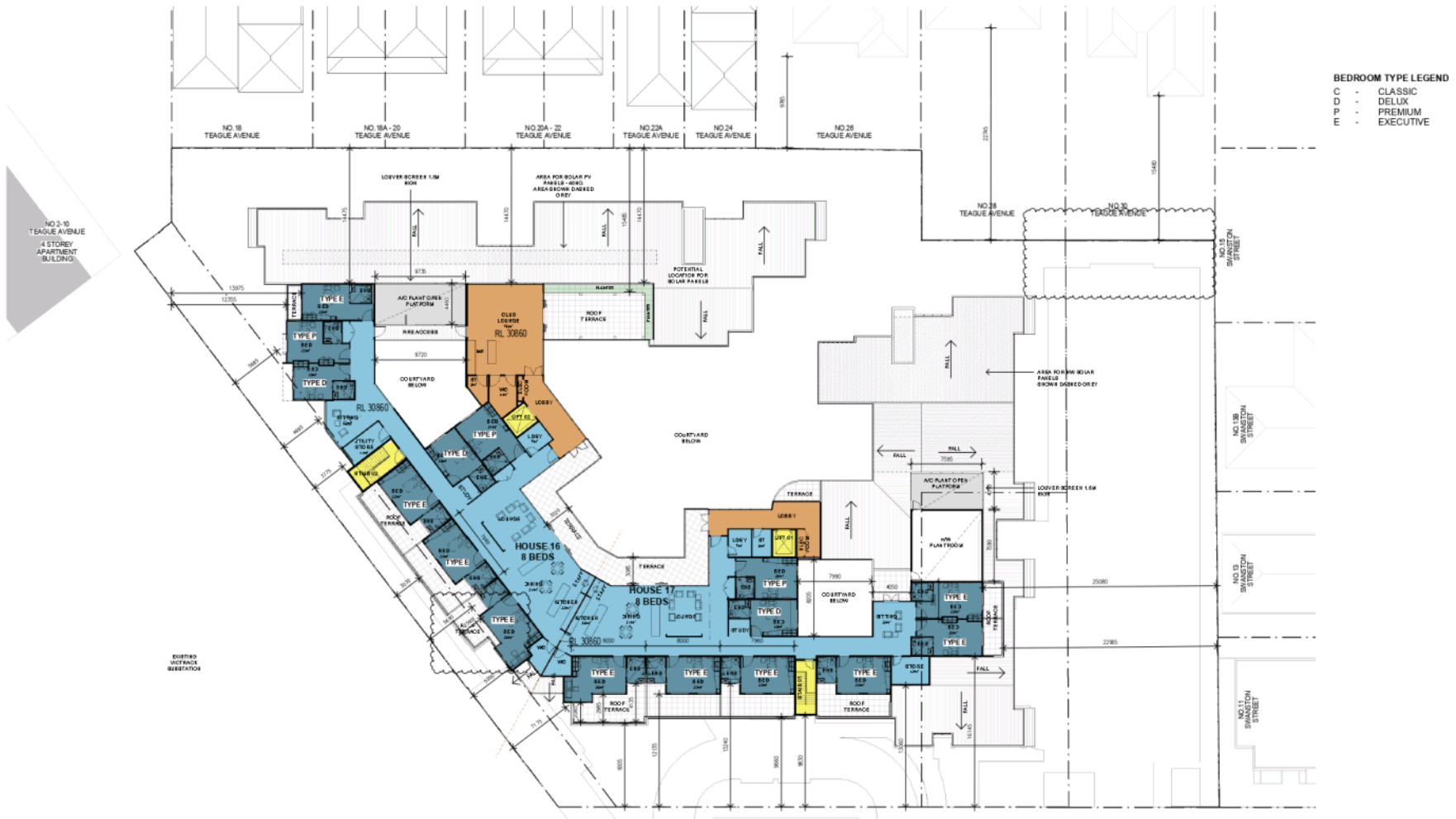
PRELIMINARY



BEDROOM TYPE LEGEND
 C - CLASSIC
 D - DELUX
 P - PREMIUM
 E - EXECUTIVE



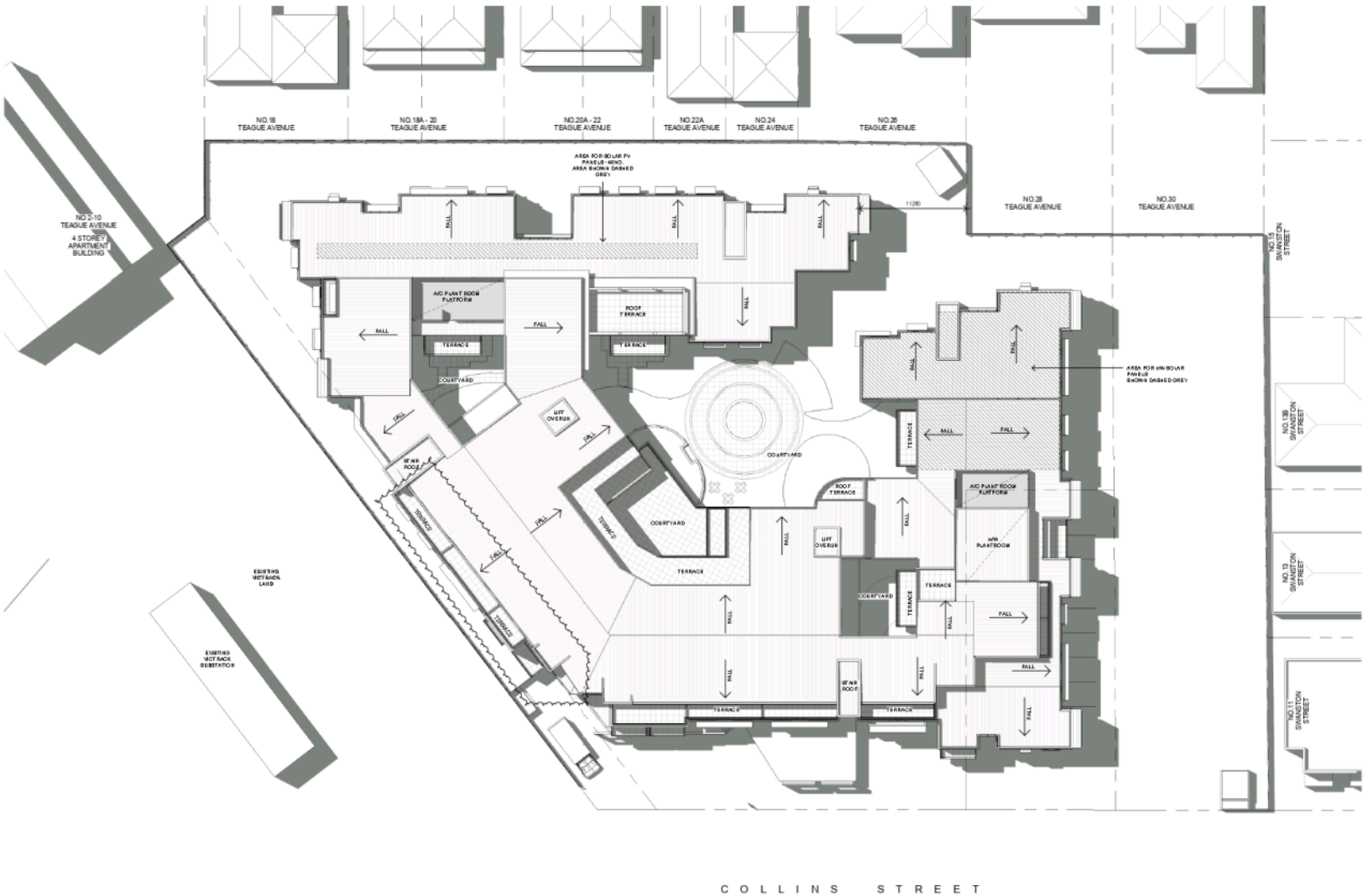
PRELIMINARY



PRELIMINARY ISSUE



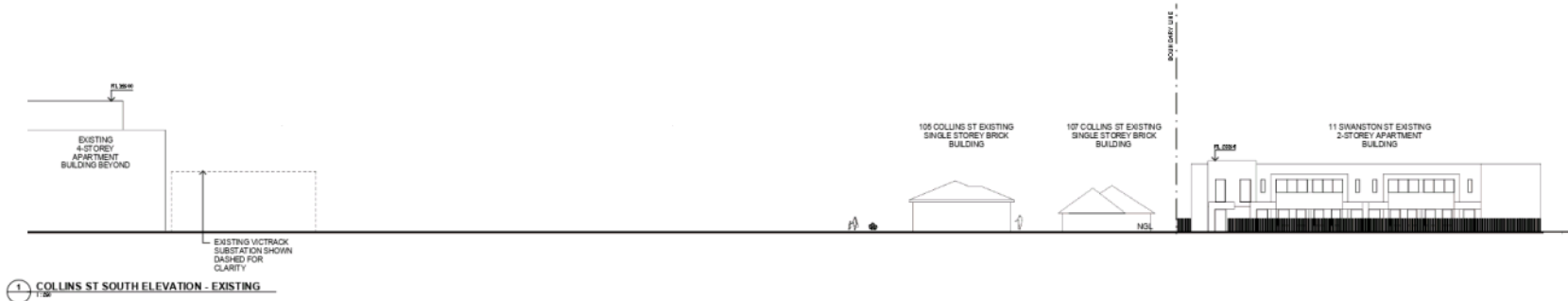
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JOB NO:	17061	
DATE:	11.02.2020	
DWG NO:	DA1106	/C



ROOF PLAN
 MERCY HEALTH RACF
 101 - 107 COLLINS STREET MENTONE



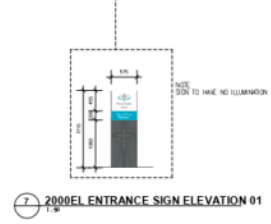
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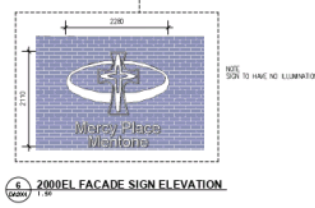
1 COLLINS ST SOUTH ELEVATION - EXISTING
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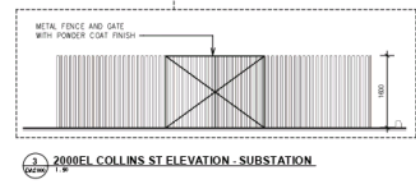
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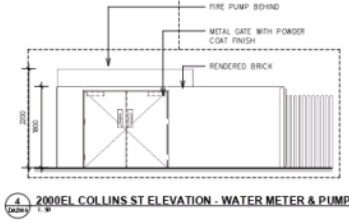
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 1:50



4 2000EL FACADE SIGN ELEVATION
 1:50



3 2000EL COLLINS ST ELEVATION - SUBSTATION
 1:50

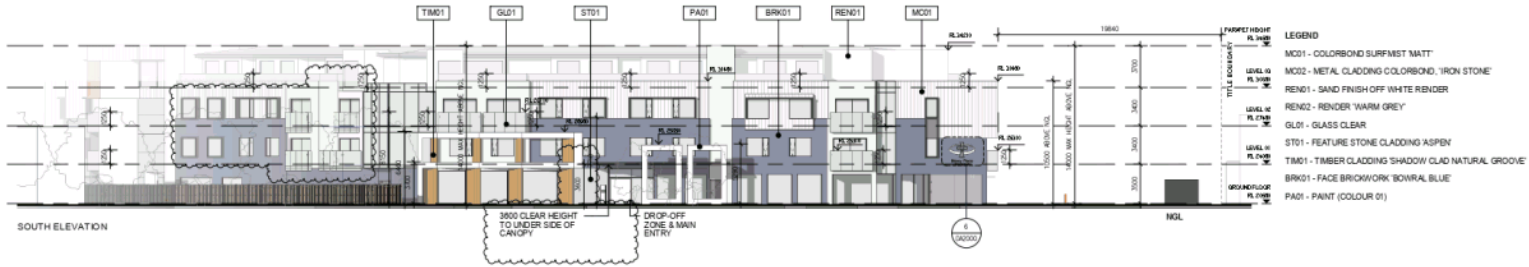


6 2000EL COLLINS ST ELEVATION - WATER METER & PUMP
 1:50



COLLINS STREET ELEVATION
 MERCY HEALTH RACF
 101 - 107 COLLINS STREET MENTONE

SCALE:	1:250 / 1:50	A1
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JOB NO:	17061	
DATE:	11.02.2020	
DWG NO:	DA2000	/C





WEST ELEVATION



EAST ELEVATION

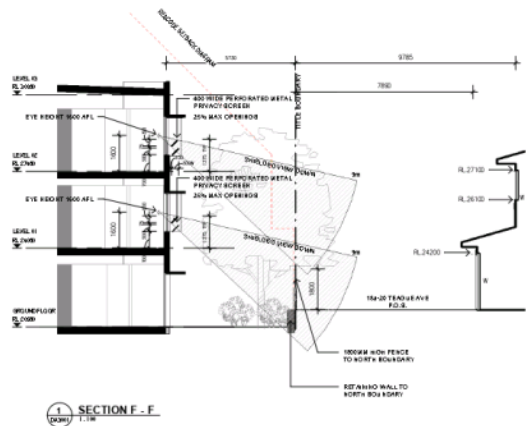
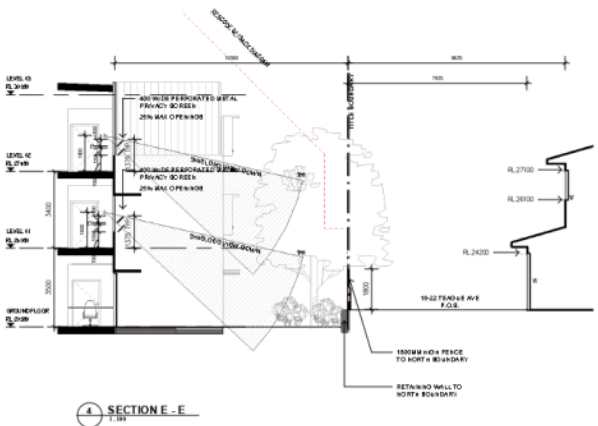
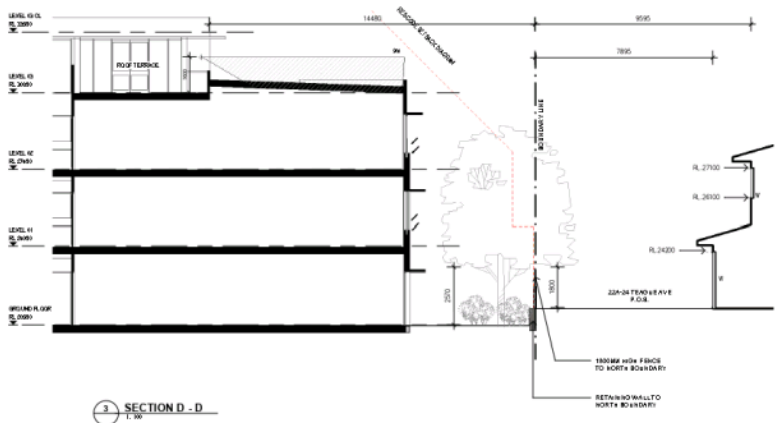
PRELIMINARY



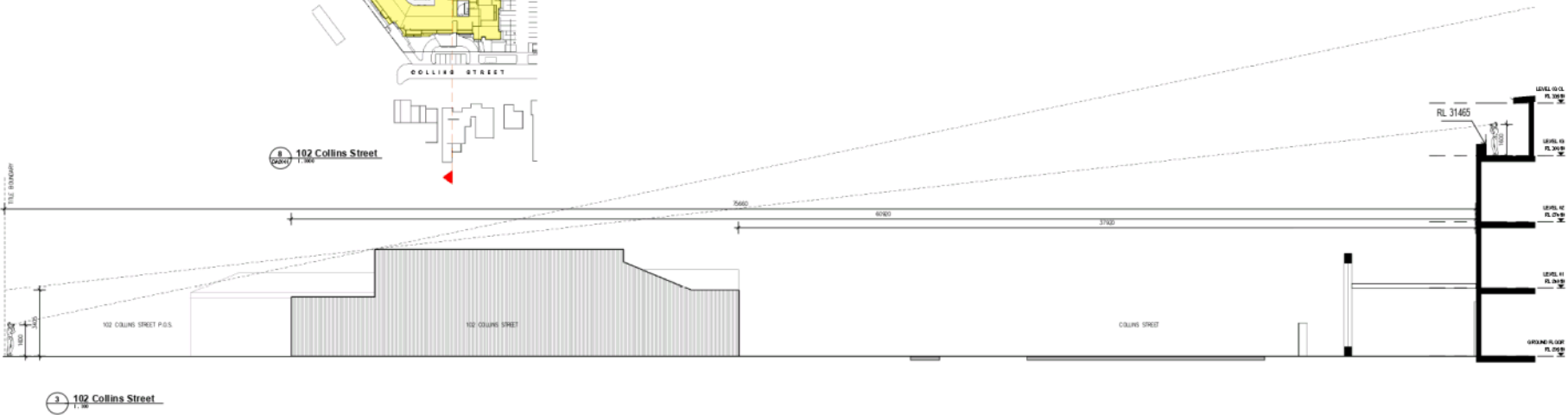
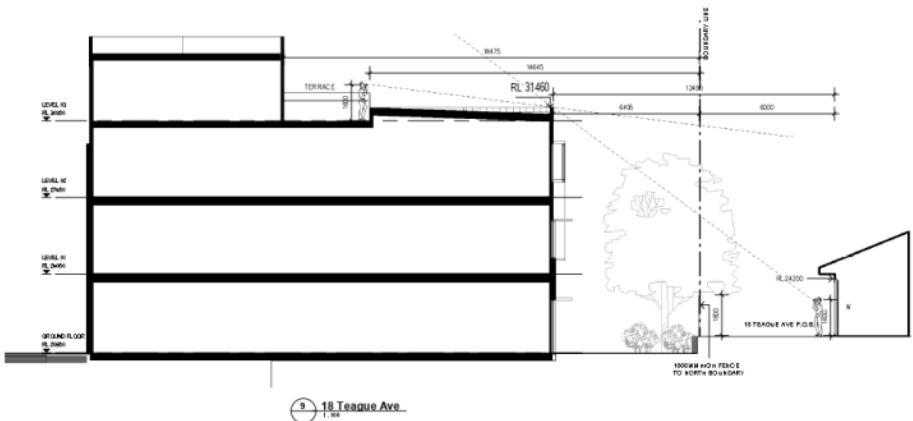
PRELIMINARY ISSUE



ISSUE PRELIMINARY

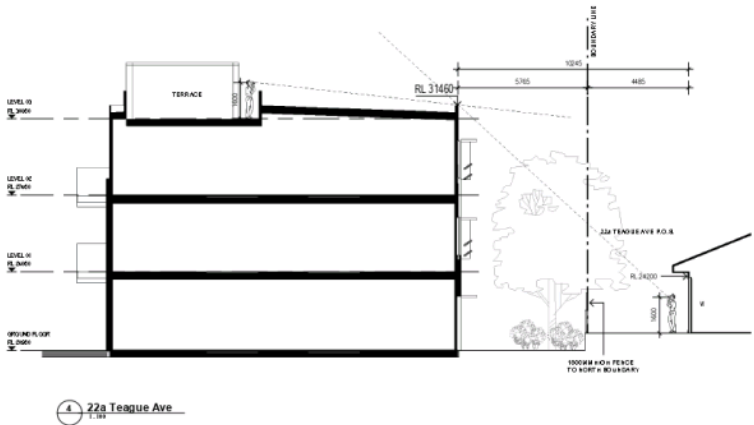
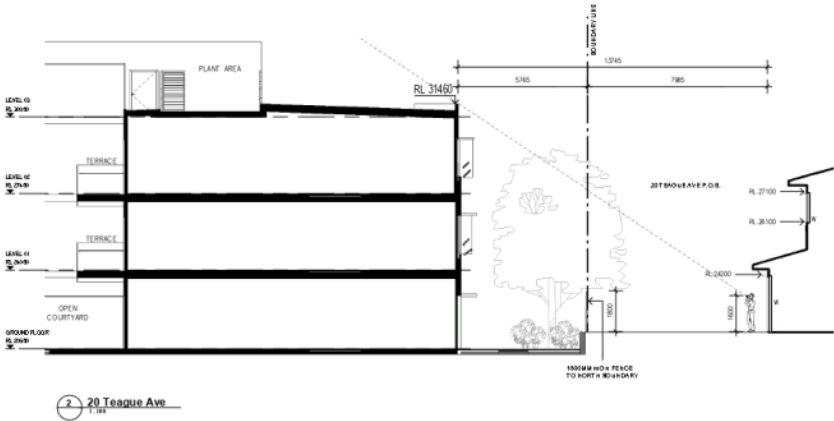


PRELIMINARY ISSUE



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 Contractor must verify all dimensions of the job before commencing any work or making any shop drawings. Dimensions on this drawing, where inconsistent, take precedence over Scale.
 Any work excluded in work herein must be defined and approved in writing before proceeding, otherwise no work will be allowed.
 Date: 11/03/2016 Page: 1 of 1 Drawn: [Signature]



smith+tracey architects
 VIL BOORUWA 87 04071 8888888
 CLIVE STREET 100 BOORUWA 100 461 461 461 461
 SAMPSON AVE 3122 50 507 8000 50 507 8000
 MEL 01 8555 6888 GARY@STARCHITECTS.COM TEL: 07 3432 2040
 MEL 01 9910 3971 T. 025117 4701 TEL: 07 3432 2099

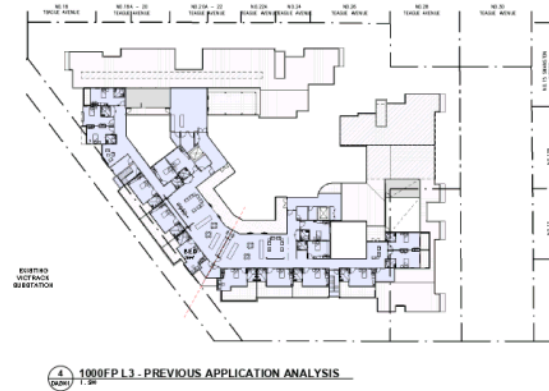
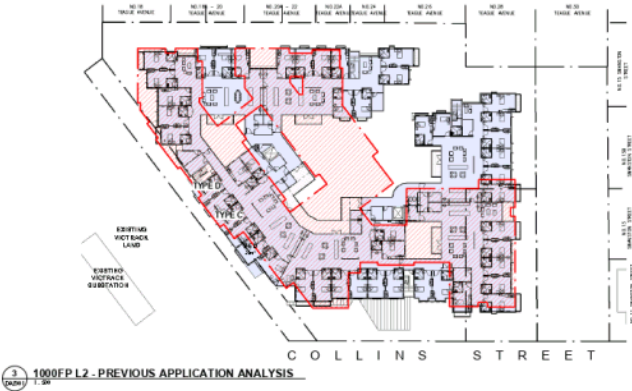
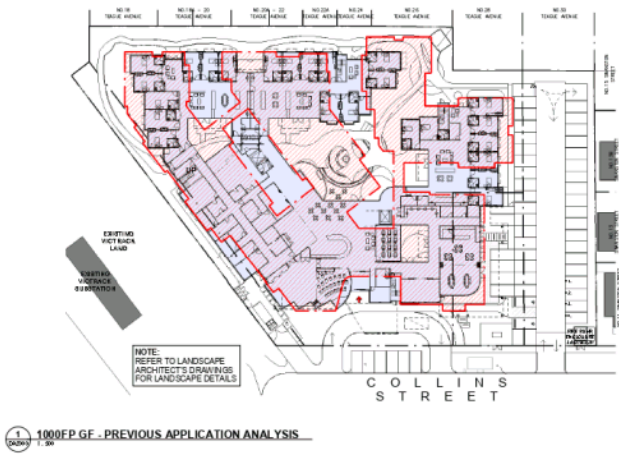
Project
 MERCY HEALTH RACF
 101 - 107 COLLINS STREET
 MENTONE
 PROJECT ADDRESS

Drawn:
 SECTIONS - SHEET 04

Sheet No	Sheet Title
17061	DA3006

PRELIMINARY ISSUE

- LEGEND**
- PREVIOUS APPLICATION - APPROVED OUTLINE - KP-171/2016
 - CURRENT APPLICATION OUTLINE



COMPARISON PLANS
 PREVIOUS APPLICATION - APPROVED OUTLINE - KP-171/2016

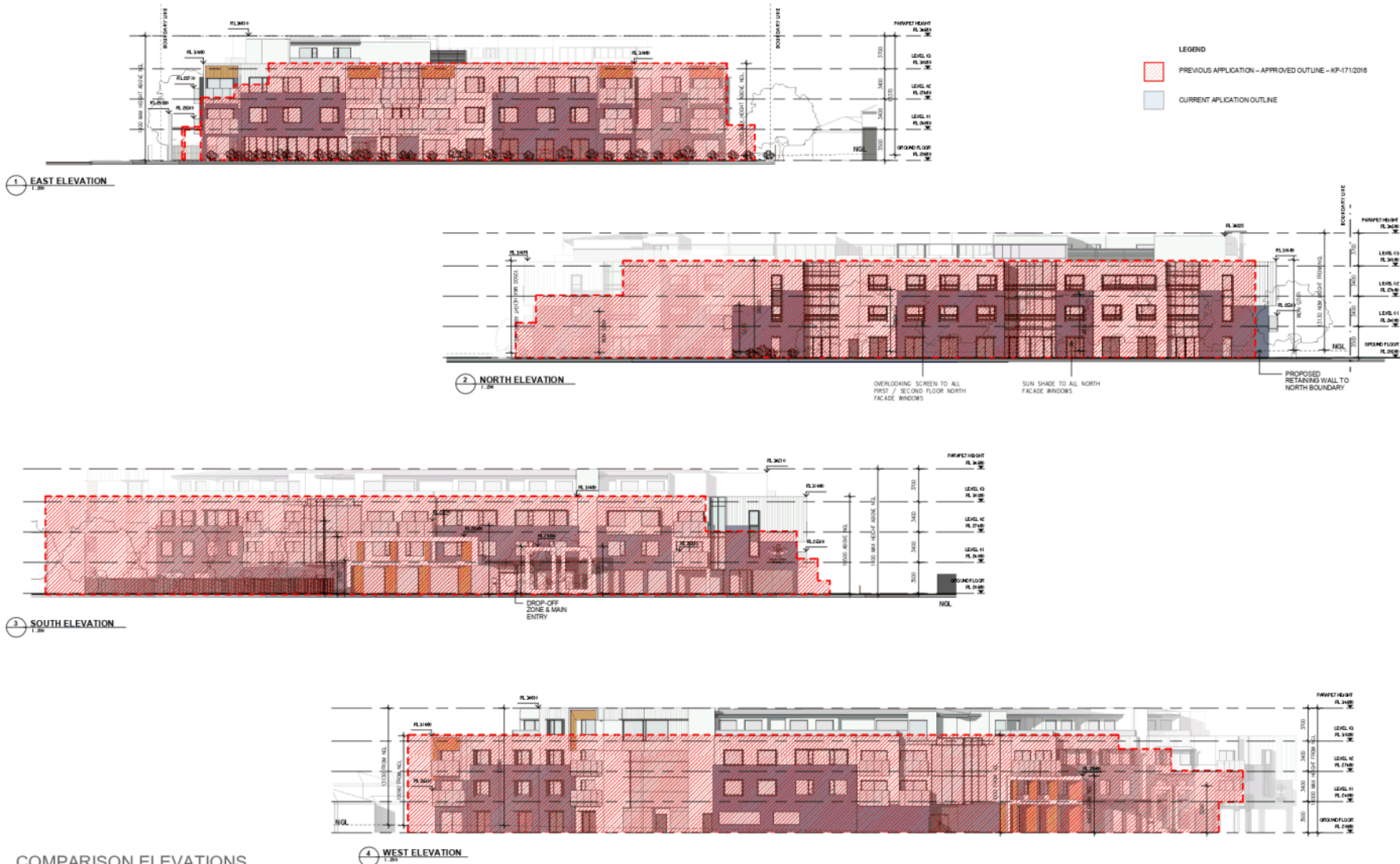


PREVIOUS APPLICATION ANALYSIS
 MERCY HEALTH RACF
 101 - 107 COLLINS STREET MENTONE

SCALE:	1:500	A1
	1:1000	A3
JOB NO:	17061	
DATE:	11.02.2020	
DWG NO:	DA3100	/A



PRELIMINARY



COMPARISON ELEVATIONS
 PREVIOUS APPLICATION - APPROVED OUTLINE - KP-171/2016

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Care first

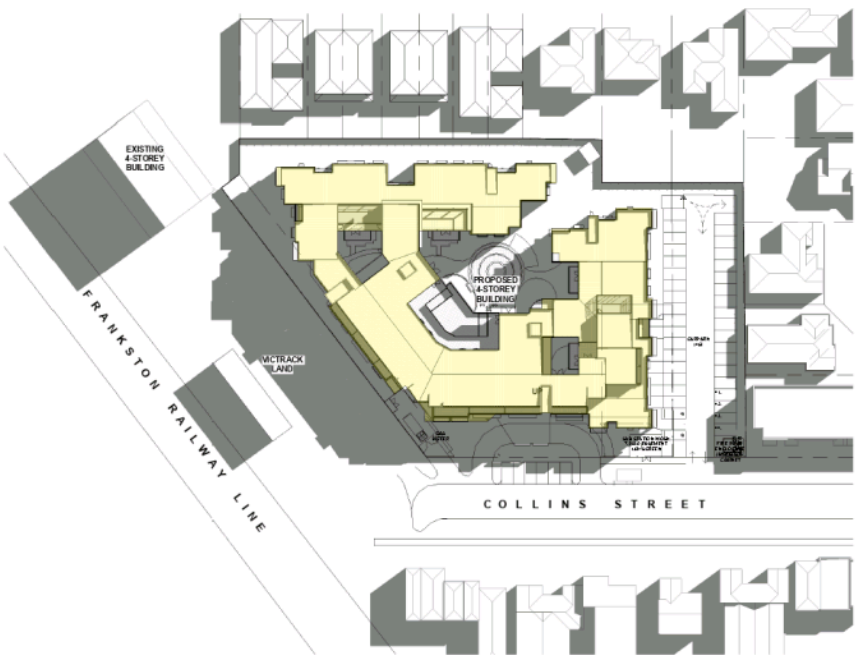
PREVIOUS APPLICATION ANALYSIS 02
 MERCY HEALTH RACF
 101 - 107 COLLINS STREET MENTONE

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JOB NO:	17061	
DATE:	11.02.2020	
DWG NO:	DA3101	/A

PRELIMINARY ISSUE



SCALE:	1:500	A1
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JOB NO:	17061	
DATE:	11.02.2020	
DWG NO:	DA7000	/B

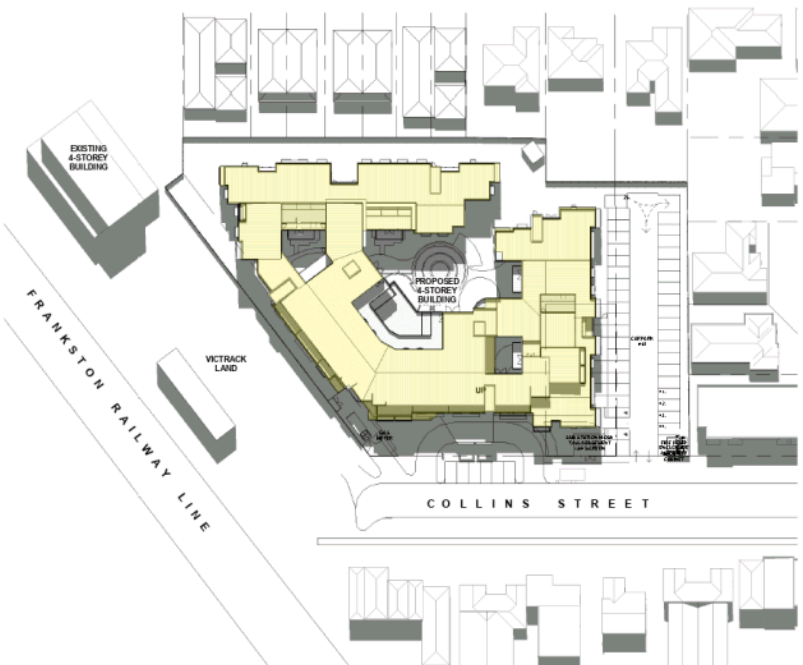


EQUINOX September 22nd 9am

PRELIMINARY ISSUE



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DWG NO:	DA7001	/B

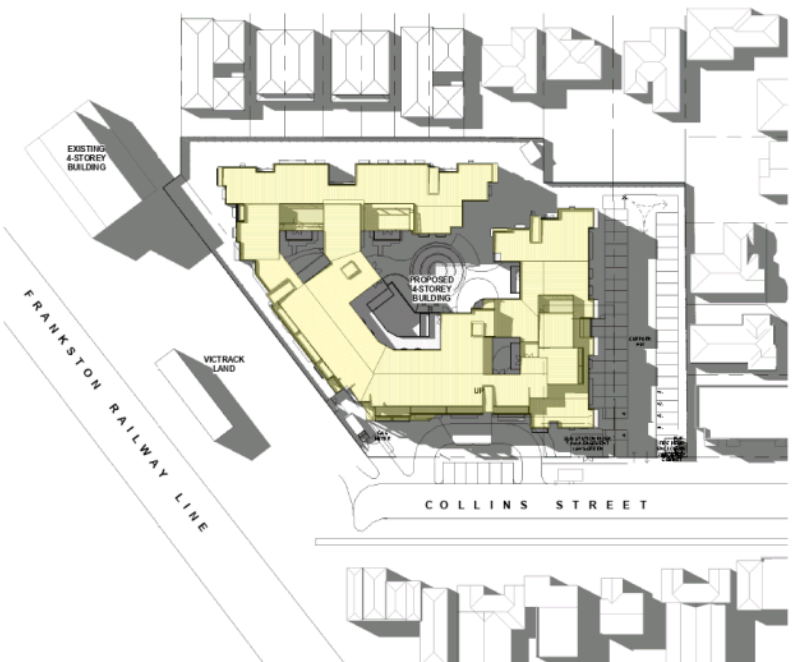


EQUINOX Sept 22nd 12pm

PRELIMINARY ISSUE

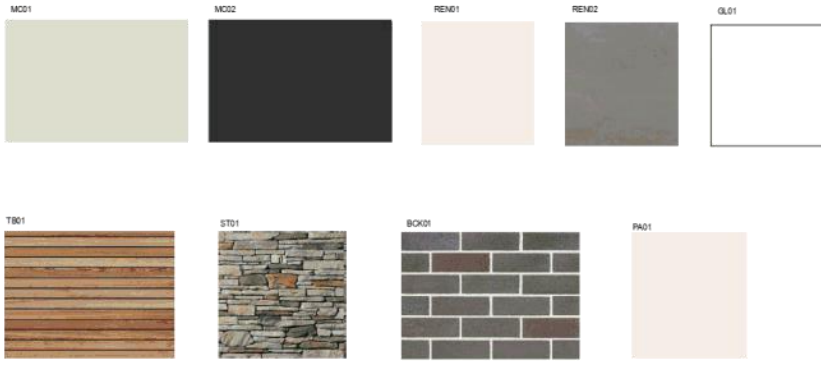


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DATE:	11.02.2020	
DWG NO:	DA7002	/B



EQUINOX Sept 22nd 3pm

PRELIMINARY ISSUE



LEGEND
 MC01 - COLORBOND SURFMIST MATT
 MC02 - METAL CLADDING COLORBOND, IRON STONE
 REN01 - SAND FINISH OFF WHITE RENDER
 REN02 - RENDER 'WARM GREY'
 QL01 - GLASS CLEAR
 ST01 - FEATURE STONE CLADDING ASPEN
 TB01 - TIMBER CLADDING 'SHADOW' CLAD NATURAL GROOVE
 BCK01 - FACE BRICKWORK 'BOYRAL BLUE'
 PA01 - PAINT (COLOUR 01)





COLLINS ST AT CAR PARK ENTRY



MAIN ENTRY



COLLINS ST APPROACH

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Care first

3D VIEWS
MERCY HEALTH RACF
101 - 107 COLLINS STREET MENTONE

SCALE:	A1
	A3
JOB NO:	17061
DATE:	11.02.2020
DWG NO:	DA9000 /B



PRELIMINARY ISSUE



SOUTH BOUNDARY PERSPECTIVE



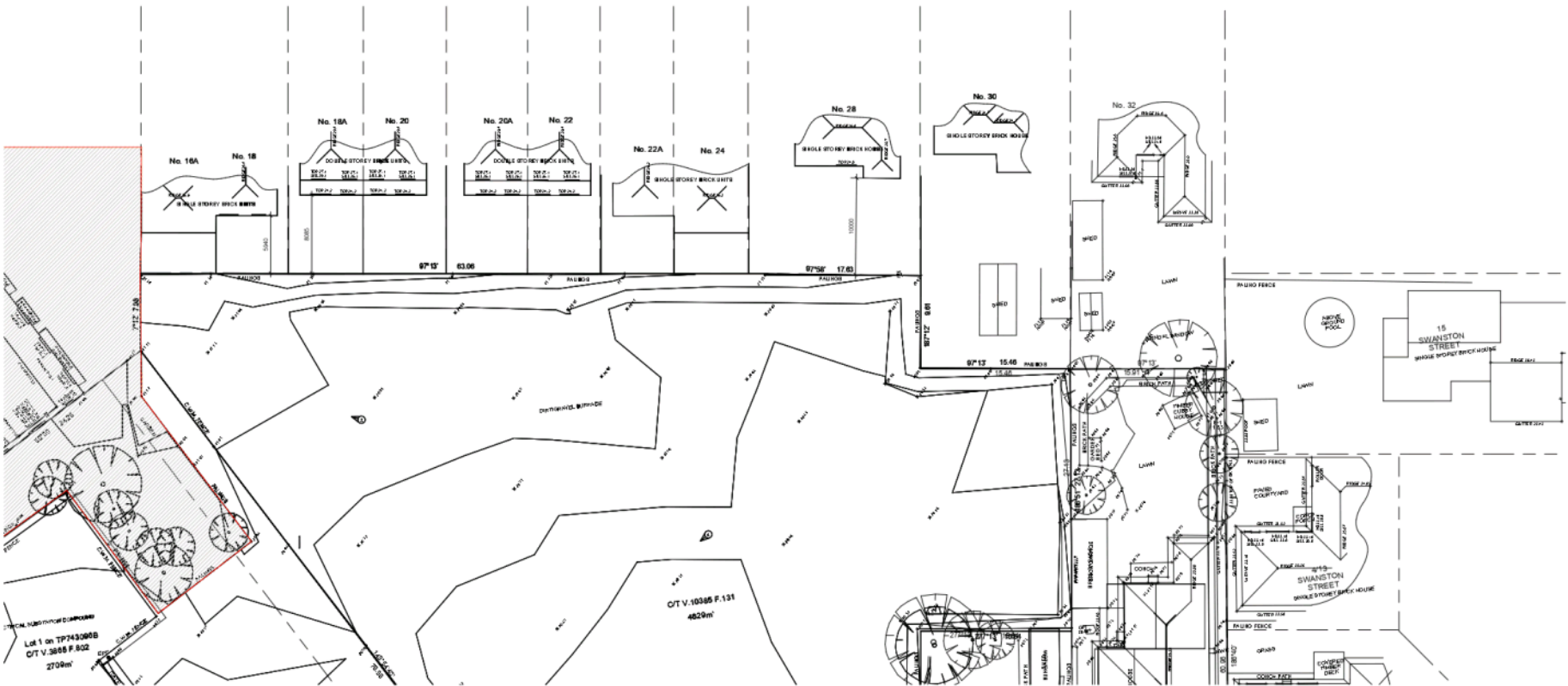
WEST BOUNDARY PERSPECTIVE



COLLINS ST PERSPECTIVE

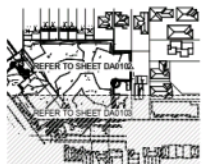


PRELIMINARY ISSUE

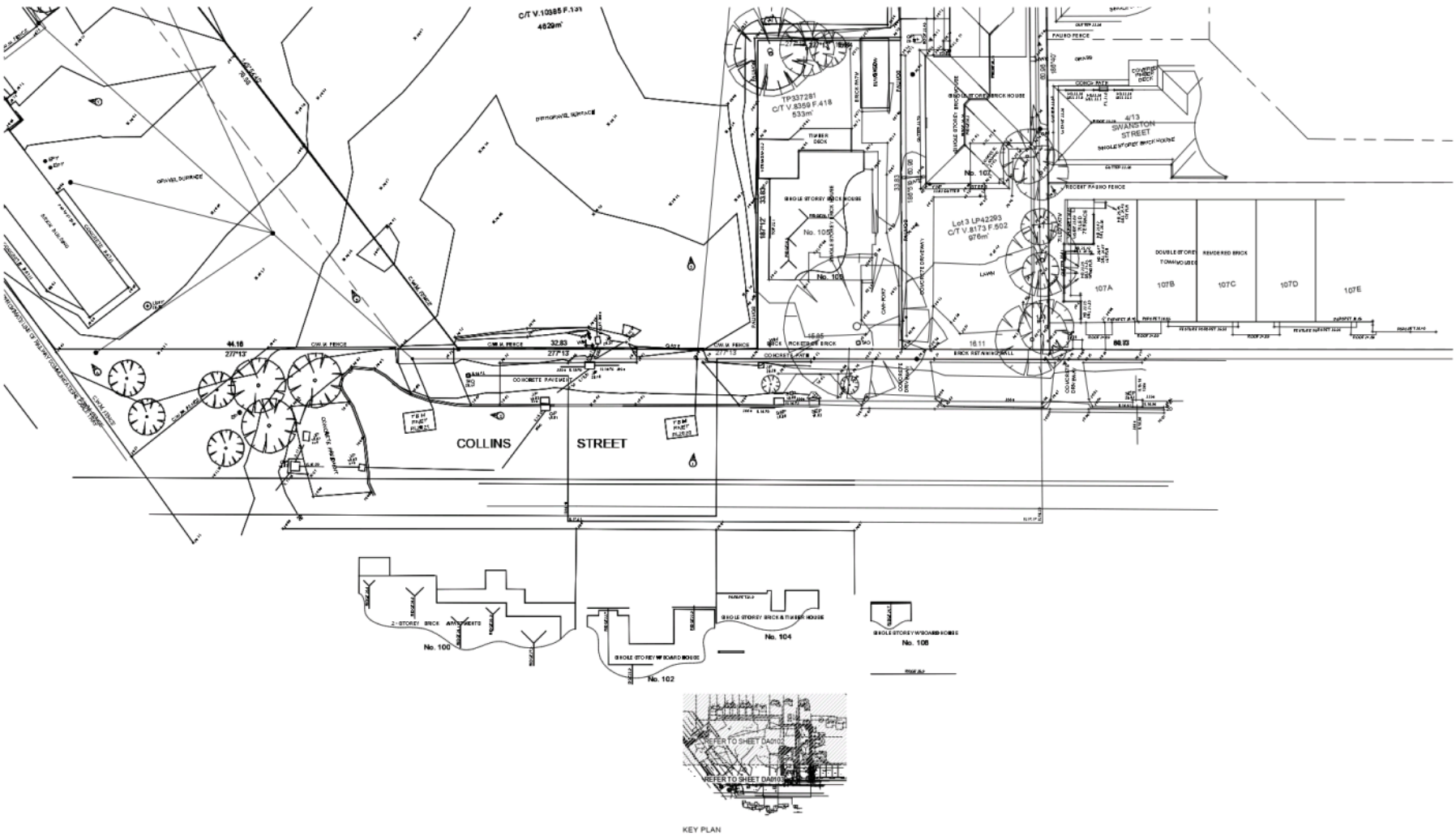


Lot 1 on TP2432008
 CT V.3885 F.802
 2708m²

CT V.10395 F.131
 4629m²



PRELIMINARY ISSUE



PRELIMINARY ISSUE



PRELIMINARY ISSUE



LEGEND

- 1. PROPOSED AGED CARE RESIDENCE COMPRISING 0.1, 2 & 3 STOREY ELEMENTS DESIGNED TO MINIMISE THE IMPACT ON THE STREETSCAPE (COLLINS STREET) AND ADJOINING RESIDENTIAL PROPERTIES
- 2. EXISTING SINGLE STOREY BRICK HOUSE TO BE DEMOLISHED (105 COLLINS STREET)
- 3. EXISTING TREES TO BE DEMOLISHED
- 4. ENTRY CROSSINGS AND DROP OFF CANDY LOCATED ON COLLINS STREET.
- 5. MAXIMUM AREA OF FRONTAGE DEDICATED TO LANDSCAPING AND PLANTING
- 6. BUILDING INTERFACE TO COLLINS STREET 3- STOREY (MAXIMUM) WITH UPPER LEVEL SET WELL BACK
- 7. EASTERN BOUNDARY INTERFACE 3- STOREY (TO ADJ CARPARK UPPER LEVEL, SET BACKS 12.0M FROM CARPARK BOUNDARY)
- 8. LANDSCAPE BUFFER TO EAST BOUNDARY TO PROVIDE PRIVACY TO ADJOINING RESIDENCE
- 9. PROPOSED CARPARK
- 10. ENDS OF RESIDENCE ARTICULATED TO REDUCE MASS AND POTENTIAL OVERLOOKING, VISUAL SCREENING PROVIDED TO UPPER LEVEL.
- 11. 5.8m WIDE LANDSCAPE BUFFER TO NORTHERN BOUNDARY ADJOINING MULTI-UNIT RESIDENTIAL AREAS
- 12. LANDSCAPING TO SOUTH WEST BOUNDARY TO SOFTEN 3- STOREY INTERFACE
- 13. ACOUSTIC TREATMENT TO WALLS AND WINDOWS ADDRESSING RAILWAY LINE
- 14. INTERNAL COURTYARDS TO ALLOW NATURAL LIGHT & VENTILATION INTO HABITABLE ROOMS AND PROVIDE BREAK-OUT EXTERNAL AREAS FOR RESIDENTS
- 15. 1.8m LANDSCAPE SCREEN BUFFER AT BOUNDARY TO CAR PARK.
- 16. EXISTING CARPARKS TO BE REINSTATED
- 17. PRIVACY SCREENS TO UPPER WINDOWS TO PREVENT OVERLOOKING TO NORTH NEIGHBOURS
- EXISTING TREES TO BE RETAINED
- ⊗ EXISTING TREES OR BUILDINGS TO BE DEMOLISHED



PRELIMINARY ISSUE



SCALE:	1:500	A1
		A3
JOB NO:	17061	
DATE:	11.02.2020	
DWG NO:	DA0112	/E



PROPOSED SITE PLAN
 MERCY HEALTH RACF
 101 - 107 COLLINS STREET MENTONE



ISSUE PRELIMINARY



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LEVEL 01 FLOOR PLAN
 MERCY HEALTH RACF
 101 - 107 COLLINS STREET MENTONE

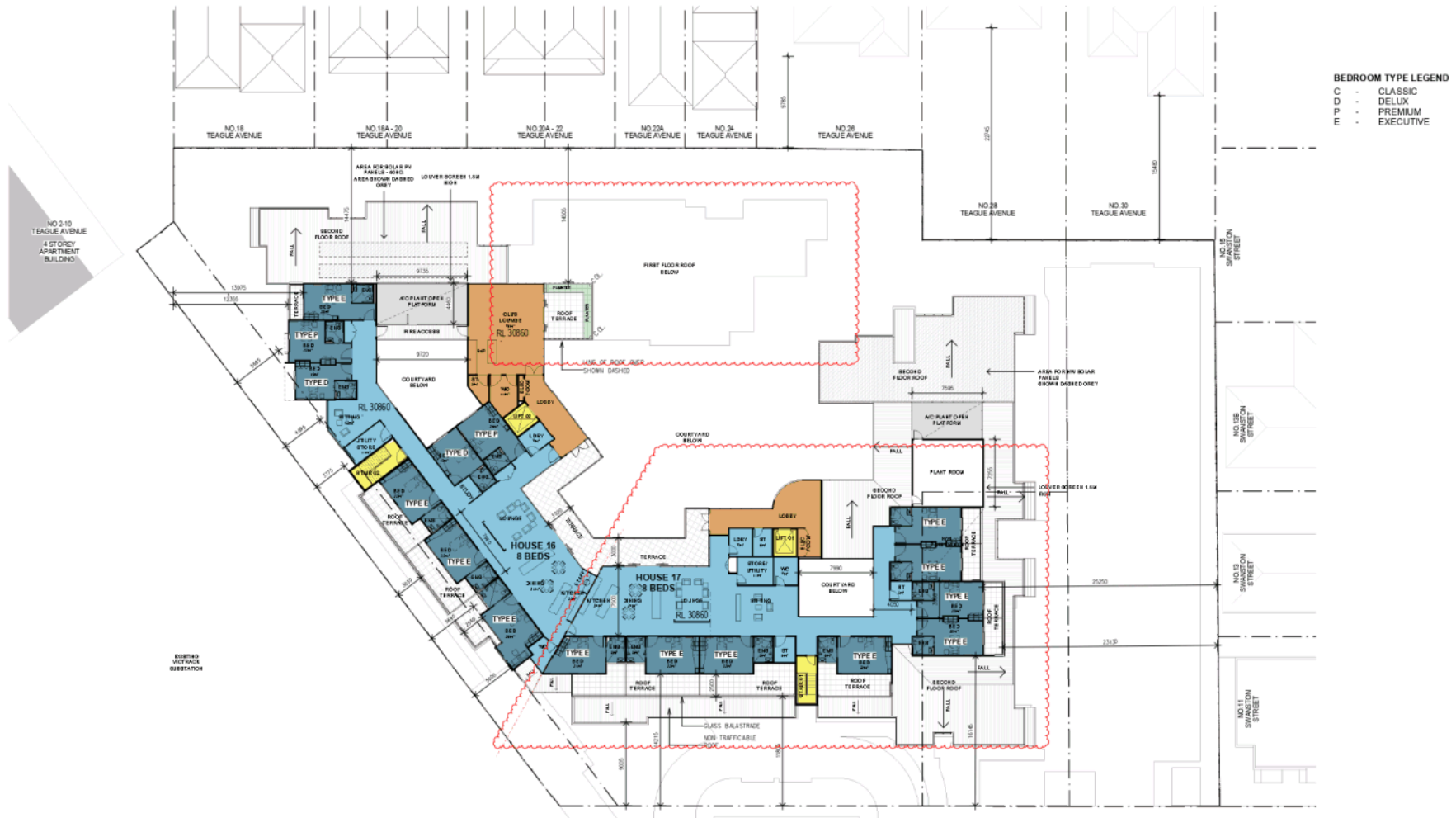
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PRELIMINARY ISSUE



PRELIMINARY ISSUE

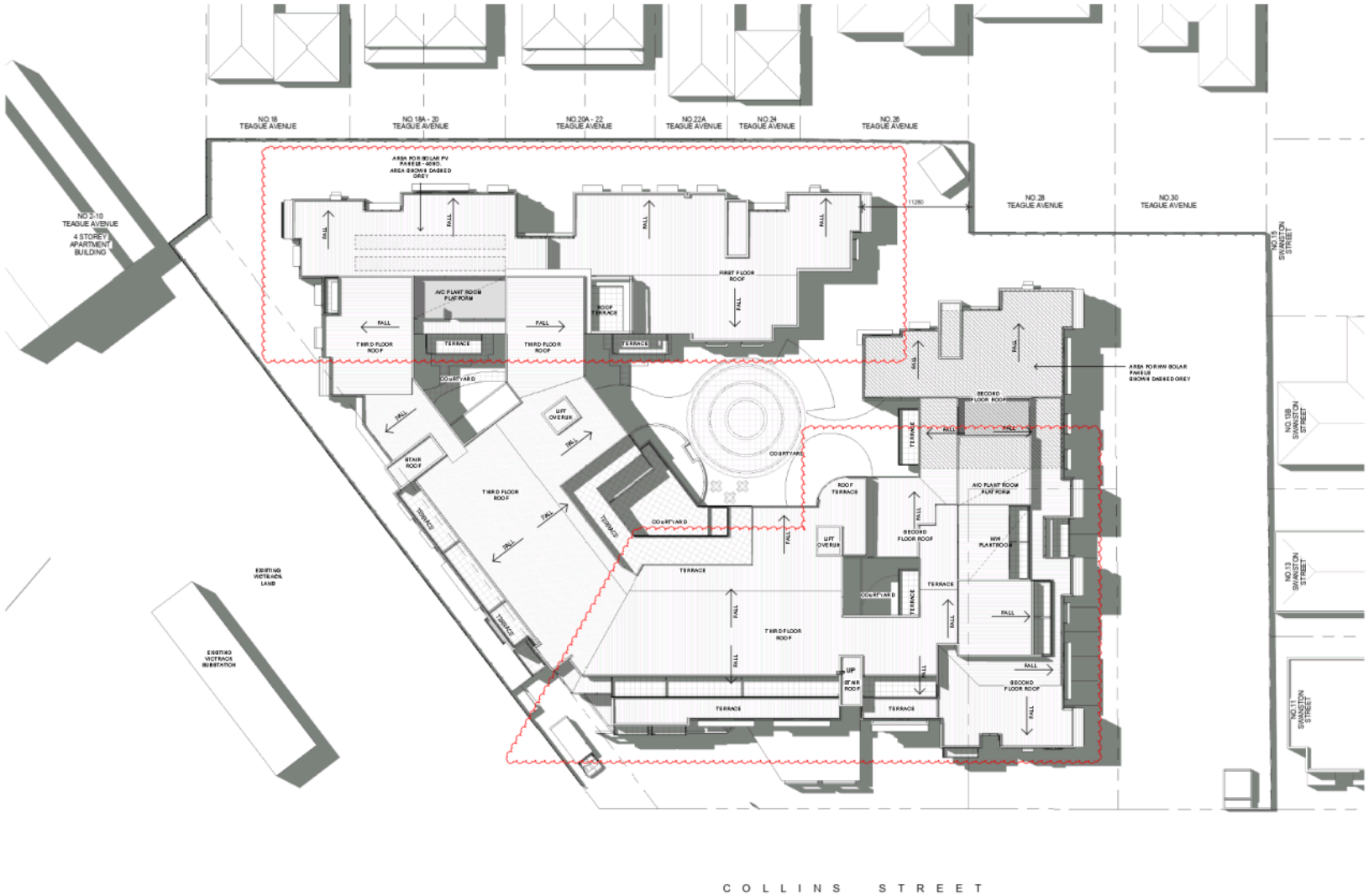


BEDROOM TYPE LEGEND
 C - CLASSIC
 D - DELUX
 E - PREMIUM
 F - EXECUTIVE

LEVEL 03 FLOOR PLAN
 MERCY HEALTH RACF
 101 - 107 COLLINS STREET MENTONE

SCALE: 1:200 A1
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 JOB NO: 17061
 DATE: 11.02.2020
 DWG NO: DA1105 /C





PRELIMINARY ISSUE

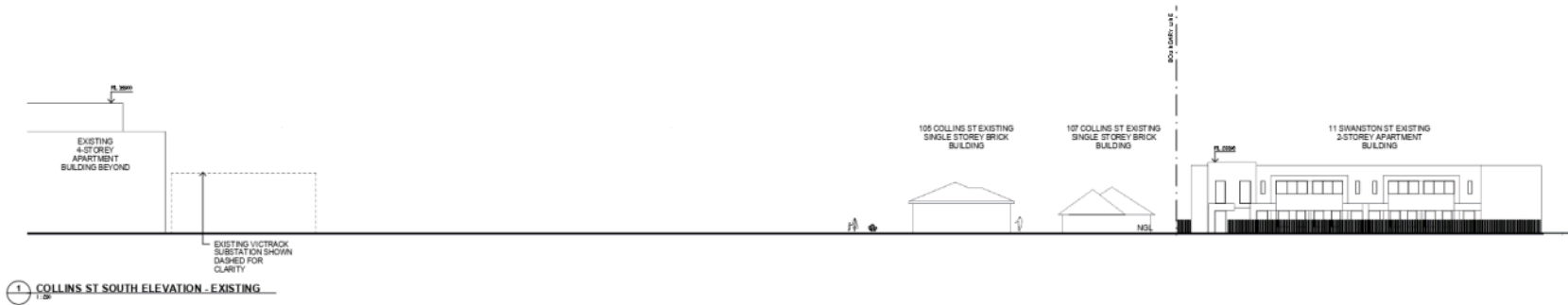


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DATE:	11.02.2020	
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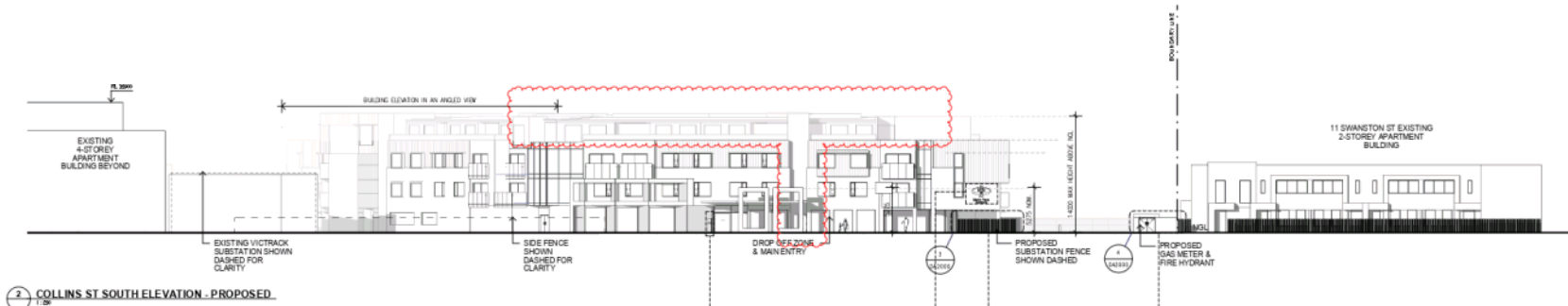
ROOF PLAN
 MERCY HEALTH RACF
 101 - 107 COLLINS STREET MENTONE

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Care first

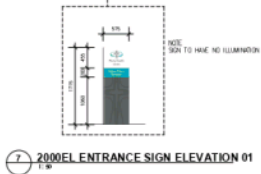
PRELIMINARY ISSUE



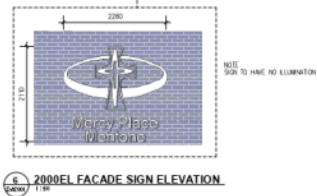
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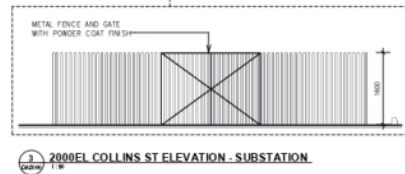
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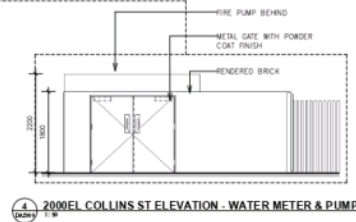
7 2000EL ENTRANCE SIGN ELEVATION 01
 1:50



8 2000EL FACADE SIGN ELEVATION
 1:50



9 2000EL COLLINS ST ELEVATION - SUBSTATION
 1:50



10 2000EL COLLINS ST ELEVATION - WATER METER & PUMP
 1:50



PRELIMINARY ISSUE



ELEVATIONS - SHEET 01
 MERCY HEALTH RACF
 101 - 107 COLLINS STREET MENTONE

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JOB NO:	17061	
DATE:	11.02.2020	
DWG NO:	DA2001	/D



PRELIMINARY ISSUE

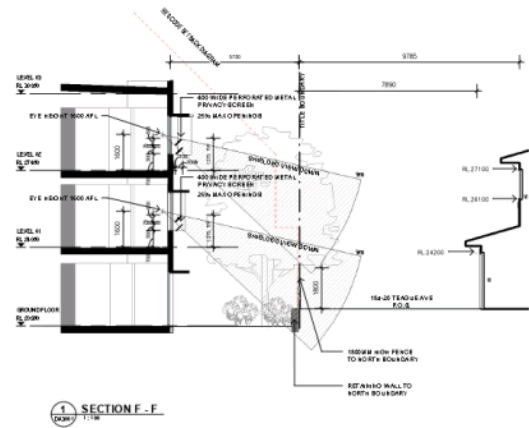
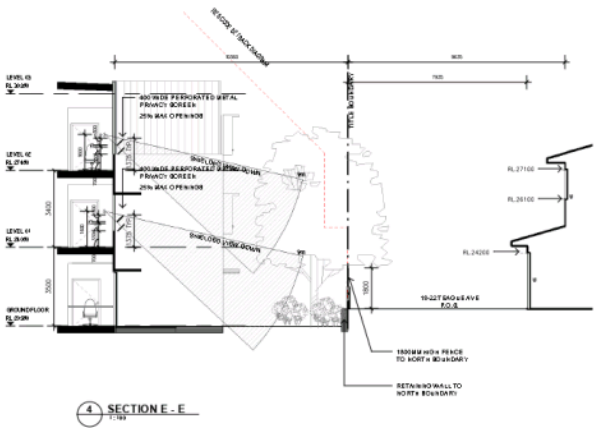
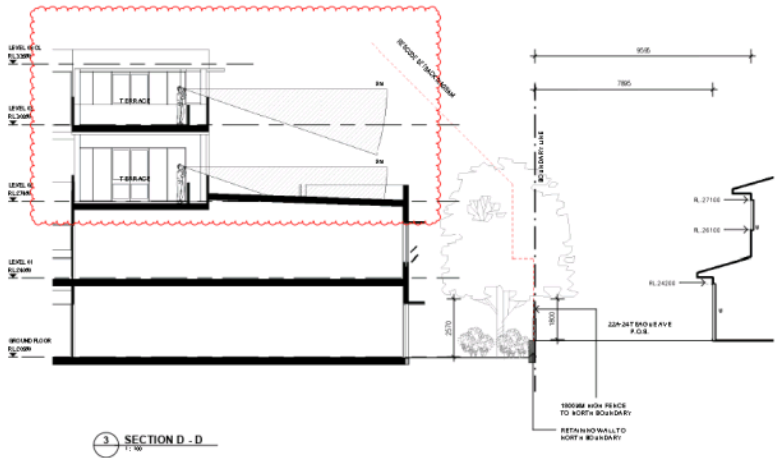
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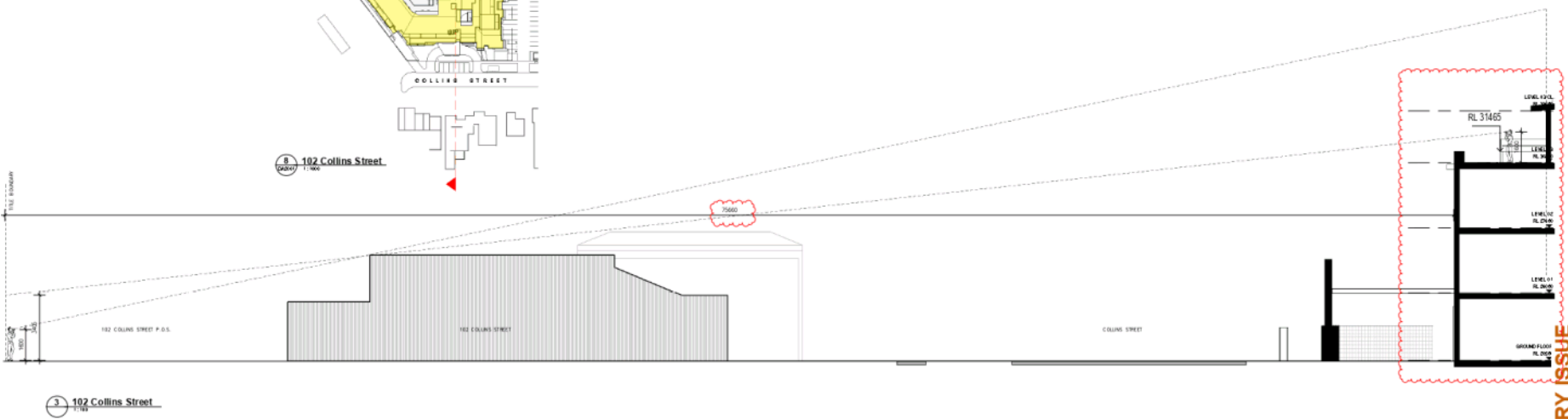
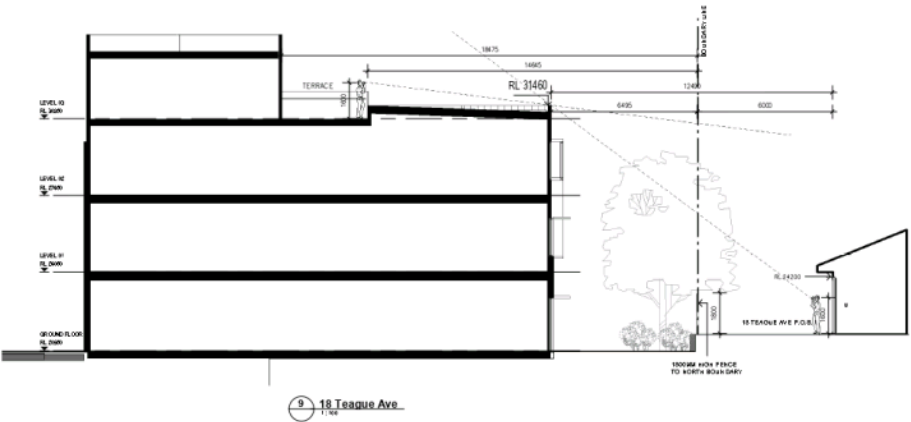
PRELIMINARY ISSUE



PRELIMINARY ISSUE



PRELIMINARY ISSUE



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SECTIONS - SHEET 03
 MERCY HEALTH RACF
 101 - 107 COLLINS STREET MENTONE

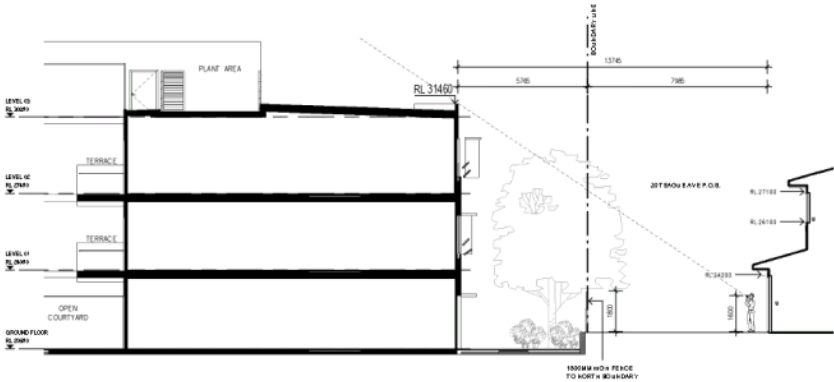
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DATE:	11.02.2020
DWG NO:	DA3005 /A

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 Any data included in work herein must be dated and approved before proceeding, otherwise it will not be allowed.
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 Drawn by: J. Tracey
 Checked by: J. Tracey
 Scale: 1:100



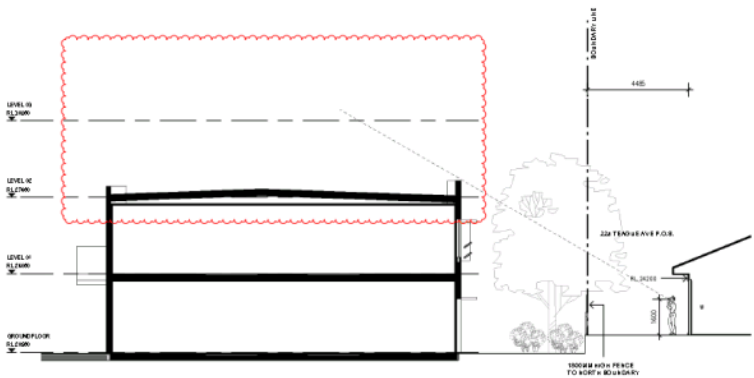
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2 20 Teague Ave
 1:100



3 22a Teague Ave
 1:100



4 22a Teague Ave
 1:100

smith+tracey architects

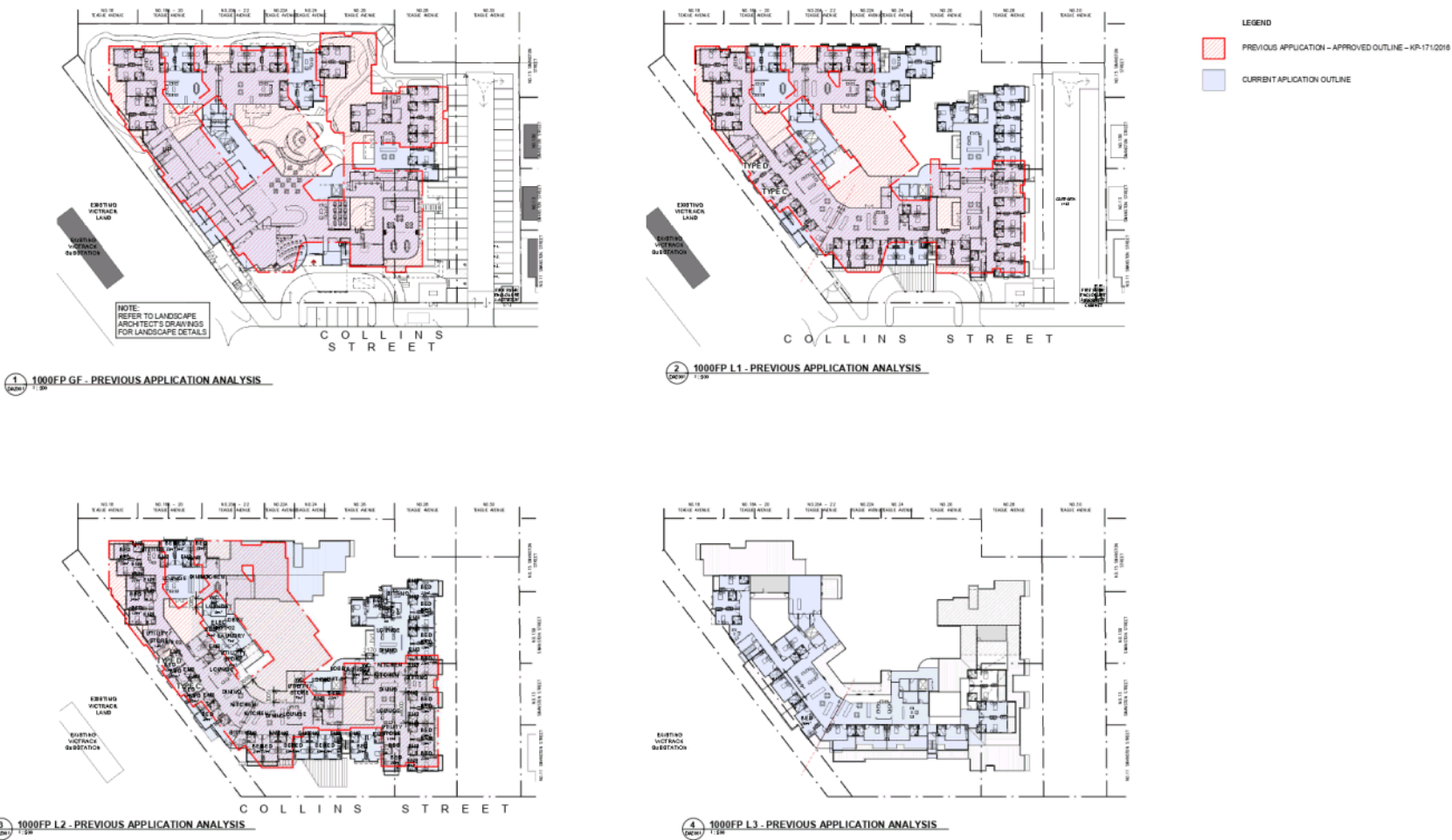
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 WA 01 8553 8444 GARY 08 949 2010 DAN 07 3432 2640
 WA 01 9514 3077 T 02 8317 4701 MARK 07 3432 2299

Project
 MERCY HEALTH RACF
 101 - 107 COLLINS STREET
 MENTONE
 PROJECT ADDRESS

Drawn
 SECTIONS - SHEET 04

DATE	BY	APP'D
11/02/2016	J. Tracey	J. Tracey
17061		
DA3006		A

PRELIMINARY ISSUE



COMPARISON PLANS
 PREVIOUS APPLICATION - APPROVED OUTLINE - KP-171/2016

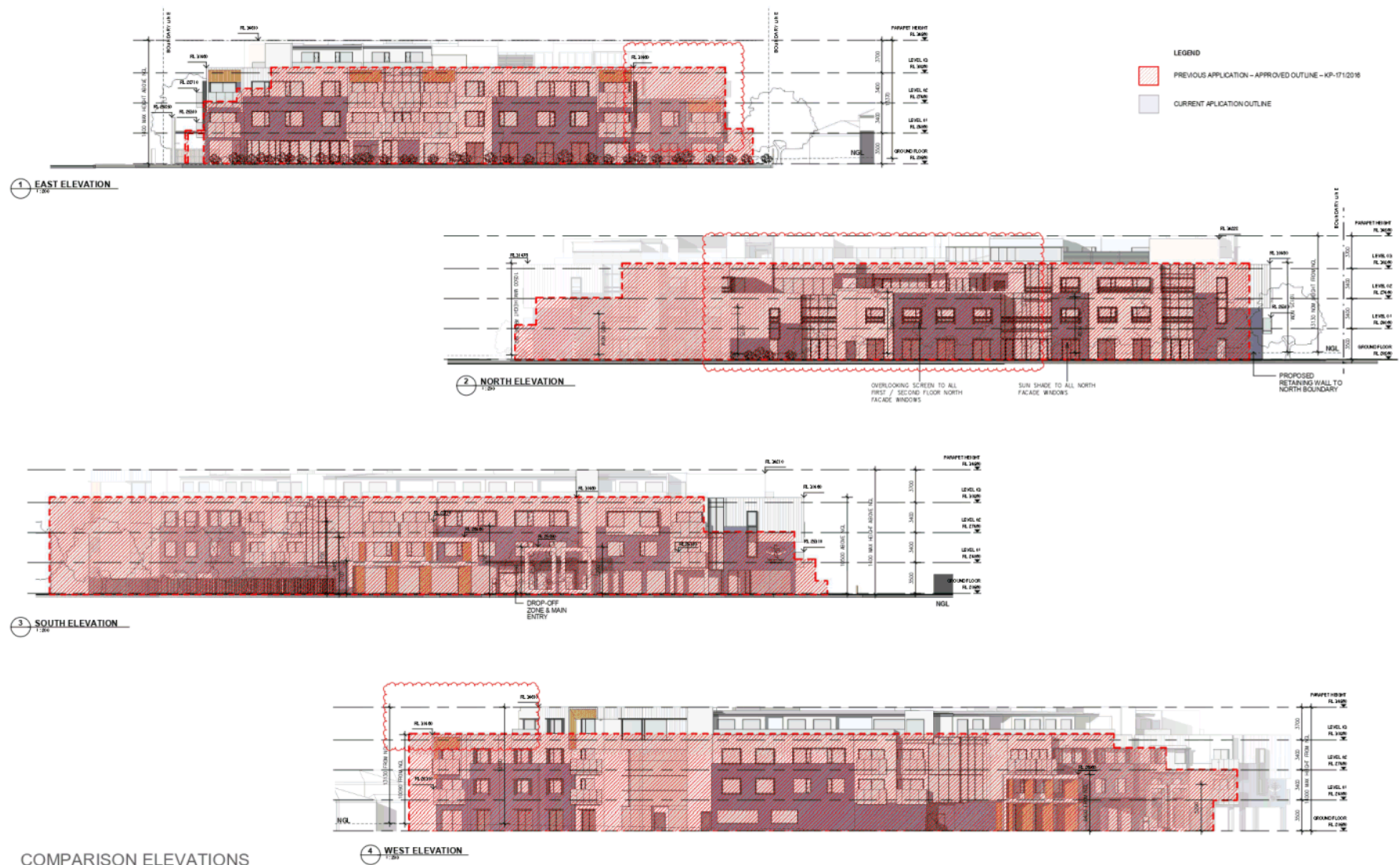


PREVIOUS APPLICATION ANALYSIS
 MERCY HEALTH RACF
 101 - 107 COLLINS STREET MENTONE

SCALE:	1:500	A1
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JOB NO:	17061	
DATE:	11.02.2020	
DWG NO:	DA3100	/A



PRELIMINARY ISSUE



COMPARISON ELEVATIONS
 PREVIOUS APPLICATION - APPROVED OUTLINE - KP-171/2016



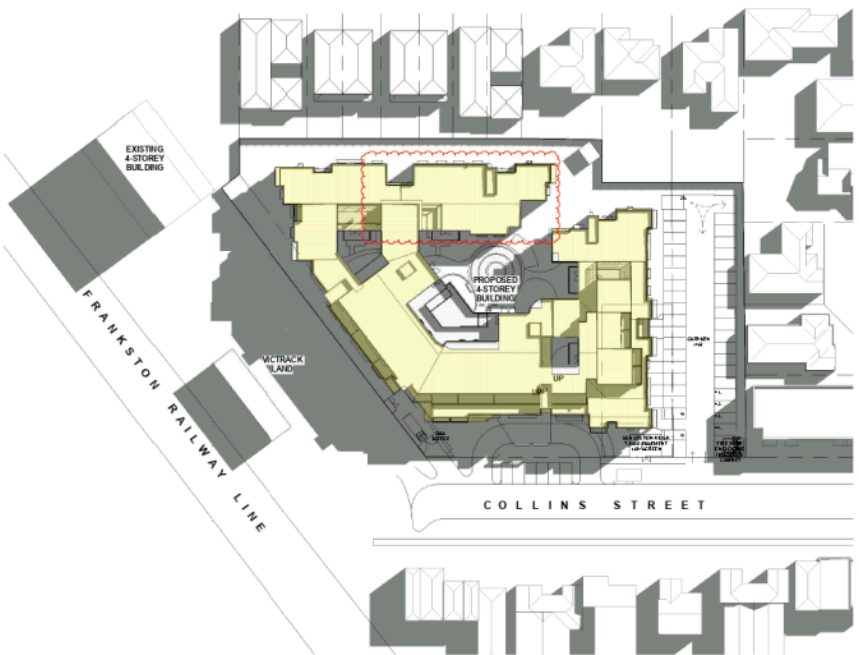
PREVIOUS APPLICATION ANALYSIS 02
 MERCY HEALTH RACF
 101 - 107 COLLINS STREET MENTONE

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JOB NO:	17061	
DATE:	11.02.2020	
DWG NO:	DA3101	/B

PRELIMINARY ISSUE



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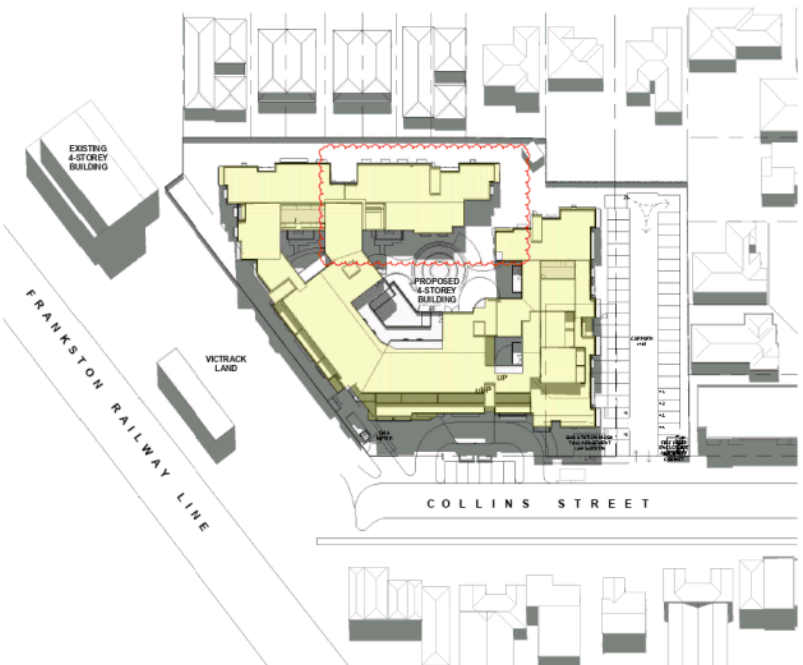


EQUINOX September 22nd 9am

PRELIMINARY ISSUE



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DATE:	11.02.2020	
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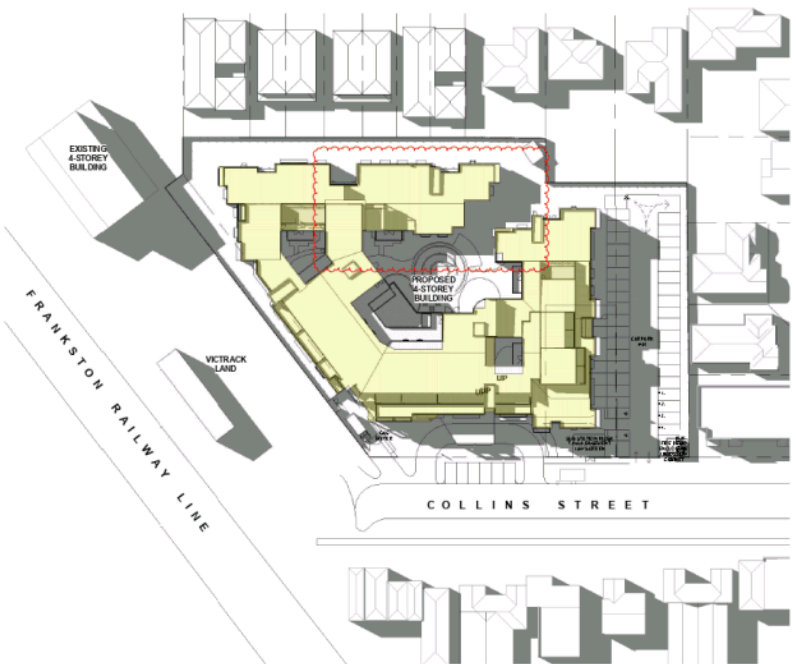


EQUINOX Sept 22nd 12pm

PRELIMINARY ISSUE

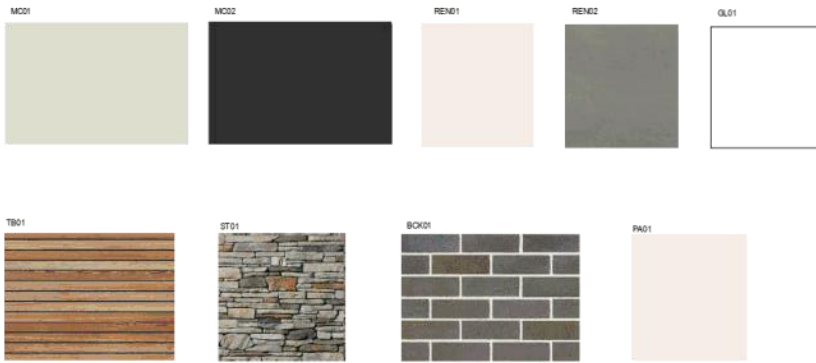


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JOB NO:	17061	
DATE:	11.02.2020	
DWG NO:	DA7002	/C



EQUINOX Sept 22nd 3pm

PRELIMINARY ISSUE



LEGEND
 MC01 - COLORBOND SURFMIST MATT
 MC02 - METAL CLADDING COLORBOND, IRON STONE
 REN01 - SAND FINISH OFF WHITE RENDER
 REN02 - RENDER 'WARM GREY'
 GL01 - GLASS CLEAR
 ST01 - FEATURE STONE CLADDING ASPEN
 TB01 - TIMBER CLADDING SHADOW CLAD NATURAL GROOVE
 BCK01 - FACE BRICKWORK BOYRAL BLUE
 PA01 - PAINT (COLOUR 01)



PRELIMINARY ISSUE



smith+tracey architects  **Mercy Health**
Care first

3D VIEWS
MERCY HEALTH RACF
101 - 107 COLLINS STREET MENTONE

SCALE:	A1
	A3
JOB NO:	17061
DATE:	11.02.2020
DWG NO:	DA9000 /B

PRELIMINARY ISSUE



WEST BOUNDARY PERSPECTIVE



COLLINS ST PERSPECTIVE

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Care first

3D VIEWS 02
MERCY HEALTH RACF
101 - 107 COLLINS STREET MENTONE

SCALE:	A1
	A3
JOB NO:	17061
DATE:	11.02.2020
DWG NO:	DA9001 /B

MERCY HEALTH RACF
101-107 COLLINS STREET MENTONE

VCAT ORDER 12/11/2020

AMENDED DRAWINGS FOR SUBSTITUTION - DESCRIPTION OF CHANGES
SMITH + TRACEY ARCHITECTS
10/12/2020

Dwg No.	Rev	Description of Changes
Cover	-	areas and bed numbers adjusted
DA0011	B	nil
DA0012	B	nil
DA0110	B	nil
DA0111	B	nil
DA0112	E	building profile amended as per floor plan changes.
DA1102	D	south stair recessed by 1.0m.
DA1103	D	" " " "
DA1104	D	" " " "
		building overhang dotted at south east light court and outside house 14 terrace. house 11 (8 bedrooms) removed completely from north wing. house 10 kitchen & dining area re-configured and terrace to east included - (below L3 terrace).
DA1105	C	south stair recessed by 1.0m. house 17 re-configured. south façade (4 bedrooms) recessed an additional 2.0m. south terraces to above bedrooms maintained same depth as previous. glass balustrade included to separate above terraces from non-trafficable section of roof to southern building parapet. 2 bedrooms relocated from courtyard to east side. plant areas moved further north adjacent above bedrooms. living/dining area moved 2.0m to north and includes relocated sitting room. existing roof terrace to club lounge maintained but reduced in size.
DA1106	D	building profile amended as per above changes.
DA2000	C	nil
DA2001	D	changes to north and south facades to match amended plans.
DA2002	E	changes to east and west facades to match plan changes.
DA2003	A	change to elevation A central courtyard with removal of house 11.
DA3001	D	changes to match plans
DA3002	B	" " " "

DA3005	A	"	"	"			
DA3006	A	"	"	"			
DA3100	A	"	"	"			
DA7000	C	shadows amended as per revised building profile					
DA7001	C	"	"	"	"	"	"
DA7002	C	"	"	"	"	"	"
DA8000	C	nil					
DA9000	B	nil					
DA9001	B	nil					

27 January 2021

Agenda Item No: 8.2

TREE REMOVAL APPLICATION AT 1 GLENNIE AVENUE, OAKLEIGH SOUTH - PT-2020/500

**Contact Officer: Corey Smith, Senior Vegetation Management Officer
Guillermo Henning, Team Leader Planning Appeals and
Compliance**

Purpose of Report

The purpose of this report is to brief Council on one (1) application which seek approval for the removal of 10 trees under the Community Local Law.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That Council support grant of Local Law Permits for those trees outlined in Section 2 of this report where the Recommendation is to remove pursuant to the assessment criteria contained within Clause 42 of the Community Local Law and provide for replacement planting at a ratio of up to 3:1 for each tree proposed to be removed.

1. Executive Summary

At Council's Special Meeting on 14 October 2019 Council resolved, among other things, the following:

11. *The instrument of delegation be amended to escalate any planning or local laws application for 10 or more tree removals for Council decision.*

In following the abovementioned Council resolution, Officers are bringing this report to Council for a decision.

This report provides an assessment of one (1) application under Clause 42 of the Community Local Law at 1 Glennie Avenue Oakleigh South. The applications seeks to remove ten (10) trees located within the property. The proposal meets the threshold specified by the Notice of Motion given the number of trees proposed to be removed.

The proposal is for the removal of trees due to poor health and structure and also due to maintenance of the golf course greens. The permit applicant has stated that the quality of the turfgrass on the course has been impacted by a reduction in sunlight due to a couple of existing trees.

Of the ten (10) trees subject to this application, a total of five (5) trees have been assessed as having either poor health or poor structure. While the five (5) remaining trees are in good health, their removal is necessary to ensure proper maintenance of the golf course to avoid the negative effect to shade on the course putting greens/tees.

Officers have undertaken an assessment of the trees proposed to be removed and are supportive of the proposal subject to conditions requiring replacement planting of up to a ratio of 3:1 for each tree proposed to be removed.

The proposal is supported given the health and structure of some trees and due to maintenance requirements associated with the Golf Course.

2. Reason for application and Golf Course management

The main reason for the proposed removal is ongoing management of the golf course. The Commonwealth Golf Course is an active course that continues to hold internationally recognized events. Therefore, ongoing management of the vegetation on site is required to allow for the continued operation of the course.

The Commonwealth Golf Course prepared a shading impact report that includes a detailed assessment on the effect of shade on the turfgrass. The assessment includes the use of a plant light metre to measure the amount of sunlight available on each tee. Sun tracking technology as well as daily photographic observations were used to accurately identify problem trees which are casting shade. The trees under this application have been identified as the cause of shading issues (see figures 1 and 2).



Figures 1 & 2. Example of recently laid turf with minimal root growth (L) due to shading by trees 861, 862, 866 (R)

The golf Course has developed a '*Landscape and Vegetation Masterplan*' intended to holistically plan future course improvements and conservation. The purpose of this document is *to set out clearly the principles and guidelines around the values, the management, influence on course design, course landscape design, and implementation of works as applied to the landscape and vegetation works on the course.*

In the ongoing management of vegetation, the golf course supports a number of ecological vegetation classes (EVC), three of which are not represented within Council's Natural Resource Areas. These three are Sedge Wetland (EVC 136), Aquatic Herbland (EVC 163) and Aquatic Sedgeland (EVC 308). The remaining EVC's located in the golf course are Sand Heathland (EVC 6), Damp Sands Herb-rich Woodland (EVC 3) and Heathy Woodland (EVC 48). The landscape master plan recommends that all future plantings within the golf course comprise of species from these EVC's.

3. Discussion

Council's Senior Vegetation Management Officer, Corey Smith, undertook a detailed assessment of the vegetation proposed to be removed.

In their assessment, Council officers have provided an assessment of risk which quantifies the risk of significant harm from tree failure in a way that enables the balance between safety, tree values and likely target and operate to predetermined limits of tolerable or acceptable risk as per the table below.

Threshold	Description
1/1 to 1/000	Unacceptable Risk is not ordinarily tolerated
1/1000 to 1/100,000	Unacceptable when imposed to others Risk is not ordinarily tolerated
1/100,000 to 1/1,000,000	Tolerable when imposed to others Risk are tolerable if as low as reasonably practical
Greater than 1/1,000,000	Broadly acceptable Risk is as low as reasonably practical

The officer's individual tree assessment is provided on the table below.

**City of Kingston
Council Meeting**

Agenda

27 January 2021

Tree no.	Tree ID in report	Botanical Name	Common Name	Origin	Height (m)	Assessment	Summary of risk assessment	Recommendation
1	268	<i>Eucalyptus botryoides</i>	Southern Mahogany	Native	20+	Good health Poor structure	1/100 000 Risk is not ordinarily tolerated when imposed to other	Remove
2	275	<i>Hesperocyparis macrocarpa</i>	Monterey Cypress	Exotic	20+	Good health Fair structure	1/1,000,000 Risk are tolerable if as low as reasonably practical	Remove
3	501	<i>Corymbia maculata</i>	Spotted Gum	Native	20+	Good health Good structure	1/1,000,000 Risk are tolerable if as low as reasonably practical	Remove
4	502	<i>Angophora costata</i>	Smooth-bark Apple Myrtle	Native (NSW)	15	Good health Poor structure	1/100,000 Risk is not ordinarily tolerated when imposed to other	Remove
5	718	<i>Angophora costata</i>	Smooth-bark Apple Myrtle	Native (NSW)	20	Good health Poor structure	1/100,000 Risk is not ordinarily tolerated when imposed to other	Remove
6	719	<i>Angophora costata</i>	Smooth-bark Apple Myrtle	Native (NSW)	20	Good health Good structure	1/1,000,000 Risk are tolerable if as low as reasonably practical	Remove
7	860	<i>Eucalyptus botryoides</i>	Southern Mahogany	Native	20	Good health Fair structure	1/1,000,000 Risk are tolerable if as low as reasonably practical	Remove
8	861	<i>Eucalyptus botryoides</i>	Southern Mahogany	Native	20	Good health Fair structure	1/1,000,000 Risk are tolerable if as low as reasonably practical	Remove
9	862	<i>Corymbia maculata</i>	Spotted Gum	Native	20	Fair health Poor structure	1/100,000 Risk is not ordinarily tolerated when imposed to other	Remove

1 0	866	<i>Angophora costata</i>	Smooth-bark Apple Myrtle	Native (NSW)	15	Fair health Poor structure	1/100,000 Risk is not ordinarily tolerated when imposed to other	Remove
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Whilst some of the trees proposed to be removed are native to Victoria, the vegetation was planted for amenity reasons by the golf course and are therefore exempt from the planning permit requirements of Clause 52.17 (Native Vegetation) of the Kingston Planning Scheme.

In summary, officers recommend the following:

- The removal of five (5) trees, due to health and structure issues
- The removal of five (5) trees, due to maintenance requirements associated with the putting greens. Whilst these trees are in good health, their removal is necessary to ensure proper maintenance of the golf course to avoid the negative effect to shade on the putting green.

In determining whether to grant a *permit* under clause 42 of the Community Local Law, *Council* must take the following into consideration:

- 42B.1 *the effect of the removal of the protected tree on the aesthetics of the neighbouring area; and*
- 42B.2 *whether the protected tree is dead or there are health and safety reasons justifying removal of the protected tree; and*
- 42B.3 *whether it is likely that the protected tree gives rise to a risk of damage to property or to the safety of the public; and*
- 42B.4 *whether the protected tree is causing a public nuisance or creating an undue nuisance to adjoining landowners; and*
- 42B.5 *any other matter which Council considers relevant to the circumstances associated with the application.*

4. Conclusion


Officers consider that pursuant to Clause 42.B2 and 42B.5 of the Community Local Law a permit should be granted given the following:


- There are health and safety reasons justifying the removal of the protected trees.
- The protected tree give rise to management issues for the golf course

The golf course have demonstrated a strong commitment to the preservation and enhancement of the vegetation on the site through the significant planning work it has completed. It is recommended that the approval of the removal of these trees should be subject to conditions requiring replacement planting.

Appendices

Appendix 1 - PT-2020/500 - 1 Glennie Avenue, OAKLEIGH SOUTH VIC 3167 -
Application (Online) Shading Study (Ref 20/194529)  [↓](#)

Appendix 2 - Commonwealth Vegetation & Landscape Management Guidelines (Ref
21/1294)  [↓](#)

Appendix 3 - PT2020/500 - 1 Glennie Avenue Oakleigh South - Map with trees (Ref
21/1325)  [↓](#)

Author/s: Corey Smith, Senior Vegetation Management Officer
Guillermo Henning, Team Leader Planning Appeals and
Compliance

Reviewed and Approved By: Jonathan Guttman, General Manager Planning and
Development

8.2

TREE REMOVAL APPLICATION AT 1 GLENNIE AVENUE, OAKLEIGH SOUTH - PT-2020/500

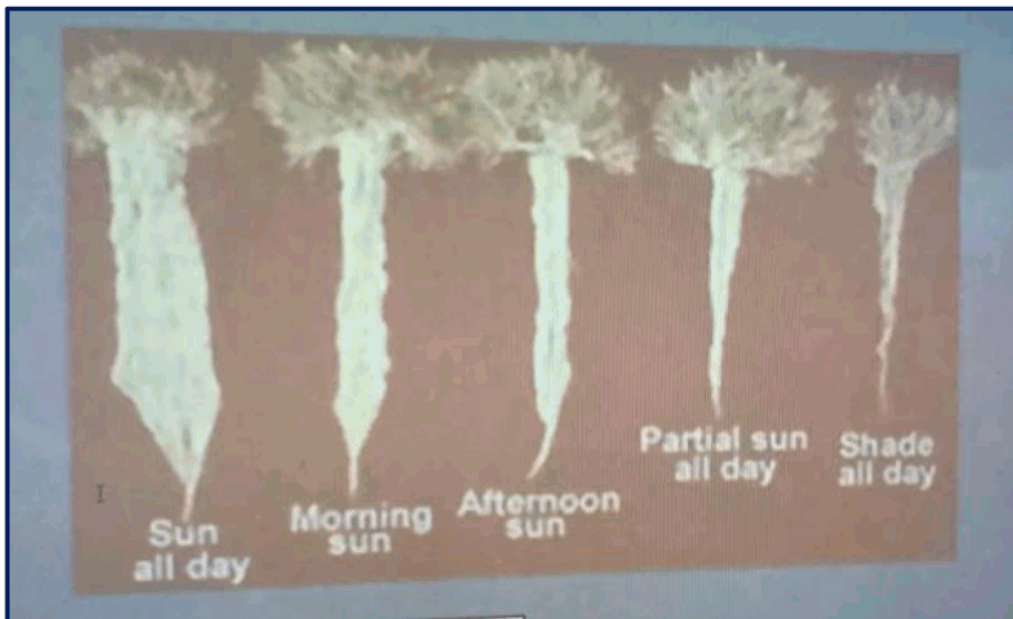
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SHADING IMPACT ON THE TEEING GROUND AT COMMONWEALTH GOLF CLUB

SUMMARY:

The surrounding environment has the biggest impact on turf prepared for golf courses, particularly for areas which are heavily trafficked. To maintain high quality turfgrass, it is critical that it receives adequate sunlight otherwise turfgrass quality will be severely compromised.



BACKGROUND AND DISCUSSION:

Poa Annua thrives in shaded environments, and this was the reason the Club had predominantly *Poa annua* (cool season) tees until they were re-grassed with Grand Prix couch (warm season) commencing late 2012. Couchgrass requires over 50% less water than cool season grasses: however, it must receive adequate sunlight. The use of herbicides to control *Poa* invasion in this environment is challenging, as shade compromises couchgrass health and recovery. Growth potential is slower during the cooler months due to colder temperatures and less overall available sunlight.

The anatomical, physiological and morphological effects of shading on turf manifest themselves as reduced rates of photosynthesis, a weakened plant less tolerant to wear and disease, reduced root system decreasing the turfs ability to tolerate periods of high temperatures, amongst many others.



SHADING IMPACT ON THE TEEING GROUND AT COMMONWEALTH GOLF CLUB

The Club will make a significant investment to replace the tees and providing the best growing environment will ensure the long term success of the project.

A considerable amount of research has been undertaken by Professor Mike Richardson from the University of Arkansas in the U.S and by John Neylan at Avondale Golf Club in Sydney to determine the effects of and how much sunlight is required to sustain quality warm season turf surfaces. The information collected from the research has been used to form minimum sunlight requirements for warm season turf. The most accurate way to measure light able to be used by plants is in Daily Light Integral (DLI) or moles/m²/day.

A plant light metre has been used to measure the amount of sunlight available on each tee. Sun tracking technology as well as daily photographic observations have been used to accurately identify problem trees which are casting shade. 10 trees have been identified as causing shading issues around the tees and are required for removal before re-grassing.



The table below shows how many moles/m²/day are available and what each tee receives. The practice tee as used as a control as an area least impacted by shade. Winter available



SHADING IMPACT ON THE TEEING GROUND AT COMMONWEALTH GOLF CLUB

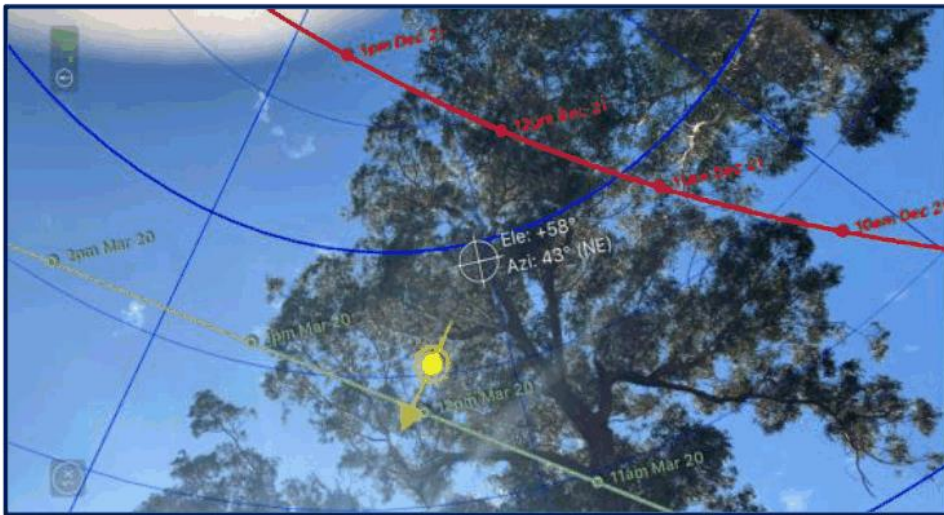
sunlight needs to be read with the understanding that growth potential, even with full available sunlight, is minimal. It is crucial to optimise growing season sunlight (October-April) to give the turf enough strength to last through winter.

	Daily light integral (mol/m ² /day)		
TEE	AUTUMN	WINTER	SUMMER
2	11.4	7.6*	28.2
7	13.9	8.1*	32.7
9	15	11.2*	72
10	13.1	7.2*	27.2
12	14.7	8.9*	29.8
15	9.4	4.3*	26
16	17.9	9.1*	57
Practice Tee	58.7	24.5*	107
Min DLI required	20+	12+	30+
		DLI sufficient	
		DLI marginal	
		DLI insufficient	
*Growth potential is poor due to soil temperatures			

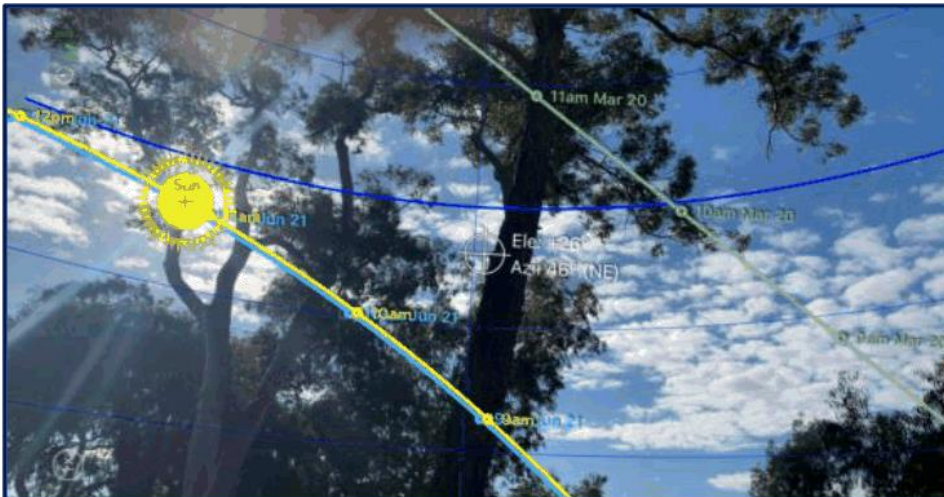


SHADING IMPACT ON THE TEEING GROUND AT COMMONWEALTH GOLF CLUB

2nd TEE:



Sun tracking technology showing very little morning sun falls on the 2nd tee at any time of year





SHADING IMPACT ON THE TEEING GROUND AT COMMONWEALTH GOLF CLUB



(above) Shading on the 2nd tee at 11am in October

(below) Satellite image showing shading on the white and blue tees on the 2nd





SHADING IMPACT ON THE TEEING GROUND AT COMMONWEALTH GOLF CLUB

10th TEE:

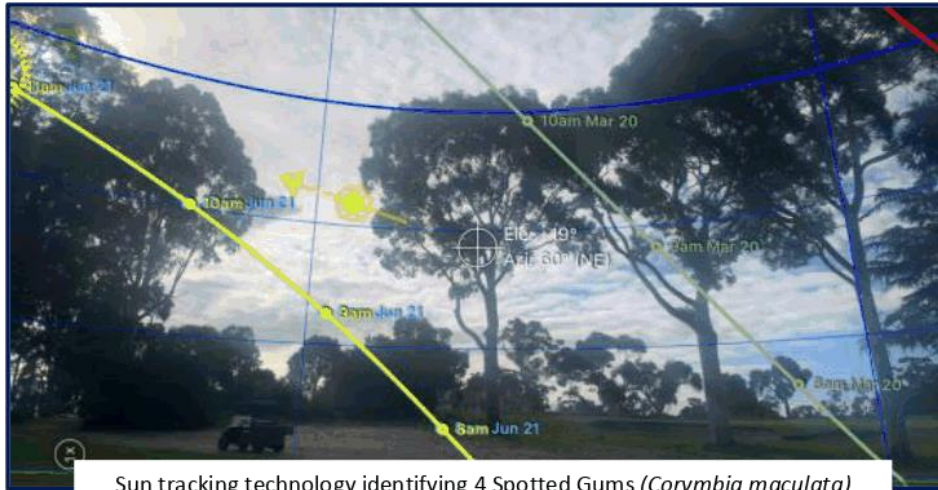


Pictures of shading on the 10th white tee in November at 11am

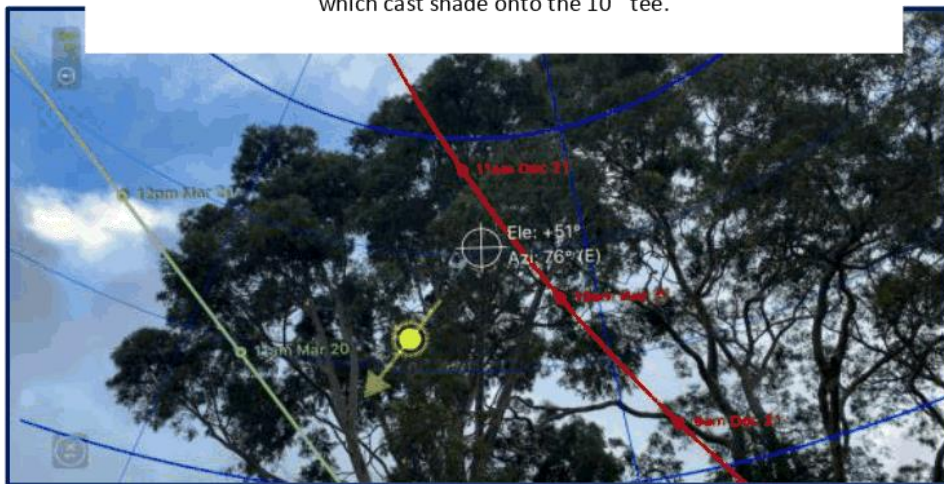




SHADING IMPACT ON THE TEEING GROUND AT COMMONWEALTH GOLF CLUB



Sun tracking technology identifying 4 Spotted Gums (*Corymbia maculata*) which cast shade onto the 10th tee.

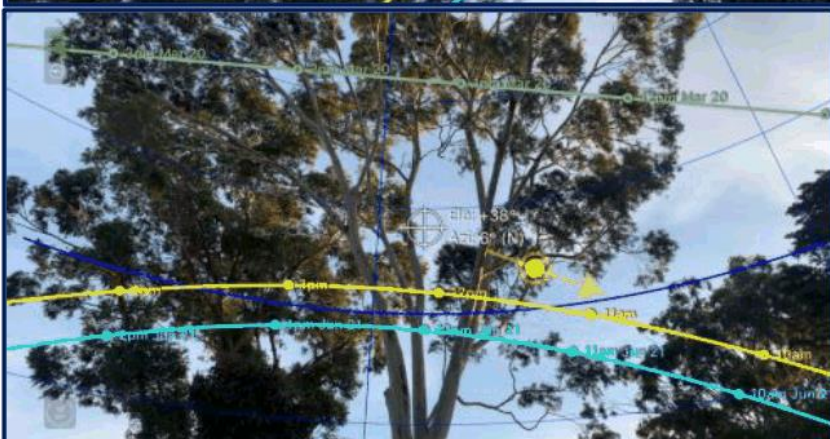
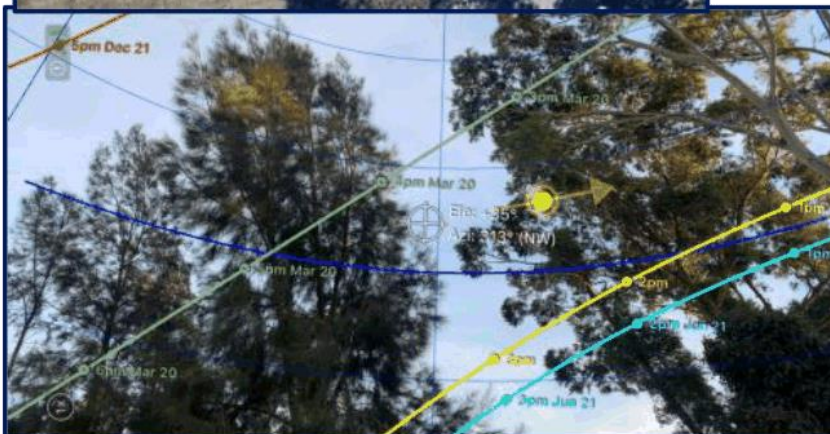
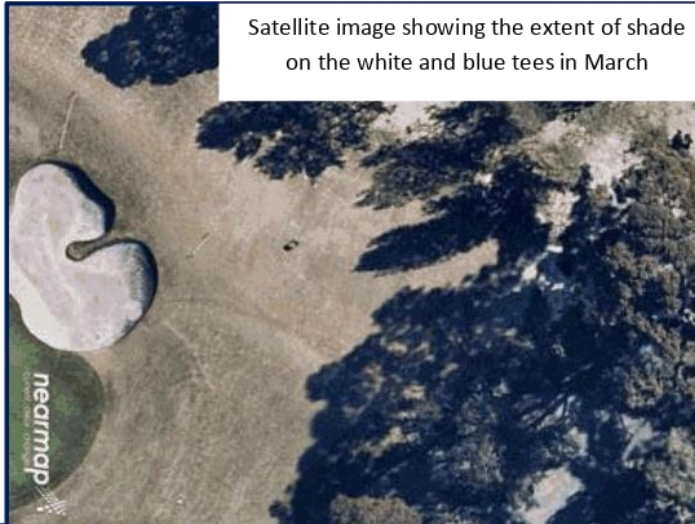


Satellite image showing shading across the white and blue tees in October



SHADING IMPACT ON THE TEEING GROUND AT COMMONWEALTH GOLF CLUB

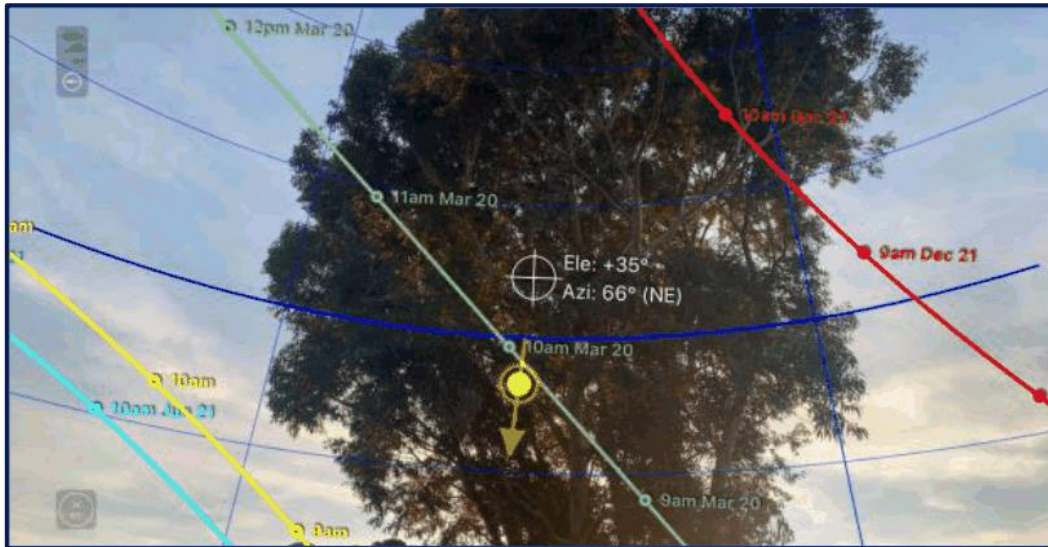
15th TEE:



Standing on the blue tee on the 15th, sun tracking technology shows the extent of shading year round. The 15th tee is the most shaded tee on the golf course.



SHADING IMPACT ON THE TEEING GROUND AT COMMONWEALTH GOLF CLUB



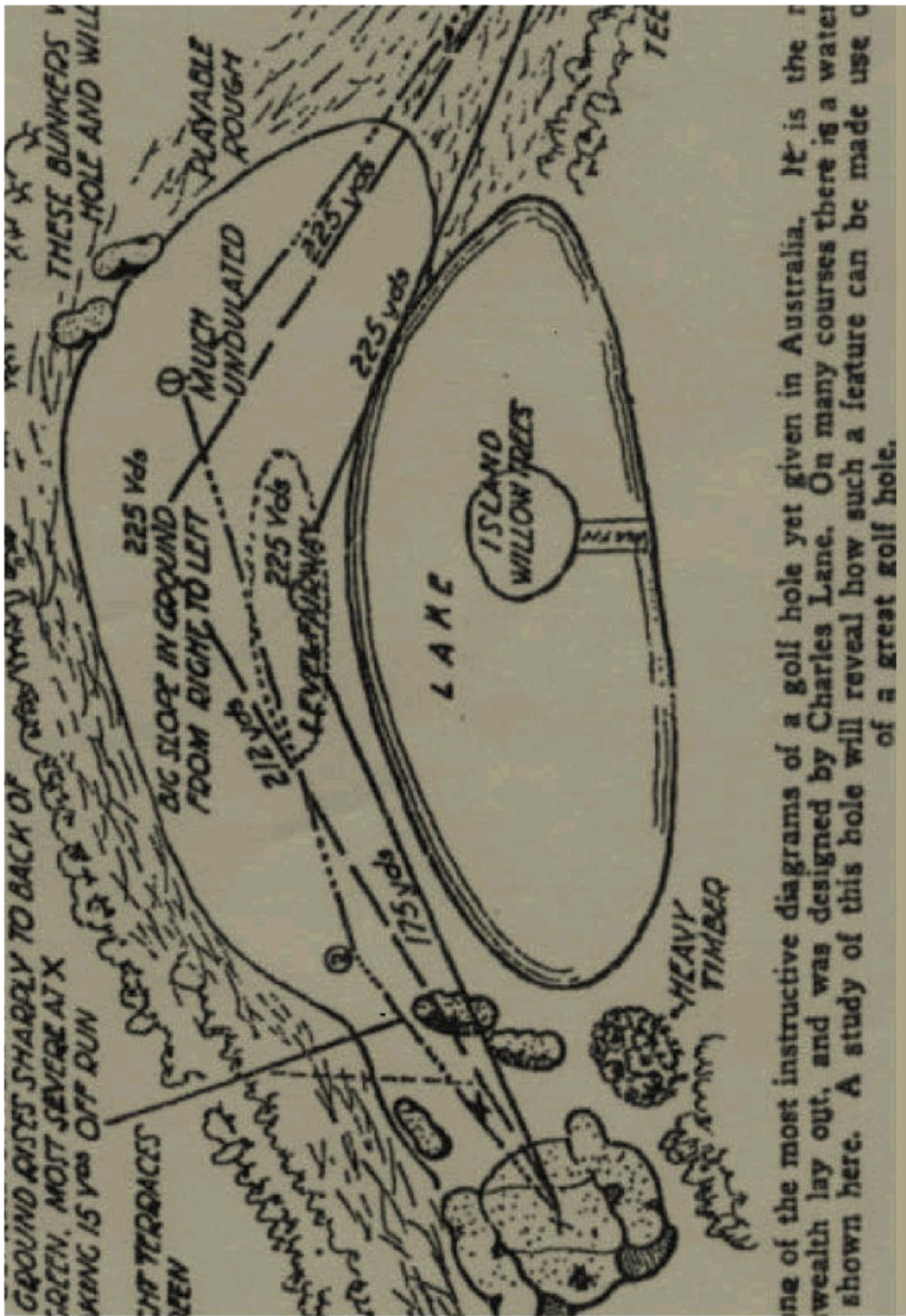


Commonwealth Golf Club

Golf Course Vegetation & Landscape

Principles & Guidelines

KruseGolf



one of the most instructive diagrams of a golf hole yet given in Australia. It is the wealth lay out, and was designed by Charles Lane. On many courses there is a water shown here. A study of this hole will reveal how such a feature can be made use of a great golf hole.

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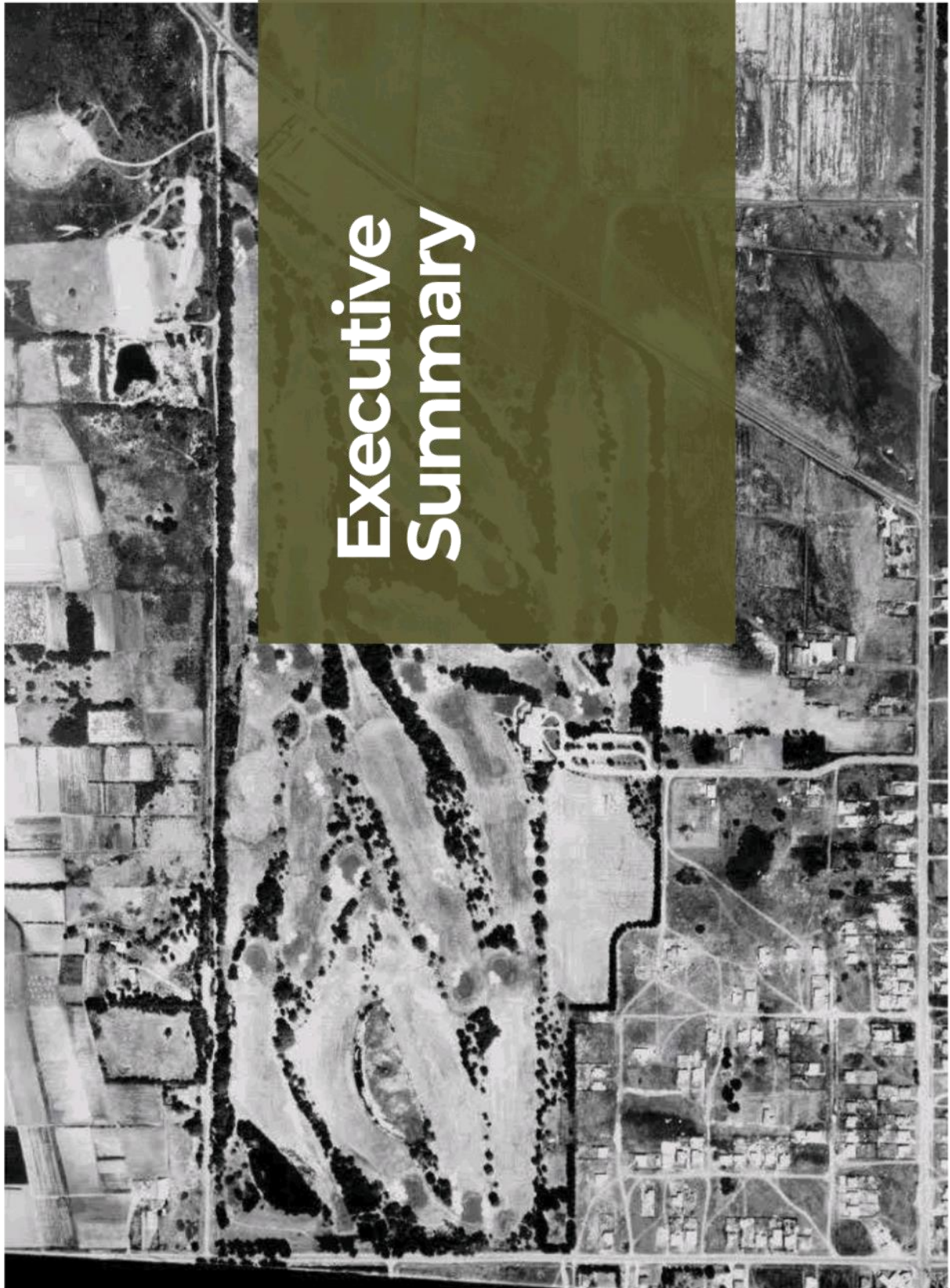
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Acknowledgement of Country

It is acknowledged that Commonwealth Golf Club is on traditional lands of the Yaluk-willam clan of the Bunurong people, other clans of the Bunurong people, and the Wurundjeri-baluk clan of the Woorung people. Commonwealth Golf Club offers its respect to the Elders of these traditional lands.

Prepared by:
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 and Golf Course Landscape
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As an A grade golf course sharing the company of Melbourne's finest Sandbelt layouts the Commonwealth CC, indeed like all Sand belt courses, now inherits the impact of decades of well-intended but misguided tree plantings. This has contributed to a treed dominance of form of mainly non-native trees and the gradual decline of wonderful local heathland ground flora.

Not only has the original landscape character of the course been slowly eroded, we now have mature trees that are entering senescence. We need to plan for their replenishment. Trees are also compromising turf health, closing off wonderful vistas, and impacting course playability. Despite all the tree planting over the decade's views of ugly built form outside of the golf course still exist and can be easily addressed.

A truly cohesive landscape across the whole course is lacking yet enormous potential exists to restore such character. The wonderful landform of the site and the high regard of the course's classical golf architecture deserves a higher quality of vegetation and golfing landscape outcomes. This will raise the golf course to a whole new level and set it apart from its local peers.

In truth the restoration of the course landscape using the natural flora that belongs to the site, and in a golfing sensitive way is the key, the use of sound ecological principles as applied to vegetation selection and plantings will create the highest quality of result. A meaningful one that is sustainable, provides great habitat value for fauna, and is of a great biodiversity which becomes real point of difference. A landscape will help define the golf experience and reinforce the unique brand that is Commonwealth.

All successful golf course landscape and vegetation approaches and results are based on sound principles and clear guidelines, this document seeks to articulate these foundations as they apply to the course and the land that is Commonwealth.

A summary of 16 key golf course landscape and vegetation principles for Commonwealth CC is provided.

This document is to evolve and be adjusted into its final form in the months ahead. It is intended to be the reference and guiding tool for management and committees. A reference for members interested in the flora of the course and their important role it plays.



Harley Kruse
Golf Course Design & Landscape Design
Principal

Introduction



As one of the leading clubs of Melbourne's famed Sandbelt, Commonwealth Golf Club in 2020 is presented with several opportunities as it enters its second century. These opportunities revolve around a masterplan for the course and its landscape, along with planning around adjoining Clairinda land.

The additional Clairinda land could provide for:

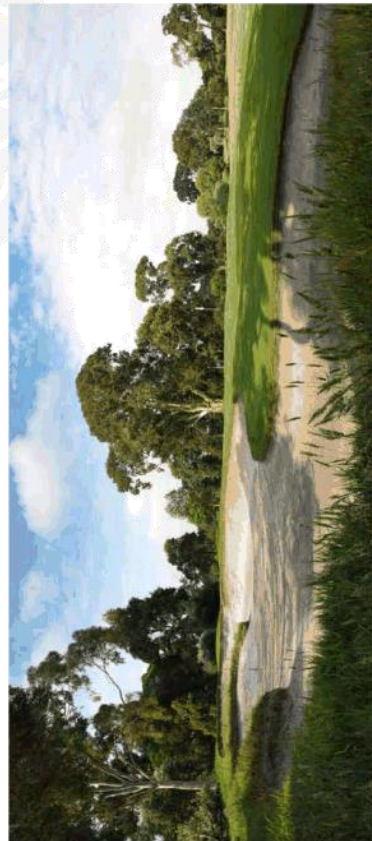
- a) unlocking space within the current sand-based land and presenting opportunities for course improvements; and,
- b) benefits to the club through both new land for club facilities along with the commercial value of the Clairinda land itself.

It is an exciting time for the club and decisions made in the next few years present the opportunity to set the up the club and its course for a great future for generations to come.

With the planning process of course upgrade and restorations proposed to commence in the next 12 months, there are clear principles and guidelines that need to be developed and adopted. These will not only help the guide current course management team, and committee decisions, but provide guiding principles for the planning process.

Commonwealth CC has commissioned KruseGolf Pty Ltd to prepare a Vegetation and Landscape Principles and Guidelines document. KruseGolf headed by Harley Kruse has deep experience and knowledge of golf course design, golf course landscape design. All from broadscale Masterplanning level, through to detail design, project implementation, and management.

The intent is for this document to become a very useful tool well into the future. As fundamentally a principles and guidelines document it is not a nuts and bolts of implementation and management. Vegetation management and practices of a more technical and horticultural nature would be subject of a further document.



Background

A Brief History

Commonwealth GC is one of the leading Melbourne Sandbelt Clubs that is celebrating 100 years of history. The original layout was by golf professional Sam Bennett with a clubhouse at the northern end of the property on Centre Road. Club Captain Charles Lane an avid student of golf course architecture, made a study tour to Britain and would meet famed architect Harry Colt. Lane would then preside over subsequent completion of the course layout, bunkering, and greens modifications. During his time as captain the club also commissioned a new clubhouse on more the central high ground and where it still remains today.

Subsequent revisions to the 18 greens and greenside bunkers in the mid 30s were performed by long serving club secretary Sloan Morpeth. Upon acquiring new land in the 1960s with considerable Old Dandenong Road frontage the club engaged Morpeth as course architect to revise holes 10 and 11 into the area. With the conclusion of Morpeth's work Commonwealth's 18 greens complexes and bunkering became most highly regarded in Australian Golf. The club would proudly host the 1967 Australian Open and cement Commonwealth's greens complexes amongst the very finest in the country.

Course architect Kevin Hartley would also do work on the course in the 1990s with a range of work that in some ways departed from the values and timeless design qualities of previous course work. This period also coincided with another extensive tree planting programme.

Background to Vegetation

Commonwealth has had an extensive tree planting programme that has ebbed and flowed over at least the first 90 years of the course history. The club has a documented history of vegetation plantings, mainly tree species going back to the plantings in its early years.

Over the history of the course the club and course management has continued to place great value on the course vegetation. It is a being key apart of the golfing asset. However, in recent years even greater value has been placed on vegetation and in particular some need for good management and professional approach to this key asset. Today the club has dedicated vegetation committee, which along with the green committee and course management makes strategic recommendations and helps in planning decisions around course vegetation management and future vegetation works.

Many of the very early tree plantings and subsequent tree plantings over the decades has seen much of the original health areas of course succumb to the trees as they matured and dominated the course landscape.

Tree planting with the aim of plugging any gaps continued well into the 2000s. Some of these plantings as they matured would start to impede play and sightlines and also impact turf. Subsequently the course could be described as overly treed.

Many of the exotic trees are now well past maturity and questionable locations have impacted golf playability, turf management, and restoration of heathland back into the course.

Over recent years the club has sought the professional advice of various consultants related to management of the course vegetation including current consulting arborist Glen Walters May 2020 Tree Survey and Management Report. In 2015 the club commissioned a review of Natural Vegetation (Biosis).

In 20... Kate Torgersen was retained by the club to assist with the coordination of plant supply and implementation of various vegetation planting works. Highly respected botanist Jeff Yukovic has also inspected various revegetation sites and provided vegetation recommendations in his reports (2015 and 2017) which would also assist Kate's work with the club. Consulting course architects of the time OCCM would prepare course landscape plan with plant list. A resistance to OCCM's proposal in the form of the recommended tree removals meant limited work proceeding.

The need for Vegetation and Landscape Principles and Guidelines

With a full Golf Course Masterplan along with a Landscape and Vegetation Masterplan intended to be developed over the next couple of years, the intent is to holistically plan future course improvements that will improve the course, raise the club's profile, and set the facilities in place for the next generations to come.

Prior to any further planning and course works the missing foundation is the clear principles and guidelines for all course landscape and vegetation works. KruseGolf was engaged by the club in July 2020 to prepare this document.

The purpose of this document is to set out clearly the principles and guidelines around the values, the management, influence on course design, course landscape design, and implementation of works as applied to the landscape and vegetation works on the course.



Course Landscape Character



Golf courses by nature are not fixed or static. Over the ground they are created they are fluid in physical form and equally fluid over time. Unlike other man-made built form golf courses continually change. They evolve through the seasons and over the decades. The hard of man having impact, more at some courses and less at others.

The landscape and vegetation on a course are in constant change within the laws of nature as plants establish, mature and ultimately enter decline at differing ages. Ultimately there is a time when a level of settling in and maturity sees the sum of a golf courses parts combine to create its unique identifiable qualities - its landscape character.

At times landscape character is meddled with or is allowed change often beyond the original nature of the site or the original vision and intent of the golf course architect when the course was first built.

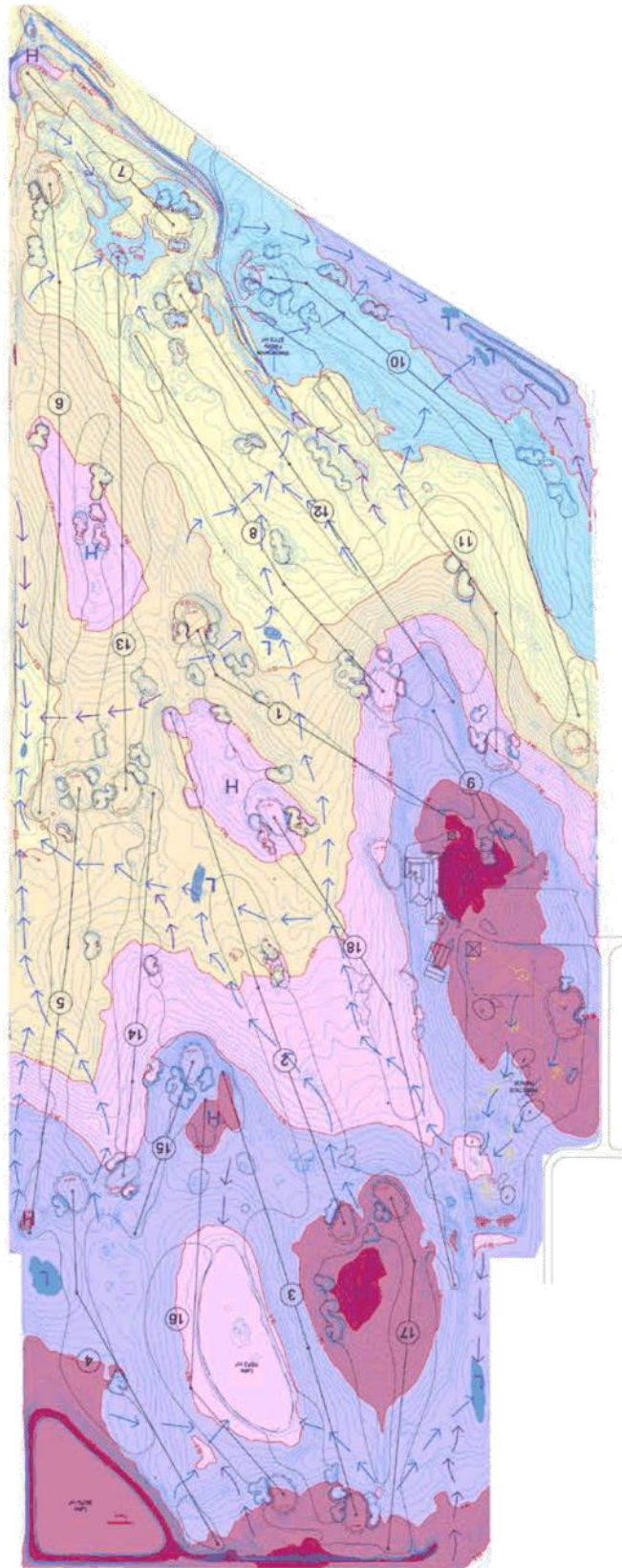
A landscape character is always under threat from often well-intentioned ideas and action. At times these ideas possibly naive to the course architecture, its original intent, and the core landscape values of the site.

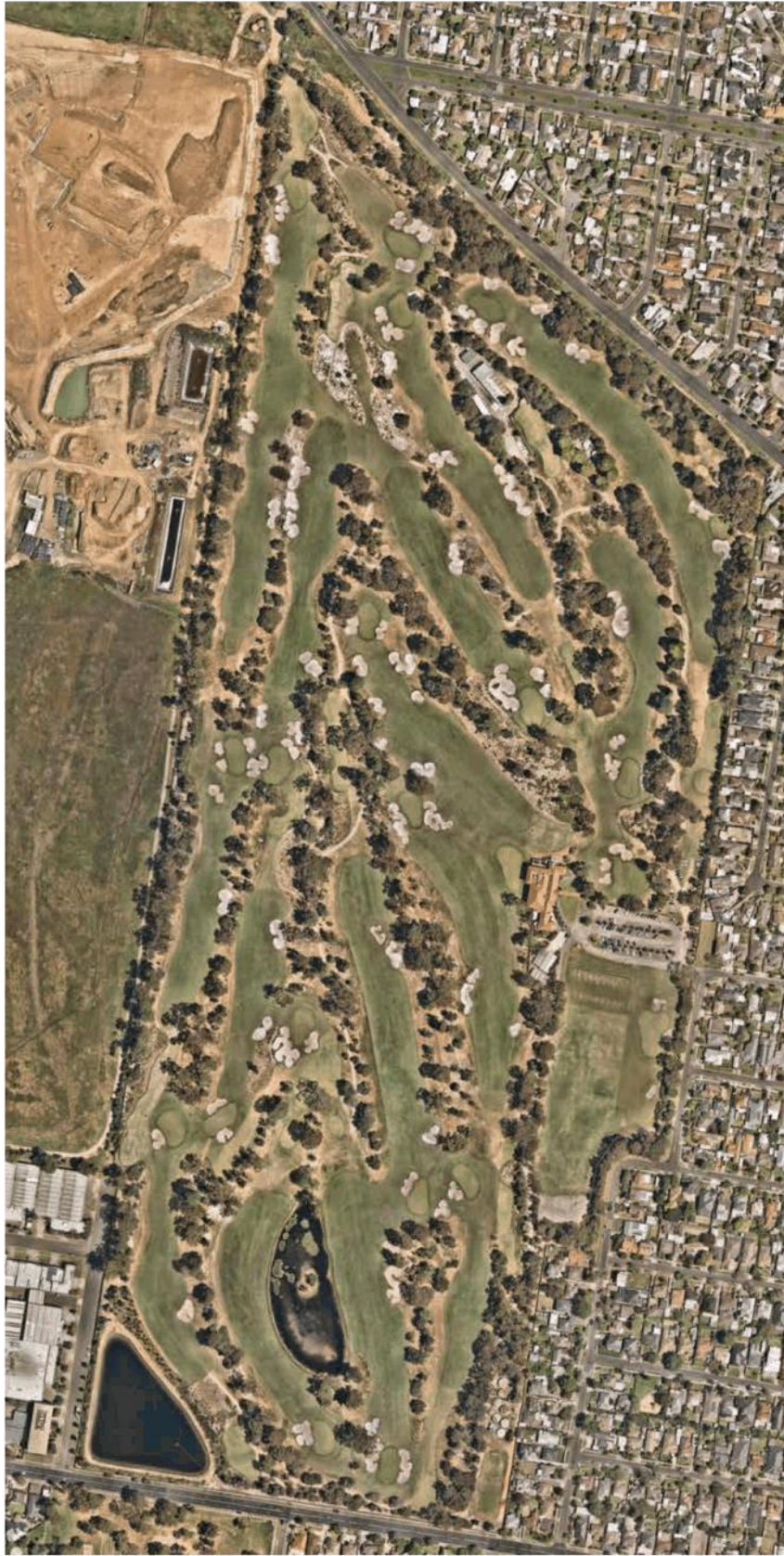
Nothing more powerful on a golf course would be an over planting of trees. Particularly of the wrong species and in the wrong places. Species that are not in harmony or respect the local flora, local geology and environment let alone sound golf principles

So, with close to one-hundred-year history on the site what are the key identifiers of the Commonwealths golf landscape character experienced by members and guests?

- ▶ An orientation of the course land parcel and golf holes largely north and south
- ▶ Intertwined loops of nine holes. Front nine holes routed in a clockwise loop and the back nine holes in an anticlockwise loop with the crossing point of each nine at the northern end of the property (3 green to 4th tee and 15th green to 7th tee)
- ▶ Intimate golf spaces of greens and tees close together separated only by tightly mown turf and bunkers
- ▶ The grand wide space of hole 3 and 16 with the central lake
- ▶ Long rises up to elevated greens on several holes
- ▶ Greens tilted to one side as a strategic design element
- ▶ Tees as part of mown turf and golfing ground carrying through from the previous hole and where dimensions are longer from green to tee than tees at times set within the natural heath.
- ▶ Tightly mown turf around greens that promote ball bounce and ball roll towards or away from the target
- ▶ Organically shaped, at times windblown, sweeping rugged sandbelt style bunkers, with cut edges and a range of depth to the cut edge. At times rear edge of bunkers defined by native vegetation and not turf. Closely mown turf on the fairway side of the bunker. Unekept naturalised vegetation behind allowing for a further degree of hazard for an errant shot.
- ▶ Non irrigated roughs outside of mown surfaces allowing for sandy heath and wooded heath.
- ▶ Naturalised non irrigated carries from tee to fairway
- ▶ Extensive tree plantings of native exotics and exotics with several species are out of character with the general course landscape.
- ▶ A high density of trees in the areas between fairways to the point that in many areas there is a dense closed woodland at the expenses of understory or heathland species.
- ▶ remnant local tree species in parts of the site
- ▶ some large and highly significant trees
- ▶ tall boundary trees alongside the eastern boundary
- ▶ some degree of artificial mounding introduced in the 90s
- ▶ paths as informal sandy tracks or granitic sand tracks







Vegetation & Landscape Review Overall

Overall Site

Commonwealth Golf Club comprises 18 holes of golf and associated facilities of practice range, clubhouse, carpark and maintenance facility on ... (check and confirm) hectares of land.

The clubs long roughly north-south rectangular block of land means holes predominantly was laid out in a north south playing direction or off this alignment to a south east or northwest direction.

It is the significant rises and falls in the sand-based landform that provided a wonderful opportunity for the laying out of the original holes in classical way - where greens and tees are often located on elevated ground. There is a certain magical grandness of these long rises and falls at Commonwealth that several other sandbelt clubs don't have.

The other key and unique element of Commonwealth amongst its sandbelt peers is that is the only course with a substantial natural lake. Such a waterbody that was used in the design of holes 3 and 16 which flank its sides. The integration of the lake in the risk reward design of hole 16 would be one of the first golf holes in the country to do so. The lake is a dramatic part of the course although with modern length of play perhaps less strategic than originally intended. The lake has been messed about with over the years and there are plans about to restore its original character.

Commonwealth has some (confirm, calculate and insert) hectares of irrigated and mown turf areas typically of tee, fairway, short rough and greens. This leaves some (accurately calculate and insert) hectares of burners, and the remaining (accurately calculate and insert) hectares of landscape roughs inclusive of sandy waste, grassy areas, through sedge and low heathland flora through to mid storey and tree canopy species.



Dramatic Landform

The underlying landform and geology of the Commonwealth site is critical to a study of its golfing and golf landscape credentials. We must draw on the sound knowledge of the land and the impacts it has. (reference report).

The windblown sands that formed the dunal structure of Commonwealth sees an elevation and shape of landform that is unique in the sandbelt and cleverly used in the course routing. It's clearly a key character element of the site and sets the stage for a dramatic and memorable golfing landscape, and wonderful golfing challenge.

For example, the broad hill on which the clubhouse sits are on a key piece of ground that holes 10, 11 and 12 all work off. The elevated tees high on the first hole afford an unimpeded view from tee to green which makes for a dramatic and memorable short opening hole. Tees on elevated ground plays a role in many holes. Similarly, the similarly same hill of the 1st teeing ground provides the setting of one of the best holes on the course the 8th hole with its elevated green and vast heathland vegetation to the right.

The large lake in the low depression between holes 3 and 16 is a both a dramatic and highly memorable feature in view from up high on the 3rd and 16th tees and when playing the holes.

Another play of landform can be blindness and the mystery of unseen ground beyond ones shot. Blindness full or partial is part of classical and interesting holes and hole 17 is a fine example of this whereby the landform and heath vegetation on the left combine to offer a degree of blindness of the green depending on which side of the fairway one's tee shot comes to rest.

Man Made Landform

Works in the 1990s resulted in some man-made mounding of high scale built on hole 7, right of hole 10, and along the northern boundary of the property behind the 17th, tees, 3rd and 16th greens and 4th tees. The issue at hand here is the artificial look of the mounds that then required vegetation to soften them but it is with mixed results. Unfortunately, the steepness of the slopes and poor shaper renders these areas at odds with the rest of the natural landform on course.



Sand, Landform, and Vegetation Classification

The forebears of the club chose well when they came upon the land which is Commonwealth. The deep well draining sand and its landform features as described above were key elements. The geology identifies the course as Cranbourne Sand sheet (windblown aeolian sands) over Red Sandstone clay (ref Blois Report 3/12/2015).

Elevated and deep sand itself being typically low in pH and of low nutrient levels was of course the key to the hand in hand soil and heath relationship that favoured a range of wonderful heathland plant species prior to settlement.

Melbourne's sandbelt golf has a wonderful and highly diverse range of heathland species. For that Commonwealth amongst peer golf courses has its own unique mix of species of the main Cippisland Plain* bio-region. Firstly, the plants that fall into the descriptions of the two main dry deep sand Ecological Vegetation Classes on site being:

- EVC 006 Sand Heathland**
- EVC 048 Heathy Woodland**
- EVC 003 Damp Sands Herb-Rich Woodland**

In comparable golf course terms, it can be said the vegetation is unique in composition at Commonwealth due to the fact that Swamp Deposits of damp low lying ground naturally ran through the site along with the aquatic situation of the large natural lake and its associated wetland ecosystem.

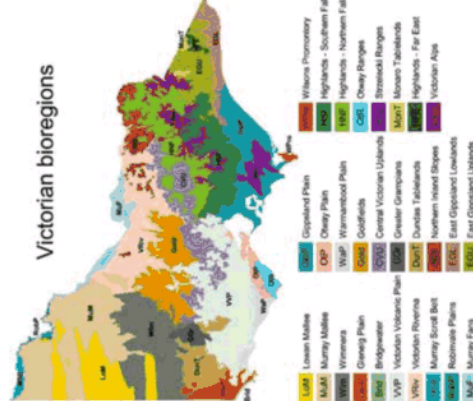
Lower parts of the site (refer to image) of typically shallower sands which by nature were closer to the water table and underlying clay layer promoted damp ground and areas which would become inundated after high rainfalls.

As identified in the Blois Report*, the unique geology of the site has naturally generated three more natural Ecological Vegetation Classes (EVCs) which are all associated with the natural lake aquatic system and wetter parts of the site. These are:

- EVC 136 Sedge Wetland**
- EVC 653 Aquatic Herbland**
- EVC 308 Aquatic Sedgeland**

Combining these 3 aquatic and sedge classifications with the 2 heath classifications of the higher dry ground and it becomes obvious there would have originally been a great range, mix, and proportion of plants species at Commonwealth like no other of the sandbelt layouts.

The EVCs are most important when considering all areas of the course for planting. The prospect of genuine restoration of once low damp areas in non-play areas of the course, and resultant planting considerations needs a well-considered and careful approach.



*Cippisland Plain Bio-Region refer to appendices. (reference www.environment.vic.gov.au)

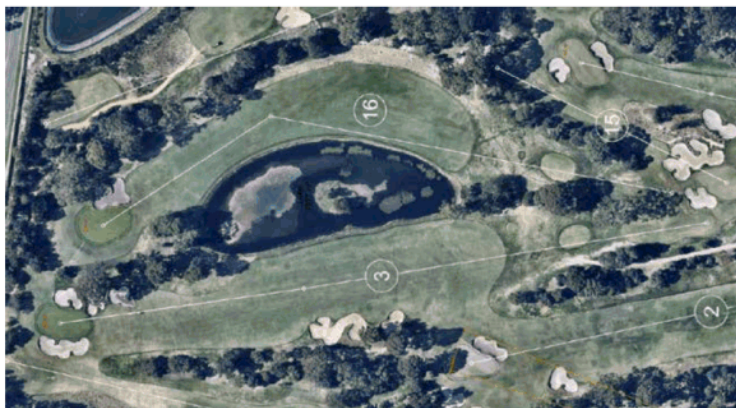


Intimacy of Space - Greens and Teeing Ground

Another redeeming quality of Commonwealths course design that is most valuable feature are the intimate areas where several greens and tees are close to each other. Separated only by tightly mown turf or bunkering the magical space that includes the adjacent 4th and 14th greens flanked by the 5th and 15th tees is one such space. Another is the setting of the 5th green and 13th green with the 14th tees and 6th tees adjoining. These spaces are very special and are to have minimal vegetation in the way of golf play and golf traffic. It is only outside of these spaces is where low vegetation then plays a critical role.

Along the 18-hole journey there are also more intimate spaces. Such as the walks from green to tee where vegetation can be denser and can provide a more intimate and at times shaded space.

Tees within a heathland setting although relatively open can also provide a more intimate space and closer observation of the vegetation whilst waiting for others to make their tee shots. Such intimate spaces can be desirable and need to be well considered on the 18-hole journey at Commonwealth



Grandness of Space

In contrast to intimate areas of a golf course it is the sheer scale of golfing land and the ability to have big long and wide spaces that helps to achieve grandness. At Commonwealth the grandest of all big spaces would have to be the area of 3rd hole and 16th hole with the lake in between. The sheer openness and width here contribute so much to the front nine and back nine experience.

The worlds better golf courses tend to be characterised by a certain grandness. Fine wide turf surfaces on a broad scale of space which doesn't feel constrained or restricted. Landform and its rises and falls are needing an exposed and highlighted - celebrated. There are long views in multiple directions from a range of locations within the course and often of a natural landscape beyond the fence line sets the golfing space within an even broader and grander scale of landscape dimension. These characteristics should be identified and further promoted at Commonwealth.

Trees - Landscape Character

The vast plantings of trees at Commonwealth last century would have been motivated with the desire to 'beautify the course' and this was driven by the need to plant trees. Some of the beautification was also motivated by the need to tame the inferior local scrub and use European tree species considered to be superior in form whilst reminding one of ancestral lands far away.

The census of the course vegetation and birdlife of 1941 by P.R. St John also suggests a curiosity with certain exotic tree natives from other states such as QLD, NSW, and WA with an arboretum approach to tree plantings

There was also the usual need to 'screen the boundaries', 'line the fairways', and 'provide (treed) backdrop to greens'. From photos of the early 1930s this tree planting work was already well underway.

The original aim to simply compartmentalise holes from one another was achieved by plugging gaps along fairways with lots of trees to create visual separation between holes and backs drops

The risk of course with such an ambitious amount of tree planting was the change of character as the trees development of tall and wide tree canopy that would close in fairways, shade turf and also shade any remaining local health and its subsequent resultant demise.

Openness of landscape with low density of trees would have quickly transitioned into closed dense woodland giving the course a semi parkland character.



Tree Problems

Much has been said and written recently in golfing architectural discussions about the role of trees on a golf course. One clear observation that KruseCof has identified is most tree golf courses older than fifty years will have a tree problem. Without a doubt and usually caused by too many trees, of the wrong tree species, planted in the wrong places. On many courses provide detrimental impact on course playability, speed of play, and turf quality.

The tree problem is also compounded when the trees enter senescence and start to fall. So as heavily treed as it is, Commonwealth can take salvage in the fact is not alone as tree problems pervade the majority of mature courses around the country.

Solving these tree problems typically involves identifying (as a priority) the trees that are negatively impacting golf play and/or proper turf management.

Arborist Review and Audit

An extensive review of Commonwealths trees has been done by the clubs consulting arborist Glen Waters (report attached) This report has assessed and mapped trees onsite. Not surprisingly with the age of trees on site with many over 50 years old and some of the species chosen there are problematic issues now with tree senescence, hazard and risk, negative impacts on turf quality due to wrong species and/or trees planted in the wrong locations where upon maturity they are now causing problems.

The key elements for tree management is to develop principles around management of existing trees to be retained. Assessment of tree value, health, life expectancy and hazard and risk by a professional arborist is important part of a process whereby the course superintendent, course architect/landscape architect and arborist develop a plan for management.

Significant/Historical Trees

The arborists report has identified high value and low value trees in different parts of the site. These must be considered in all proposed vegetation works as certain species can be detrimental to attempts to restore areas of heathland.

Significant trees included some large mature specimens of exceptional quality (refer to image and list). Culturally the row of Peppercorns (*Schinus molle*) on the right of hole 17 holds historic value to some members. Other trees on the course may well have the same value and these require further discussion.

We must respect the significant and culturally important trees during their lifetime on site. That said when these trees finally do succumb to senescence, their 80 plus year role will have ended and the question remains - what to replace them with? The same species once again? Perhaps not if these trees were preventing a high level of proper landscape restoration true to the local species of the site.

Tree Weed Species

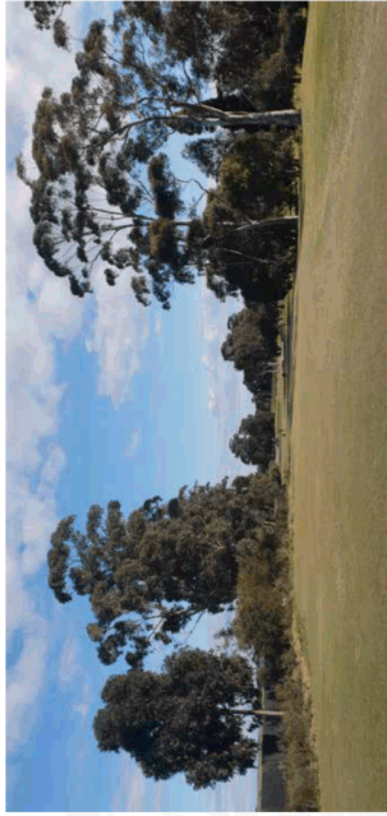
A lot of the exotic tree species originally from outside of Australia along with numerous exotic native trees create a lack of coherence to the landscape as they not only look out of place in form, height, colour and texture, they are also detrimental to establishing and restoring the local plant communities and heath.

As tree junk (or tree weeds) they are the unwanted species in any course landscape restoration programme and are not to be replaced with the same species again. They are to be slowly removed as they reach the end of their life span.

Other Tree Junk are trees planted too close to the tees, fairways and greens and should be removed to restore the original sightlines, play lines and even original fairway width in areas.

Examples of problematic tree weed species on the golf course are:

- ▶ Cypress (*Cupressus macrocarpa*)
- ▶ Cedar (*Cedrus deodara*)
- ▶ Cedar Wattle (*Acacia elata*)
- ▶ Fig Tree (*Ficus* spp)
- ▶ Mahogany Gum (*Euc. botryoides*)
- ▶ Radiata Pine (*Pinus radiata*)
- ▶ Strawberry Tree (*Arbutus* spp)
- ▶ Swamp Cypress (*Taxodium distichum*)



Tree Scale

Trees if exceedingly tall or too large a canopy as grand as they can be can also overly dominate a golf hole. To the point of which the golf features of landform and bunkering re overpowered viciously by the treed vegetation. The rear of the first green is a case in point (insert image)

Example: When a few dominant trees were removed from behind the bunker left of the 12th green to allow heathland vegetation planting works the bunker visually jumped and the hole felt wider and more powerful.

This type of most positive transformation needs to be considered in other parts of the course where careful editing of trees to respect the course architecture and a replacement with ground plane flora can really improve the course.

The Mahogany trees on the left of hole 6 are a classical example of a dominant left frame that overpowers the smaller trees on the right of the hole the sheer height of these trees sees them out of proportion with the golf hole, where the height of the trees is possibly taller than the fairway is wide.

Trees and Turf Quality

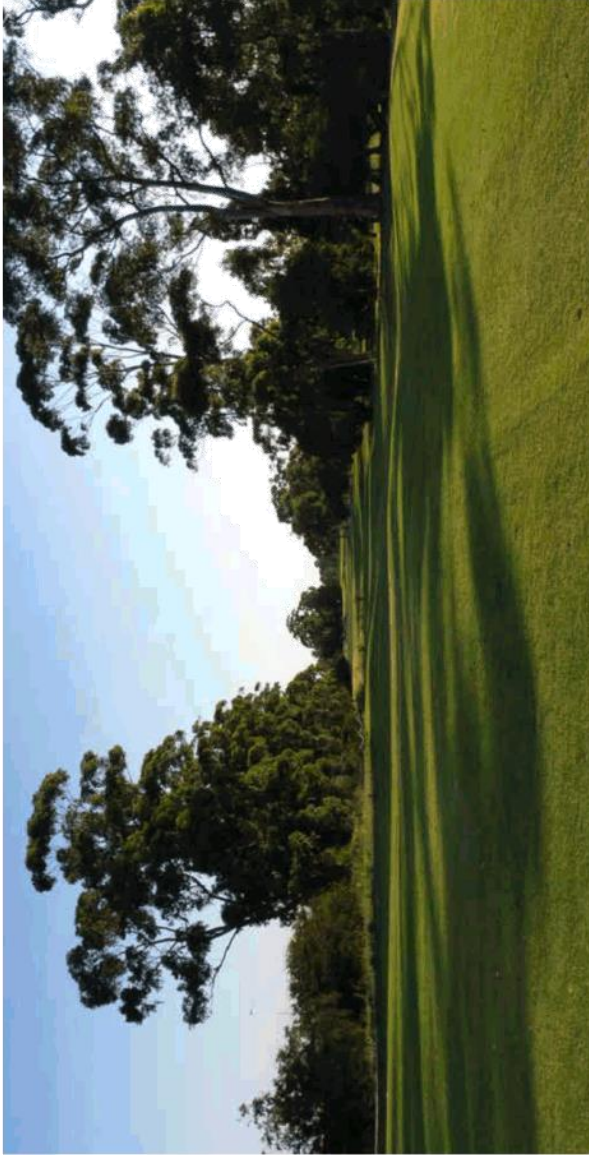
Poorly located trees and of problematic species can have significant adverse affect on turf quality as roots compete for nutrients and water, and the canopy reduces airflow and causes shade issues.

The shading of the more important turf areas of tees and greens particularly during winter with lower light levels and shorter days can severely impact turf growth and cause turf stress. Tree canopy on the eastern and northern side of turf areas is typically problematic.

Critical during winter months is for the turf to receive sun light in the morning to activate photosynthesis in the leaves and maintain healthy turf growth.

The clear principle in this regard is to reduce existing tree competition on turf growth by canopy thinning, root pruning and/or tree removals in highly problematic areas.

Future tree plantings need to ensure the species selection and placement should avoid large non-indigenous trees. Avoid planting of trees in mown turf areas (parkland look) Trees should be located well back from mown turf areas and be in the naturalised and non-irrigated roughs and heathland areas.



Vegetation & Landscape Design Principles

Role of Flora on the course

Flora on a golf course has a range of wonderful roles. It does not only look comfortable in its fit with the land, but there are many other roles it plays, such as providing visual identity and memorability.

When flora is seamlessly integrated throughout, then a course will not only look comfortable in its fit with the land, but there can be a complete timeless quality to it.

Vegetation is a key part of the physical setting of tees, bunkers and greensites. It can visually separate areas with density, whilst the lack of taller vegetation can open up views and vistas through the course.

A broad range of flora species (refer flora schedule) provides seasonal flowering, a range of foliage textures and colours for great interest.

Flora as part of the golf course roughs provides a degree of golfing hazard and perhaps more the further off line a shot is made. The key is management of the flora so that densities are not so great that ball loss causes frustration and slow play.

Ultimately flora plays an important biodiversity and fauna habitat role providing food and shelter for a diverse range of species from insects, amphibians, to mammals and birds. The diversity of fauna on the course is testament to a healthy ecological system.



Golfing Friendly Vegetation Areas

A discussed the golf course at Commonwealth provides a great opportunity to maintain, restore, and protect natural the five vegetation communities. Rare and endangered plant species can thrive and to be encouraged and protected on the golf course. This is particularly in non-play areas where disturbance is minimised and vegetation communities can thrive.

However, for the game of golf to cohabitate with the native vegetation the use of the flora needs to be done in a way that is sensitive to the game itself and be mindful of the areas where errant shots can frequently end up - i.e. we need to understand the golf play and establish golfing friendly areas.

Such areas require modified versions of vegetation communities to be established and managed whereby species selections are to be made carefully and plant densities are kept low. Plant heights are to be relatively low or kept low with maintenance practices.

A certain openness of the ground flora is to be maintained. Typically dominated by grass and sedge species with some dwarf plants. Low density will ensure inclusion of open dry sandy areas which all aids ball locating and recovery shots.

Certain taller species are to be set well back from the playing surfaces and where they will have less impact on play. This is all to ensure a balanced golfing friendly landscape that minimises the frustration of lost balls and the annoyance of slow play.

Views and Vistas

Assess key long views and short vistas both existing, historical and of future potential

On the scale of a course like Commonwealth there are key memorable long views both internally and externally. The key views are normally from the higher elevated parts of the site such as main hill of the 1st tees, the 8th green, 12th tees which affords long views down the playing corridors. The high point of the 3rd and 16th tees is another area from which much can be observed.

In terms of external views, the one to capture is the distant view of the Dandenong Ranges from elevated ground on the site such as the clubhouse and the 1st tees. The Clarinda land is also highly visible from several higher vantage points on the course and this relationship should be considered with the long term Masterplanning of the course and the Clarinda Land.

Less favourable views and vistas are the view from the 2nd green and 3rd hole across the lake, hole 16 and hole 4 to the commercial buildings outside of the course either on Jacks Road, along the northern edge of the Clarinda land, or distant buildings on Carroll Road. This commercial factory-built form is also visible from hole 17, and holes 4, 5, 15 tees.

The sight of tall vehicle traffic behind the 3rd and 16th green is a clear detractor to the experience of playing these particular holes.

In regard to internal vistas there are incredible opportunities at Commonwealth. There are some great vistas and clearly some degrees of openness and short vistas around the course. Extensive tree planting over the decades has had a

myopic effect and overly closed up views and vistas. There is a wonderful opportunity to reverse this. As an example, there is no doubt that the dense tree lined corridor approach on the edges of holes 18, 2, 13, 5 are creating a wall like barrier within the course and are blocking some great internal course vistas and views from the clubhouse and first tees. To create openings (windows) between the holes we can open up golfing vistas of the 14th and 5th greens. We could also open up a most powerful vista of the 2nd green.

Side views and vistas around a course are visually powerful and also have the added benefit of opening up areas to more airflow and light for better turf quality

There are numerous key views and vistas around the course internally (see attached plan)

Internal Views and vistas across the course should be opened up and encouraged. This will bring new dimensions and a greater sense of grandness to the course.

Clubhouse Views - from the clubhouse there are clear views down the first hole and the also of the 18th fairway and its green beyond the clubhouse. Beyond these views of the course are severely limited by the number and scale of mature trees creating continuous barrier of trees between hole 18 and 2.

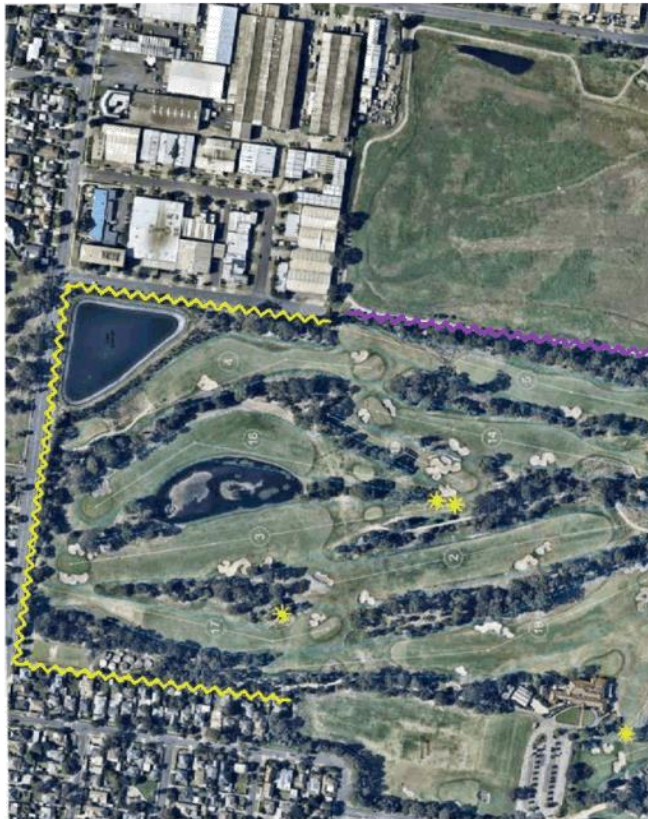
There opportunity here is to create key view windows that would achieve a greater depth of long vista from the clubhouse and right across the course to the 5th and 13th green complex. Similarly another powerful view of the 2nd green from the clubhouse could be achieved by creating a window through the trees and creating a heathland at ground level



Views & Vista Plan

- 1.** From clubhouse across the 18th fairway , through heath woodland to the 2nd Green
- 2.** From clubhouse across the 18th fairway and second fairway to vegetation on right of hole 2
- 3.** From the first tees across the course and to glimpses of Dandenong Ranges
- 4.** From clubhouse across 18th green and to glimpses of the 13th and 5th greens
- 5.** View of the 18th green from the clubhouse
- 6.** View of the entire 1st hole from the 1st tee
- 7.** View back down the 8th hole from high hill above green
- 8.** View down the 12th hole from the tees on high hill



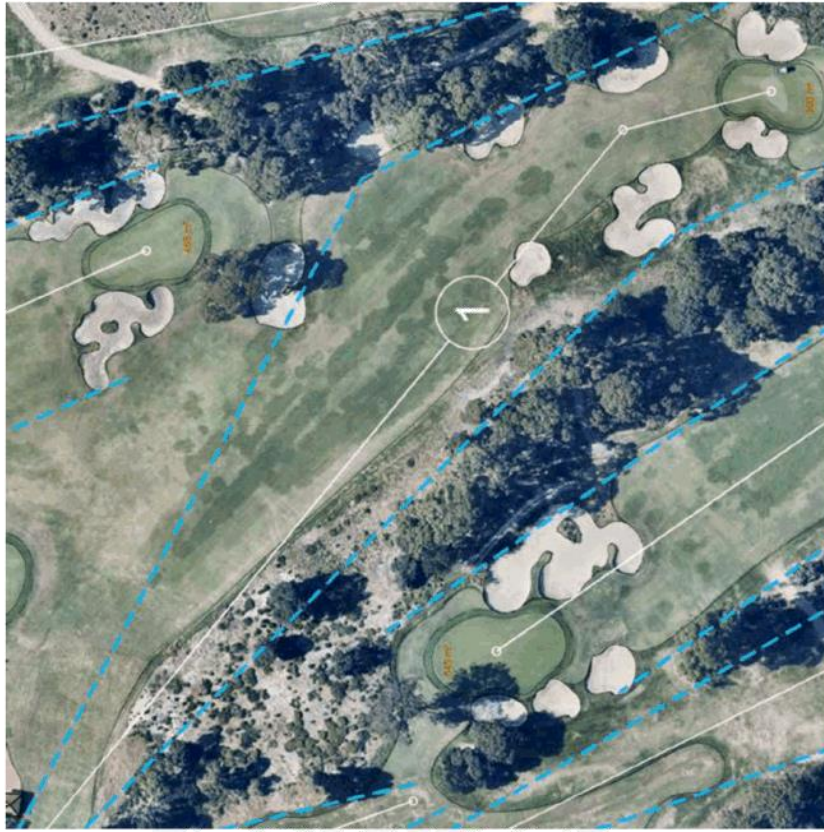


Screening of built form and outside traffic

Screening of undesirable visual elements. The golf clubhouse and golf shelters are the only built form that golfers should see when playing a round of golf. Any other built form should be screened using vegetation and, if necessary, assisted with fencing of appropriate materials (e.g. brushwood). Internally built form and undesirable visual elements are items such as the maintenance facility, burmhouse, carpark, tanks, storage areas and boundary fencing.

Externally buildings such as houses and commercial buildings both adjacent to the course boundary and distant are to be screened. Power poles/stanchions plus visuals of any vehicle traffic on adjoining roads such as Centre Dandenong road are to be screened





Play lines and Sightlines

It is most important that vegetation and in particular trees (trunks and tree canopy) does not block the sightlines and play lines on a golf hole. The key features on a golf hole (i.e. the fairway, hazards/bunkering and greens) should never be blocked by vegetation as viewed from:

- a) the left and right sides of all tees (back, middle and forward tees)
- b) left and right side of the fairway at the key landing areas.

Trees and vegetation blocking play lines will add to frustration and slow up play. (insert image). It will also see favourable sides of tees being used and the side where vision is blocked not being used.

Similarly, trees at a course of the calibre of Commonwealth should never form part of the key strategy of any golf hole. This is the fundamental role of the course architecture

The following 18 hole by hole aerial imagery with accompanying notes shows play lines and sight lines for each hole. It identifies problematic vegetation that is compromising course management, course architecture and course landscape architecture.







Carries

The areas between tees and fairways known as carries are really a subset of the golf course roughs. These non-irrigated areas are a really important feature of the sand belt courses and Commonwealth. They may not exist on every hole and sometimes comprise heath plants and sometimes turf and often depend on the terrain and degree of elevation of the teeing ground relative to the fairway.

Depending on the hole, the degree of elevation of the tees, and the teeing ground arrangement a key characteristic is low profile vegetation carry from tees to green. These carries may well not exist from the most forward tees where short rough or fairway may present itself but in principle the carries from the rear tees may range from 50 to 1000ms from the tee to the beginning of the fairway.

Non-irrigated Vegetation carries are a key characteristic of the course. Density, height of plant species and plant selection based on soil and moisture levels are key. Carries should be manageable and have some degree of exposed sand and a density that can allow the location of a mist hot tee shot. Key too is to integrate paths throughout the carries (sometimes more than one) which are sandy by nature and then can blend visually with the sandy waste element or partially screened by landform and vegetation.

Like the roughs on the outer sides of fairways or bunkers the carries are non-irrigated ground comprising low heath species, unkempt grasses and at times areas of exposed sand. The degree of carry distance will of course vary between tees and the tee offsets with the least and at times no carry to the fairway off the forward tees with at times 100m of carry from the back tees (insert examples of Comm carry images).

Carries really are a part of a vegetative tee setting and when successful they seamlessly connect back into vegetation to the sides of tees or even across into adjacent hole as a vegetative whole (e.g. hole 8 tees to 12th green insert image)

Framing / Defining of Golf Holes

Vegetation has the important role of creating the setting and framing of golf holes.

Framing - When it comes to trees their sheer scale sees them become the dominant form and element of the golf hole framing. Trees in mown turf is the classical parkland look. Where the frame becomes defined by vertical nature of tree trunks or even an inward leaning and overhanging element of branches and high canopy. (insert image)

At Commonwealth the key is to have trees located well back from the fairway edge in the non-irrigated and naturalised rough areas. This allows for the frame to be a transition from treeless mown turf areas through naturalised grasses, smaller plants, and working up to taller understory shrub species. This laid-back framing (insert image) is a grander space. The scale of understory species is used to define the ground plane and screen views whilst tree canopy rising behind is the high but set back element of the frame



**Bunker Settings –
Vegetation Bunkers**

The hazard of a Bunker coexisting with naturalised low-profile vegetation is a key element of Sandbelt golf and golf at Commonwealth.

It is quite common for bunkers to be set into vegetation (rather than a full mown turf setting (insert pics of turf setting and vegetation setting)). For vegetation to be part of the rear bunker edges and even part of the bunker capes and tongues (insert pic). That bunkers are the first line of hazard and the heath vegetation at the rear or to the outer side the second line of hazard.

Occasionally bunkers may be planted with some islands of heath vegetation in the base to stabilise the bunker base and trap windblown sand. These features can also be very attractive in a large scale bunker.



Green Settings

When we think of different greens around the course there setting is most often provided by a backdrop of vegetation and landform. Sometimes this vegetation is directly behind a green such as Hole 1 or at other times the back drop can be the vegetation of the hole behind in the case of Hole 8 with the green sitting high and getting up close to the horizon the back drop to this green is the more distant tree canopy behind the 9th green and 11th green and of the left boundary of the driving range.

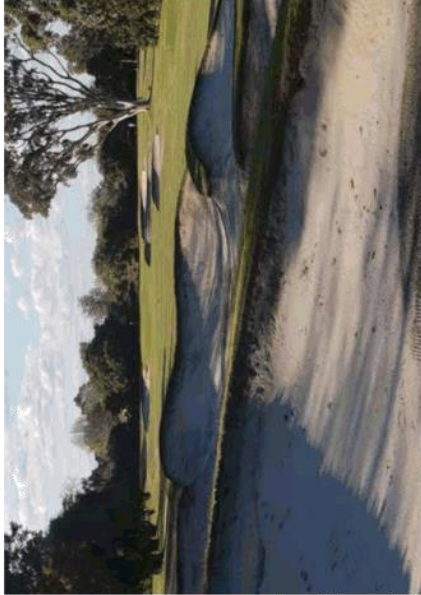
There key for interest and deception of distance is not every green should have a close back drop behind but a variation throughout the 18 holes of a mix of landform, treeless heath, mown turf, and trees both close and further away.

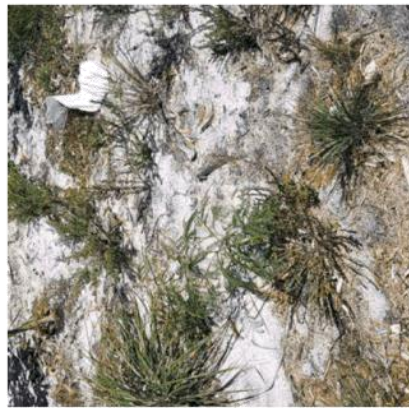
Roughs

The roughs on the courses of the sandbelt are most often defined by the absence of irrigation and degrees of sandiness, naturalised grass cover of warm season (couch) and a range cool season (bents, fescues, native) grasses, through to vegetative cover of heath type species.

In great contrast to verdant mown fairways these roughs exhibit grey to white sandiness, straw yellow colours of matured seasonal grasses during dry months, and the wonderful textures, colours and form of the heath land species. There is great variation in density, sandiness and seasonal colour in the roughs and it is these features and the great contrast that truly creates a wonderful setting for golf. The lighter density starts of the fairway edge where naturalised grasses and sedges transition into heath shrub. This is key to Melbourne Sandbelt golf.

New lush spring growth of grasses in the roughs is quite normal for the months of September through to November and as these grasses mature and flower there is the transition to a sparser and more open golden colour to the grasses as they brown off and more sand appears. This seasonal changing of character of the roughs is part of Commonwealth and several other of the Sandbelt courses





Sandiness

Sandiness and natural thinning out of rough in dry hot summer periods is part of the normal character of sandbelt golf. Visual sand is to be encouraged, indeed celebrated. The sand at Commonwealth typically packs firm, provides a good golfing surface and plays an important role in the visual contrast with irrigated mown turf.



Safety

Vegetation as physical Separation for internal and external safety

There is no doubt that vegetation has an External Safety role (balls leaving the golf course property) and Internal Safety role. The physical canopy of a grouping of trees can trap ball flight. Whilst areas of ground flora can be a physical barrier too.

Vegetation and the fear of losing a ball in dense vegetation the further away one strays from the fairway edge can be a remarkable deterrent employed for safety reasons.

The use of vegetation in safety is to be integrated with golf course design considerations and dimensions to boundaries or adjoining golf holes

Minimization of mown turf non-play areas

Nearly every golf course has its areas mown true which are non-play and unused areas. Time and money are spent mowing their areas, most often out of habit than the area having any golfing function. Sometimes it is older types of irrigation system where overthrown into these areas means they need to be managed/mown.

These areas are to be identified on the course and then over time converted to low input naturalised roughs. To only will this save time and money if will create new ecological habitat.

Paths – materials location, screening.

Tee to fairway walks and green to tee walks along with the need to supporting golf cart traffic, and maintenance vehicle traffic, means that paths are a part of the course in areas where turf connections between holes don't exist.

Paths can be an unsightly but necessary element. Importantly should not visually detract from a hole or be sited too close to play where they may have an impact. Where possible the visual impact of paths should be minimised by careful location and possible screening with subtle land shape and low height vegetation. If paths can be less formal sandy tracks as part of a sandy waste then their visual impact is far less as well.

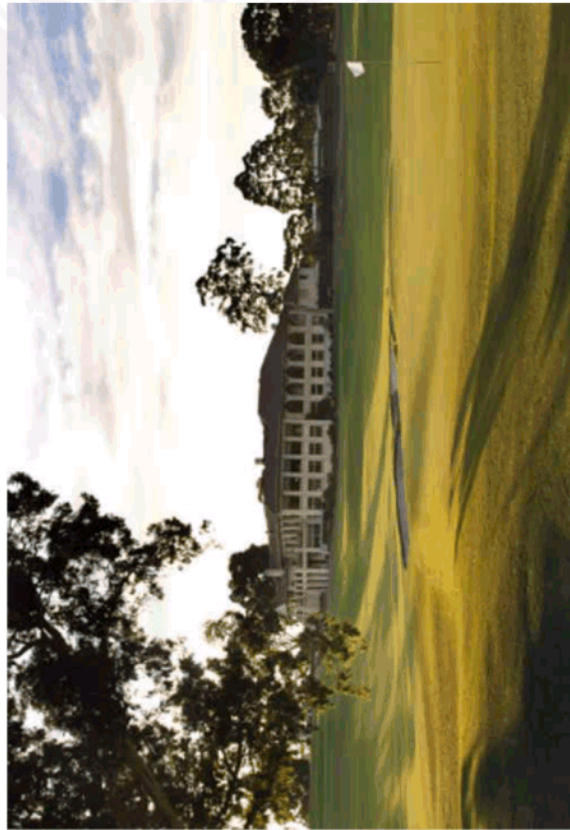
The choice of material for paths is critical and should be kept to a very low palette range on the course. The choice of a) compacted site sand is the most natural and subdued path that can be achieved (e.g. 8th tees) in high wear areas with shared vehicle access then b) compacted granitic sand handles wear well. At the interface with the clubhouse and in a more formal sense the high traffic areas of the club house precinct means that concrete with exposed aggregate is a good solution.

Refer to and identify underlying historical geology and existing soil types and soil/sand environments (as per studies completed)

Current tree survey and tree mapping. Tree health, hazard and risk, life expectancies

Golf Course interface with the clubhouse

It is holes 19, 10, 18 that have the closest interaction with the clubhouse. On the golfing side of the clubhouse a relatively uncluttered and simple look of the clubhouse sitting in mown turf is far more favourable than unnecessary embellishment and frills of domestic garden plantings.



Planning Principles

Every square inch of CCC is valuable, whether its turf surfaces, sandy ground, sandy heathland, sedge/land or wooded heath, damp or dry soils, and areas of lake /wetland. The sand-based land is precious and should always be first priority for the golf holes.

The key planning principle for any site Masterplanning, course Masterplanning, course remodelling & restoration works proposed for the course is they all need to be very well considered and a holistic way whereby vegetation is a critical and integrated component to the design process. Not an afterthought or just window dressing of the course.

Golf Course Landscape Design Principles - the role of flora on the course and as it relates to the broad areas of the site right down to particular areas covering but not limited to:

Vegetation Green to Tees

The arrangement of holes on the property and the proximity of a green on one hole to the tee on the next has an impact on the type and length of walk from one hole to the next.

Walks from greens to the next tee can vary from a tightly mown turf directly from a green surround connecting across to the teeing ground (e.g. inset pic). Tightly mown turf has become a key design element recent year at some courses and this openness and width of turf has benefits to spreading golf traffic and turf wear.

Where the arrangement has meant distances from one hole to another are longer walks and where the walk from tee to fairway is long through naturalise carries allow this then formalised paths / tracks are required.

Commonwealth Flora Schedules

Krusse Golf and the club are in the process of developing the following definitive plant lists of the flora to be used in all future planting works on the course. The flora list will be unique to this site and Commonwealth GC.

It will be the guiding document for all golf course plant selections for the future and will seek to minimise the risk of incorrect plantings occurring in the following century of the course's history.

This flora list is also the principle and guide for plant replacements when existing non plant list species are removed from the course. A large Cypress or Pine or a Melaleuca armillaris when removed is not to be replaced by the same species, but by a suitable range of plants from the Commonwealth list.

The following Commonwealth Golf Club plant species list is a draft list for final consideration by the club before it is ratified. It is based on the current Ecological Vegetation Classifications

EVCs that once occurred on site prior to settlement and land disturbance.

These lists contain local indigenous plant species to be used in the restoration of natural plant communities and also representative modified facsimiles of plant communities. The use of local species will be done with golfing play considerations around appropriate species densities and heights relative to the location of golfing activity.

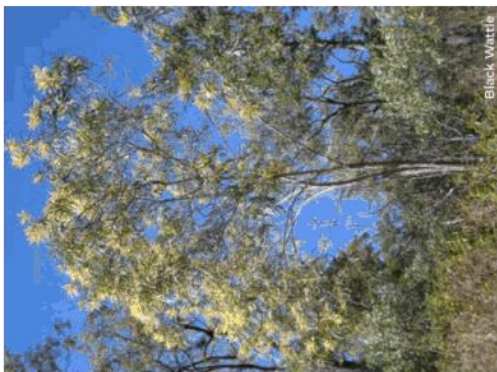
By nature, several of the species on this list are rare, or difficult to procure and propagate. The role of the golf course will be to challenge the nursery industry to propagate and grow some of the more difficult species. Time will be on the club's side as any vegetation programme of planting will take 35 to 10 years depending on resources and the availability of plants. The key will be a well organised

EVC 048
HEATHY WOODLAND

Widespread woodland to 15 metres in height on well drained deep sands and dunes of low fertility. Originally widespread and now rare it is dominated by Manna Gum or Narrow Leaved Peppermint with Heath Tea Tree or Austral Grass tree as the main understorey. Without the Eucalypt canopy the area is typically sand Heathland EVC 006

Trees	Black Wattle	Snowy Daisy-bush	Chirocephalid apiculata	Common Everlasting
<i>Acacia mearnsii</i>				
<i>Acacia melanoxylon</i>				
<i>Allocasuarina littoralis</i>				
<i>Banksia marginata</i>				
<i>Eucalyptus cephalocarpa</i>				
<i>Eucalyptus radiata</i>				
<i>Eucalyptus ovata</i>				
<i>Eucalyptus viminalis</i> ssp. <i>pyrifera</i>				
<i>Eucarpus cupressiformis</i>				
Shrubs				
<i>Acacia aycetrus</i>				
<i>Acacia paradoxa</i>				
<i>Acacia suaveolens</i>				
<i>Allocasuarina paradoxa</i>				
<i>Amperea xiphocarpa</i>				
<i>Aotus ericoides</i>				
<i>Asroloma humifusum</i>				
<i>Bossiaea cinerea</i>				
<i>Brachyoloma ciliatum</i>				
<i>Cassinia aculeata</i>				
<i>Correa reflexa</i>				
<i>Dillwynia cinerascens</i>				
<i>Dillwynia glaberrima</i>				
<i>Epacris impressa</i>				
<i>Hibbertia acicularis</i>				
<i>Hibbertia fasciculata</i>				
<i>Hibbertia riparia</i>				
<i>Hibbertia sericea</i>				
<i>Hibbertia stricta</i>				
<i>Hovea heterophylla</i>				
<i>Isopogon ceratophyllus</i>				
<i>Kunzea ericoides</i>				
<i>Leptospermum continentale</i>				
<i>Leptospermum myrsinoides</i>				
<i>Leucopogon australis</i>				
<i>Leucopogon ericoides</i>				
<i>Leucopogon virgatus</i>				
<i>Monotoca scoparia</i>				
<i>Olearia lirata</i>				
<i>Olearia ramulosa</i>				
<i>Ozothamnus ferrugineus</i>				
<i>Pelargonium inodorum</i>				
<i>Pimelea humilis</i>				
<i>Pimelea octaphylla</i>				
<i>Pimelea phyllifolias</i>				
<i>Platylobium obtusangulum</i>				
<i>Richocarpos pinifolius</i>				
<i>Stackhousia monogyna</i>				
<i>Solanum laciniatum</i>				
<i>Tetrateuca ciliata</i>				
<i>Theilomania coespitosum</i>				
Grasses & Sedges				
<i>Austroranthia geniculata</i>				
<i>Austroranthia setacea</i>				
<i>Deyeuxia quadrifida</i>				
<i>Dianella revoluta</i>				
<i>Gahnia radula</i>				
<i>Gahnia sieberiana</i>				
<i>Isolepis marginata</i>				
<i>Lepidosperma concave</i>				
<i>Lepidosperma laterale</i>				
<i>Lepidosperma longitudinalinal</i>				
<i>Lomandra filiformis</i>				
<i>Lomandra longifolia</i>				
<i>Microkrama stipoides</i>				
<i>Poa labillardierei</i>				
<i>Poa maritima</i>				
<i>Xanthorrhoea australis</i>				
<i>Xanthorrhoea minor</i>				
Ground covers				
<i>Acirothus pallus</i>				
<i>Acritoches serrulata</i>				
<i>Arthropodum strictum</i>				
<i>Burchardia umbellata</i>				
<i>Cassia parviflora</i>				
<i>Centroleiodes strigosa</i>				
<i>Chipolatas reflex</i>				
<i>Chirocephalid apiculata</i>				
<i>Dichonata repens</i>				
<i>Drosera micrantha</i>				
<i>Drosera peltata</i> ssp. <i>auriculata</i>				
<i>Drosera Whitaker</i>				
<i>Monocarp humilis</i>				
<i>Monocarp micrantha</i>				
<i>Monocarp tetragonis</i>				
<i>Coodenia geniculata</i>				
<i>Coodenia humilis</i>				
<i>Hydrocotyle hirta</i>				
<i>Hydrocotyle laxiflora</i>				
<i>Hypericum gramineum</i>				
<i>Hypolaena fastigiata</i>				
<i>Kernedia prostrata</i>				
<i>Lagenophora stipitata</i>				
<i>Opercularia varia</i>				
<i>Patersonia occidentalis</i>				
<i>Platysace heterophylla</i>				
<i>Pseudognaphalium luteoalbum</i>				
<i>Pterostylis longifolia</i>				
<i>Pterostylis nutans</i>				
<i>Senecio glomeratus</i>				
<i>Senecio hispidulus</i>				
<i>Solenogyne gurnii</i>				
<i>Trachymene composita</i>				
<i>Veronica plebeia</i>				
<i>Viola hederacea</i>				
<i>Xanthosia pusilla</i> spp. agg.				
Ferns				
<i>Lindsaea linearis</i>				
<i>Pteridium esculentum</i>				
Climbers, epiphytes				
<i>Amynema pendula</i>				
<i>Billardiera scandens</i>				
<i>Cassytha glabella</i>				
<i>Cassytha pubescens</i>				
<i>Clematis microphylla</i>				
<i>Clematis comesperma valvula</i>				
<i>Acacia mearnsii</i>				
<i>Blackwood</i>				
<i>Black Sheoak</i>				
<i>Silver Banksia</i>				
<i>Mealy Stringybark</i>				
<i>Narrow-leaf Peppermint</i>				
<i>Swamp Gum</i>				
<i>Coast Manna Gum</i>				
<i>Cherry Ballart</i>				
<i>Spike Wattle</i>				
<i>Hedge Wattle</i>				
<i>Sweet Wattle</i>				
<i>Green Sheoak</i>				
<i>Broom Spurge</i>				
<i>Common Aotus</i>				
<i>Cranberry Heath</i>				
<i>Showy Bossiaea</i>				
<i>Fringed Brachyoloma</i>				
<i>Common Correa</i>				
<i>Grey Parrot-pea</i>				
<i>Smooth Parrot-pea</i>				
<i>Common Heath</i>				
<i>Prickly Guinea-flower</i>				
<i>Bundled Guinea-flower</i>				
<i>Erect Guinea-flower</i>				
<i>Silky Guinea-flower</i>				
<i>Upright Guinea-flower</i>				
<i>Common Hovea</i>				
<i>Horny Cone-bush</i>				
<i>Burgan/Tick Bush</i>				
<i>Prickly Tea-tree</i>				
<i>Heath Tea-tree</i>				
<i>Spike Beard-heath</i>				
<i>Pink Beard-heath</i>				
<i>Common Beard-heath</i>				
<i>Prickly Broom-heath</i>				
<i>Snowy Daisy-bush</i>				
<i>Twiggy Daisy-bush</i>				
<i>Tree Everlasting</i>				
<i>Kopata</i>				
<i>Common Rice-flower</i>				
<i>Woolly Rice-flower</i>				
<i>Heath Rice-flower</i>				
<i>Common Flat-pea</i>				
<i>Wedding Bush</i>				
<i>Creamy Stackhousia</i>				
<i>Large Kangaroo Apple</i>				
<i>Pink-bells</i>				
<i>Tufted Lily</i>				
<i>Kneed wallaby-grass</i>				
<i>Bristly Wallaby-grass</i>				
<i>Reed Bent-grass</i>				
<i>Black-anther Flax-lily</i>				
<i>Thatch Saw-sedge</i>				
<i>Red-fruit Saw-sedge</i>				
<i>Little Club-sedge (facinal)</i>				
<i>Sandhill Sword-sedge</i>				
<i>Variable Sword-sedge</i>				
<i>Pitby Sword-sedge</i>				
<i>Wattle Mat-rush</i>				
<i>Spiny-headed Mat-rush</i>				
<i>Weeping Grass</i>				
<i>Tussock-grass</i>				
<i>Soft Tussock-grass</i>				
<i>Austral Grass-tree</i>				
<i>Small Grass-tree</i>				
<i>Small Mosquito Orchid</i>				
<i>Honey-pots</i>				
<i>Chocolate Lily</i>				
<i>Milkmaids</i>				
<i>Pale Grass-lily</i>				
<i>Hairy Centroleiodes</i>				
<i>Autumn Bird-orchid</i>				

HEALTHY WOODLAND



HEATHY WOODLAND



HEALTHY WOODLAND



Sweet Wattle



Twiggy Daisy Bush



Austral Grass-tree



Woolly Blackberry



Ender Dodder-laurel



Woolly Blackberry



Woolly Blackberry



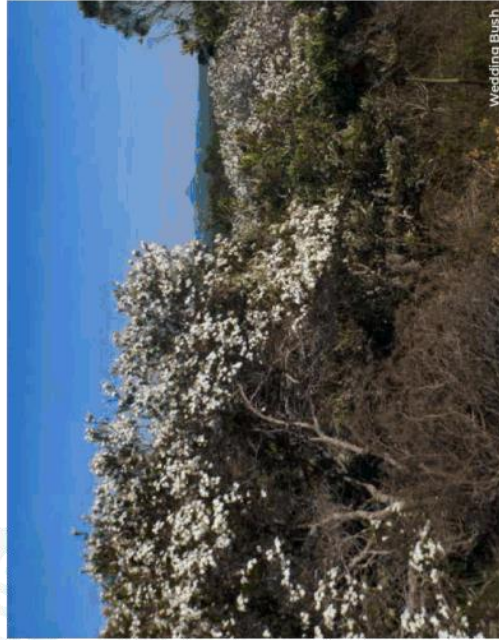
Red-tailed Sawtooth



Trailing Speedwell



Wattle Mac-rush



Wedding Bush

HEATHY WOODLAND









Broad Watermilfoil



Common Love Grass



Swamp Selaginella



Spreading Rope Rush



Australian Elaeocharis



Speckled Arrowgrass



Slender Swine Rush



Swamp Schoberia



Angled Lobelia



Long Purple Flag



Creeping Paperwort



Square-twigged Sedge



Centella

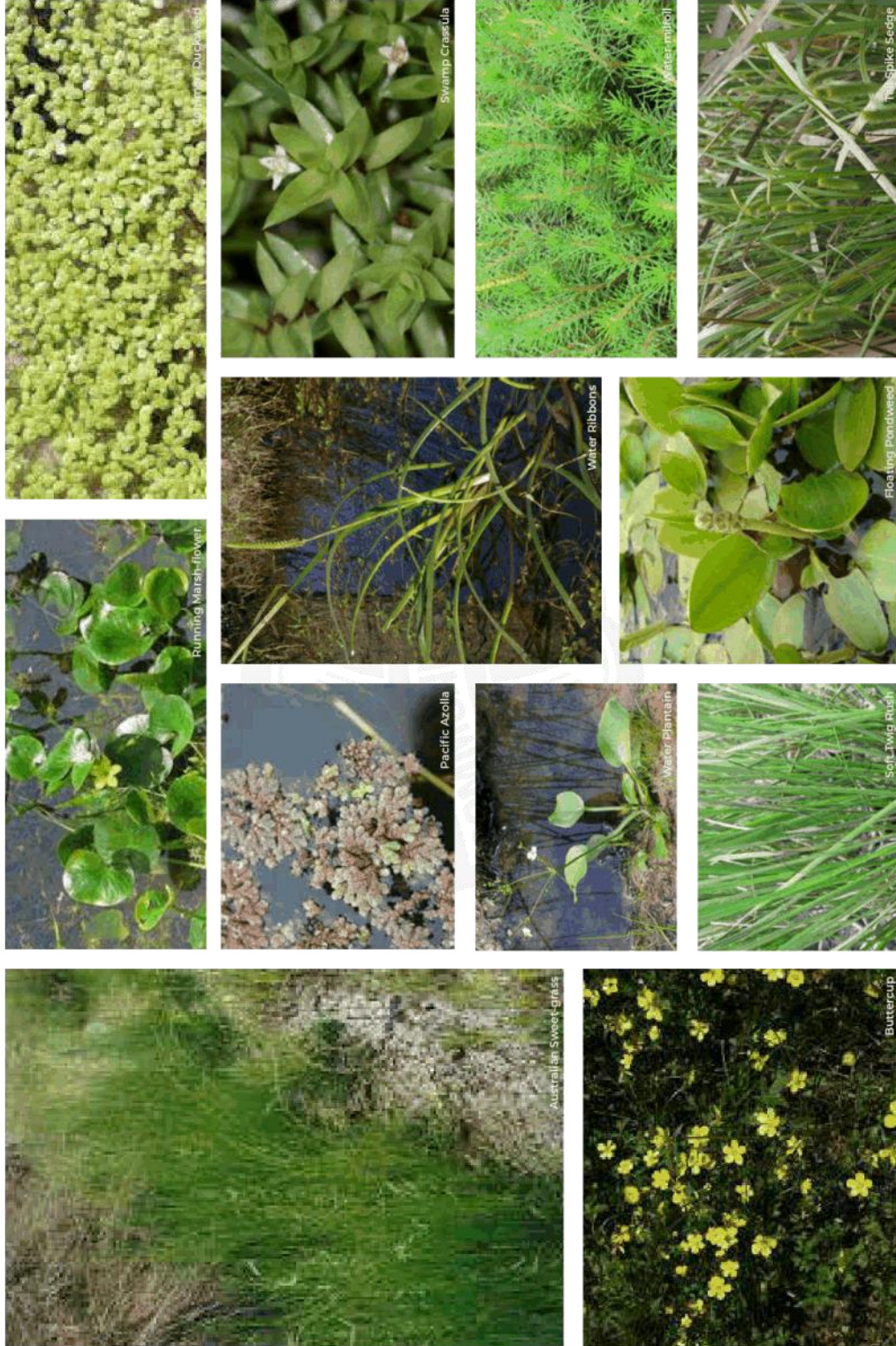
EVC 653 AQUATIC HERBLAND

Rare and endangered plant community once widespread in wetland areas prior to settlement. An herb and sedgeland combining submerged and floating aquatic species of deep and inundated wetlands. Vegetation typically less than 0.5metres tall and area adjacent to Sedge Wetland areas EVC 163. Tall Spike Sedge, Water Ribbons, Twig Rush and Running Marsh flower are the identifiable dominant plants. At Commonwealth this vegetation is associated with the main lake environment.

Grasses

<i>Glyceria australis</i>	Australian Sweet-grass
<i>Lachnagrostis filiformis</i>	Common Bloxin-grass
<i>Alisma plantago-aquatica</i>	Water Plantain
<i>Azolla filiculoides</i>	Pacific Azolla
<i>Baumea rubiginosa</i> s.l.	Soft Twig-rush
<i>Crassula helmsii</i>	Swamp Crassula
<i>Elatine gratioloides</i>	Waterwort
<i>Eleocharis sphacelata</i>	Tall Spike-sedge
<i>Isoplepis fluitans</i>	Floating Club-sedge
<i>Lemma disperma</i>	Common Duckweed
<i>Lilaeopsis polyantha</i>	Australian Lilaeopsis
<i>Myriophyllum</i> spp.	Water-milfoil
<i>Potamogeton tricaratus</i>	Floating Pondweed
s.l.	
<i>Ranunculus</i> spp.	Buttercup
<i>Triglochin procerum</i>	Water Ribbons
<i>Vallisneria spiralis</i>	Running Marsh-flower





EVC 308 AQUATIC SEDGE LAND

Widespread but species-poor vegetation dominated by one to several species of robust inundation-tolerant rhizomatous sedges extending into virtually permanent water. Associated with Aquatic Hermland EVC 655.

Various combinations of one or more of the following species

<i>Baumea articulata</i>	Jointed Rush
<i>Baumea rubiginosa</i>	Soft Twig Rush
<i>Chorizandra australis</i>	Austral Sedge
<i>Chorizandra cymbaria</i>	Heron Bristle Sedge
<i>Eleocharis sphacelata</i>	Tall Spike Rush
<i>Crassula helmsii</i>	Swamp Crassula
<i>Elatine gratioloides</i>	Waterwort
<i>Eleocharis sphacelata</i>	Tall Spike-sedge
<i>Isoplepis fluitans</i>	Floating Club-sedge
<i>Lemna disperma</i>	Common Duckweed
<i>Lilaeopsis polyantha</i>	Australian Lilaeopsis
<i>Myriophyllum</i> spp.	Water-millfoil
<i>Potamogeton tricarlinatus</i> s.l.	Floating Pondweed
<i>Ranunculus</i> spp.	Buttercup
<i>Triglochin procerum</i>	Water Ribbons
<i>Vallisneria spiralis</i>	Running Marsh-flower





Sustainability & Sustained Amenity

A sustainable golf course landscape is desirable. It is an enduring one that strikes an ecological balance of flora and avoids depletion of its resources through its own natural regeneration. It typically relies on natural inputs and thereby avoids high levels of maintenance input.

As seen at Commonwealth these areas are not completely maintenance free with the biggest threat being weed invasion. The need for tools such as fire to assist in the natural cycles of regeneration and replenishment.

As stated previously a golf course landscape and its vegetation is never static. Plants have life cycles that may be only a few years for the short lived whilst other plants such as some of the tree species will live for over a hundred years. Many of the heathland species and areas will go into decline after 12 to 15 years. So, the principles of sustainability need to understand the lifecycles



Biodiversity & Ecological Principles

As seen in the Commonwealth Flora list the site geology of aquatic, and damp areas through to dry terrestrial areas of low fertility supports 5 EVCs. More than any other course on the sandbelt. These provide for a great diversity of plant species, in fact over 120 species.

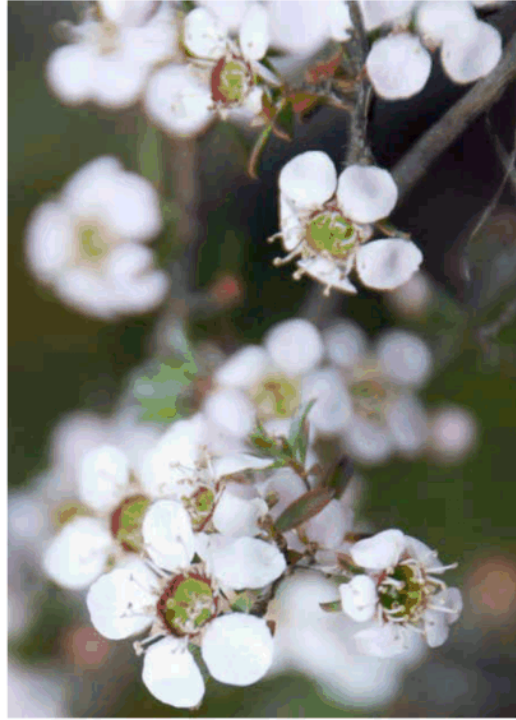
With such a range plant communities and plant species from aquatic plants, through damp and dry ground heathland flora, to tall tree canopy, the vegetation at Commonwealth can potentially provide food sources and shelter for a great range of fauna species - fish, insects, amphibians, birds, and mammals.

A great fauna diversity on the course is testament to a healthy ecosystem. The creation of fauna habitat on the golf course is very important. There is a most valuable role the golf course can play right now in helping to sustain many species of fauna. Planting of the local plant species is most significant to help protect and sustain fauna including threatened, rare, or endangered species.

Commonwealth has the potential to be the golf course with the richest biodiversity in the Sandbelt. With ecological and biodiversity principles being the main foundation for the establishment of all vegetation areas of the golf course, there is real potential for the golf course to become a regionally significant ecological link and fauna sanctuary in this area of Melbourne.

Ultimately of course a great and healthy biodiversity on site will add to the golfing experience for members and guests. Whether it is observing a plant in seasonal flower, or a black cockatoo feeding on seed pods of a Banksia. From the smallest of insect, marsupial or lizard breeding amongst native grass and heath, or bees pollinating flowers, the role of the vegetation on the course will have great benefits for generations to come.





The Key Landscape & Vegetation Principles



- 1.** The club highly values and is committed to protect, manage, restore, and replenish remnant areas of local indigenous vegetation on the course.
- 2.** Flora communities are to be planned and managed as biologically diverse areas of fauna habitat, with habitat values of food and shelter to be encouraged.
- 3.** Flora is a key part of the golfing experience at Commonwealth golf club from the smallest of low ground flora species through to tall tree canopy.
- 4.** The club will use only local flora species and preferably of local provenance as per the Commonwealth Plant List for all areas within the course environs.
- 5.** The club recognises that part of its role and responsibility as a careful land manager is to protect and manage rare and endangered plant species and also encourage their propagation and use on the course.
- 6.** Tree form should not play a strategic role in the golf course design. Ground flora may provide a form of low-profile hazard associated with other golfing hazards such as bunker settings, water hazards, and roughs.
- 7.** As a sandbelt course visual sand and sameness of non turf area is a key landscape element. Exposed sand, sandy wastes, sandy tracks, and bunkering all contributes to the key style and image. Sand is to be revealed and celebrated not covered up. The varying degrees of exposing sand or particularly covering it with flora at appropriate densities, consummate with the likely hood of balls entering an area, is to be carefully managed.
- 8.** It is critical that all non turf areas do not receive supplementary irrigation water additional to natural rainfall. Turf irrigation is to avoid overspray outside of turf areas, as this will be detrimental to the local heath. The only time supplementary water is to be considered is temporary supply for plant establishment purposes.
- 9.** Plants are to be allowed to grow free form with occasional slashing of low-profile plants and other pruning of poorly developing plants to encourage healthy growth. Hedging or formal trimming is to be avoided.
- 10.** Effective weed control of unwanted plant species that threaten the development of local indigenous plant communities and particularly heath is to be undertaken. Weeds can be tree species through to understory and ground flora species.
- 11.** Key views, vista and golfing sightlines on individual golf holes and from key viewing points (such as the clubhouse) are to be identified, kept and maintained.
- 12.** Paths are to be of a very limited palette of materials for overall landscape and visual integrity. The material of first choice is hard packed native site sand, and secondly compacted granitic required in high vehicle and maintenance vehicle trafficking areas. A concrete with exposed aggregate of colours sympathetic to the site sands for high traffic and more formal areas adjacent to the clubhouse but not out on the course.
- 13.** Vegetation and in particular tree species should not be planted or be left to remain where they have adverse effect on turf quality. Shading, reduced airflow, and root competition for water and nutrients by having vegetation too proximate to the key turf areas of greens, tees and fairways is to be avoided.
- 14.** Screening of undesirable visual elements. The golf clubhouse and golf shelters are the only built form that golfers should see when playing a round of golf. Any other built form should be screened using vegetation and if necessary, assisted with fencing of appropriate materials (eg. brushwood) internally built form and undesirable visual elements are items such as the maintenance facility, pump house, carpark, tanks, storage areas and boundary fencing. External buildings such as houses and commercial buildings, both adjacent to the course boundary and distant are to be screened. Power poles/stanchions plus visuals of any vehicle traffic on adjoining roads such as Centre Dandenong road are to be screened.
- 15.** All landform outside of the golf holes and golfing features should look natural. Slopes and shapes should not be obviously forced or be too steep. Straight lines and horizontal ridges are to be avoided with all shapes to reflect the natural shapes originally on site.
- 16.** The planting of areas is to involve the use of local species and plant associations that would naturally suit the particular conditions of each area with factors of soil/land type, moisture levels, aspect, and light levels

Application of Landscape and Vegetation Principles and Guidelines

When and how to apply the Landscape and Vegetation Principles and Guidelines

These principles and guidelines will apply to all vegetation areas and all non turf areas on the course. They will guide all management of course vegetation, planning and decision making of problematic areas, developing solutions, and ultimately the execution vegetation works on site.

Management, Course Design, Landscape Design, Course Landscape Implementation, Course Improvements Planning and Masterplanning, a reference for communications with members etc etc

Communication Tool – the document to be a communication tool for committees, members and local government agencies. It will demonstrate Commonwealth CC's value of

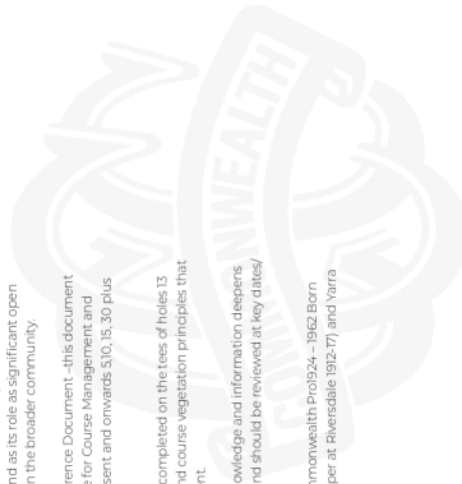
and commitment to local flora, biodiversity and responsible vegetation management and as its role as significant open greenspace manager within the broader community.

Educational Resource/Reference Document – this document to be the guiding resource for Course Management and Committees both from present and onwards \$10, 15, 30 plus years from now.

With the vegetation works completed on the tees of holes 13 and 8 we have applied sound course vegetation principles that are outlined in this document.

Evolving Document – as knowledge and information deepens this document will evolve and should be reviewed at key dates/ milestones

Young John, Jack Jock Commonwealth Pro1924 – 1962 Born St Andrews 1885 Green keeper at Riversdale 1912-17) and Yarra Yarra, 1919



Useful References

**Flora of Melbourne, Guide to the Indigenous
Plants of the Greater Melbourne Area, Edition 4**
by Marilyn Bull, 2014
ISBN: 9781866447229

**Indigenous Plants of the Sandbelt: A Gardening
Guide for South-Eastern Melbourne**
by Robert Scott and Jeannie Campbell, 2002
ISBN: 15978056800908

Commonwealth Vegetation Report
prepared by Biosis, 2015

Tree Survey and Management Report,
prepared by Glen Waters, 2020

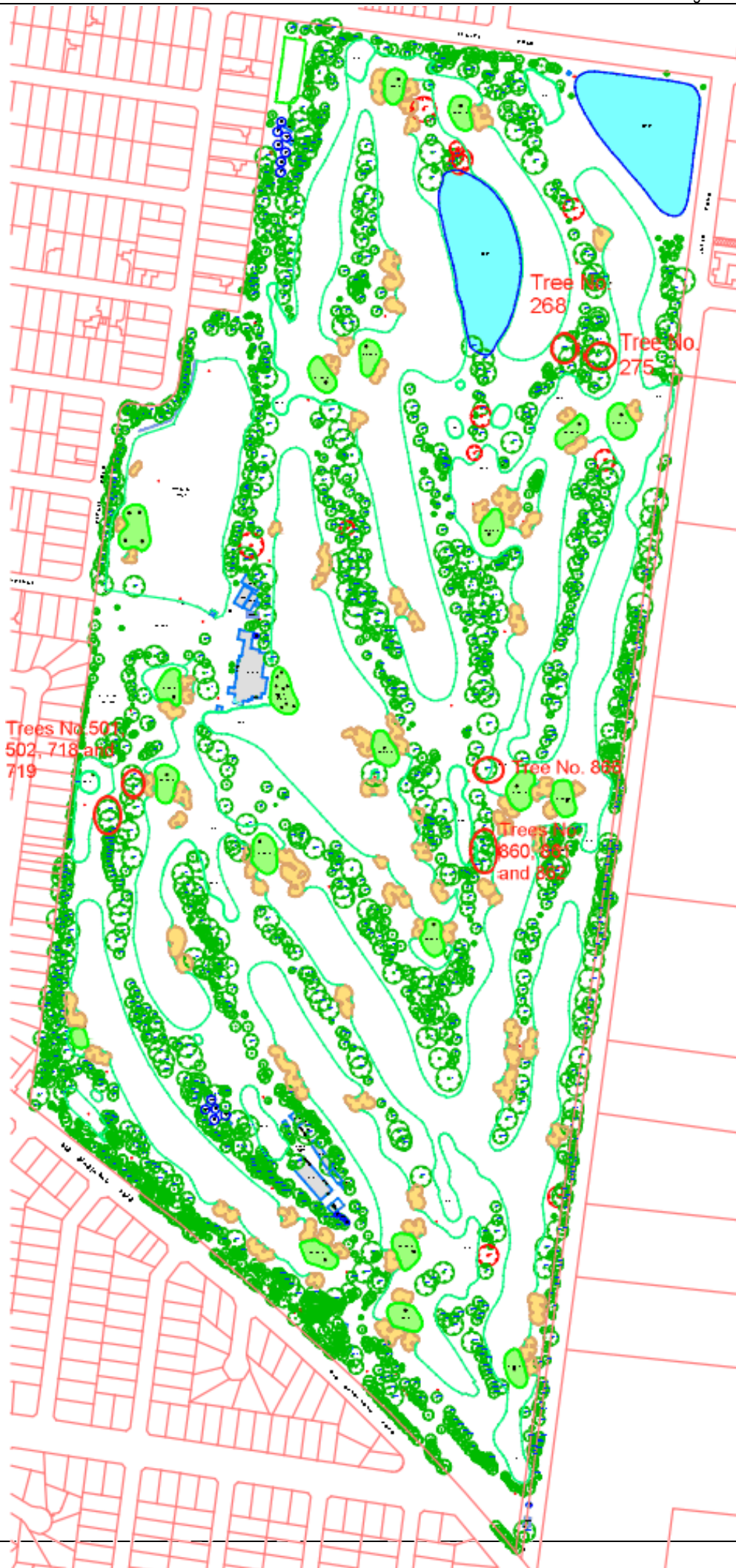
City of Kingston Biodiversity Strategy,
Version 2, 2018 - 2023

www.environment.vic.gov.au





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and Golf Course Landscape
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Council Meeting

27 January 2021

Agenda Item No: 8.3

KP-2020/115 - 43 GOLDEN AVENUE CHELSEA

Contact Officer: Beau McKenzie, Principal Planner

Purpose of Report

This report is for Council to consider Planning Permit Application No. KP-2020/115 - 43 Golden Avenue, Chelsea.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That Council determine to support the proposal and issue a Notice of Decision for the Development of land for five (5) dwellings at 43 Golden Avenue, Chelsea, subject to the conditions contained within this report.

This application requires a decision by Council in accordance with the Planning Delegation Policy, specifically the following trigger:

- Applications for five (5) or more dwellings that incorporates one or more double storey dwelling(s) to the rear of the site, with 3 or more objections.

EXECUTIVE SUMMARY			
Address	43 Golden Avenue, Chelsea		
Legal Description	Land in Plan of Consolidation 165636H TP247529M		
Applicant	Golden Avenue Developments Pty Ltd		
Planning Officer	Beau McKenzie		
PLANNING REQUIREMENTS			
Planning Scheme	Kingston		
Zoning	Clause 32.08 – General Residential Zone (Schedule 3)		
Overlays	None		
Particular Provisions	Clause 55 – Two or more dwellings on a Lot and Residential Buildings Clause 52.06 – Car Parking Clause 53.18 – Stormwater Management in Urban Development		
Permit Trigger/s	Clause 32.08-6 – Construct two or more dwellings on a lot		
APPLICATION / PROCESS			
Proposal	Development of land for five (5) dwellings		
Reference No.	KP-2020/115	RFI Received	17/07/2020
App. Received	02 March 2020	App. Amended	30/06/2020 (s50) 17/07/2020 (s50)
Site inspection	Yes		
S.52 Advertising	Commenced: 27/07/2020	Advertising Completed	13/08/2020
S.55 Referrals	None, however S.52 referral sent to Fire Rescue Victoria (CFA)		
Internal referrals	Yes		
Objection(s)	3 (TRIM checked on 19/01/2021)		
Mandatory Garden area requirement	Complies	Mandatory Building Height requirement	Complies
LEGISLATIVE			
Covenant/other Restriction	No	Complies: N/A	
CHMP Considered Plans	YES (CHMP no. 17218) Prepared by 'Planning & Design P/L', project no. 6429 drawing no. TP-01 and TP-02, dated 10/07/2020, submitted to Council on 17/07/2020 Other drawings without drawing numbers, including Neighbourhood and Site Description Plan, Design Response Plan and shadow diagrams prepared by 'Planning & Design P/L' project no. 6429, dated 21/05/2020 (N&SD Plan) and 10/07/2020 (all other plans), submitted to Council on 17/07/2020		

1.0 RELEVANT LAND HISTORY

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

2.0 SITE PARTICULARS

Built form

A single storey weatherboard, brick and brick clad dwelling with combined tile hip roof and flat metal roof. There are several outbuildings to the rear of the dwelling including carport. The dwelling has a minimum setback to the street of 8.2m.



Size (m²)	1387m ² , 15.24m width and 91.01m depth
Topography	The land is generally flat.
Fencing	1.8m high horizontal timber board fence along the property frontage. Timber paling fence ranging in height between 1.4m to 1.9m.
Vegetation	There are several trees on the subject site, most of which are proposed to be removed to enable the proposed development. The most notable trees at this site are situated along the rear (northern) boundary: <ul style="list-style-type: none"> - Tree 18 – <i>Leptospermum laevigatum</i> (Coast Teatree); and - Tree 19 – <i>Melaleuca nesophila</i> (Showy Honey-myrtle). <p>The <i>Leptospermum laevigatum</i> is a locally indigenous species of high retention value and is recommended for retention – refer to Condition 3 of this recommendation for details relating to the retention of this tree.</p>
Easement(s)	A 3.05m wide easement along the north (rear) property boundary.
Footpath assets / access	One single-width crossover on the western side of the property frontage. There is a <i>Callistemon viminalis</i> (Bottlebrush) in the Golden Avenue nature strip. Although this tree does not require removal for the development it is in poor health and has a low retention value.
Covenant(s) / Restrictions	There are no restrictions listed on the certificate of title for the subject land.

3.0 SURROUNDING ENVIRONS

3.1 The following image and aerial map illustrate the subject site in its surrounding context.



Aerial image of site and surrounds (source: Nearmaps, 8 November 2020)

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

North (rear)	<p>No. 50 Glenola Road – three (3) single storey brick dwellings with a mix of gable and complex hipped tile roofing. The rear unit directly adjacent to the subject site has its secluded private open space along the shared boundary with the subject land. There is no vegetation within the unit’s SPOS that will be impacted by the proposed development.</p>
East (side)	<p>No. 45 Golden Avenue – a single storey weatherboard dwelling with hip corrugated roof. There is a detached gable roofed carport to the front of the dwelling, setback 5.1m from the street.</p> <p>There are several structures running along the shared boundary with the subject site including carport, verandah and garage and driveway in between non-structural sections. The main SPOS of this dwelling is to the rear of the dwelling underneath the verandah and beyond. There are no sections of uncovered SPOS adjacent to the subject site. There is a 1.5m high horizontal steel board fence along the property frontage. There is no vegetation on this property that will be impacted by the proposed development.</p> <p>No. 47A Golden Avenue – this property sits behind no. 45 and 47 Golden Avenue and comprises of four (4) single storey brick units with hip tile roofing. Along the shared boundary with the subject site includes two (2) units with their garage and SPOS directly adjacent. In between the two units comprises an informal car park and open lawn area that is within common property. There is no vegetation on these properties that will be impacted by the proposed development.</p>
South (opposite)	<p>No. 52 Golden Avenue – three (3) single storey brick dwellings with gable tile roof. The front unit has a carport within the front yard, setback 5.2m from the</p>

	street. There is a 1.8m high (approx.) brick wall along the front property boundary.
West (side)	No. 41 Golden Avenue – a single storey brick dwelling with hip tile roof. The dwelling has a minimum setback to the street of 9.5m. The dwelling has three (3) habitable room windows and its SPOS along the shared boundary with the subject site. There are a number of trees along this shared boundary that will require protection through conditions on any permit issued (refer to Vegetation Officer referral response). There is a 1.8m high horizontal timber fence along the property frontage.

- 3.3 The surrounding area has experienced a significant amount of medium density development due to large land sizes and evolving post-war character of villa housing. Whilst much of this development is in the form of villa housing, there is an emergence of contemporary townhouse development proximate to the site, including no. 39, 49, 51, 54 and 56 Golden Avenue. The majority of allotments in this section of Golden Avenue (bound by Alleyne Avenue and Fowler Street) have been subject to some form of infill development.

No. 54 Golden Avenue -



No. 56 Golden Avenue



No. 49 and 51 Golden Avenue -



3.4 Built form is reflective of the above with most villa and older units being single storey and recent contemporary development incorporating double storey forms. Whilst new development has introduced double storey form in the area, the rear single storey character has been maintained including within the development mentioned above at no. 39, 49, 51, 54 and 56 Golden Avenue. Double storey dwellings are generally sited to the front and centre of these properties.

3.5 The materiality and architectural housing style in the area is mixed due to the diversity of housing that has been established in the area. However, older housing is generally made up of traditional brick veneer/weatherboard walls and hip/gable tile roofing. Newer development has introduced contemporary features including rendered walls, wall cladding and colorbond roofing.

4.0 PROPOSAL

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

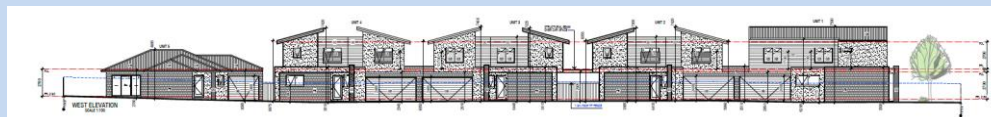
Description	The development of land for five (5) dwellings
Storeys	Dwelling 1 to 4 – double storey Dwelling 5 – single storey

Maximum building height	7.59m		
Bedrooms (including study)	Dwelling 1 to 4 – three bedrooms Dwelling 5 – two bedrooms		
Car parking	Dwelling 1 to 4 – double garages Dwelling 5 – single garage 1 visitor car parking space between Dwelling 2 and 3		
Front setback	7.3m		
Private Open Space	<p>Dwelling 1</p> <p>40.6m² with 5m dimension as SPOS</p> <p>22m² with 3m dimension as SPOS</p> <p>83.7m² with 3m dimension as POS in the front yard</p>	<p>Dwelling 2</p> <p>44.3m² with 5m dimension as SPOS</p> <p>21.7m² with 3m dimension as SPOS</p>	<p>Dwelling 3</p> <p>46.3m² with 5m dimension as SPOS</p> <p>20.6m² with 3m dimension as SPOS</p>
	<p>Dwelling 4</p> <p>42.9m² with 5m dimension as SPOS</p> <p>21.8m² with 3m dimension as SPOS</p>	<p>Dwelling 5</p> <p>42.9m² with 5m dimension as SPOS</p> <p>47m² with 3m dimension as SPOS</p>	
Site Coverage	39.58%		
Permeability	47.4%		
Garden area	35%		
Access	Retain existing single-width crossover to provide access to all garages via common driveway.		
Vegetation removal/retention	There are several trees on the property that are proposed to be removed. The most notable of these trees includes the rear Showy Honey-myrtle (tree no. 19). It is proposed to retain the large Coast Teatree (tree no. 18) also to the rear of the site. The plans were amended to reposition the SPOS of the		

rear dwelling to accommodate the retention of this tree due to its high retention value.

There is a Bottlebrush tree on the Golden Avenue nature strip. The tree will be unaffected by the proposed development.

Building materials



5.0 PLANNING PERMIT PROVISIONS

Zone

5.1 General Residential Zone (Schedule 3):

Pursuant to Clause 32.08-6 of the Kingston Planning Scheme a planning permit is required to construct two (2) or more dwellings on a lot. A development must meet the requirements of Clause 55 of the Scheme. Schedule 3 to the General Residential Zone includes variations to a number of standards within Clause 55 including site coverage amount, private open space amount and front fence height.

Overlay

- 5.2 There are no overlays affecting the property.

Particular Provisions

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

1 space to each 1 or 2 bedroom dwelling

2 spaces to each 3 or more bedroom dwelling

1 visitor space for every 5 dwellings

This equates to a parking requirement of **10** spaces (2 to Dwelling 1 to 4; 1 to Dwelling 5; and 1 visitor space) for the proposed development.

As the required number of car parking spaces is provided on the site, a planning permit is not required for a reduced car parking rate pursuant to Clause 52.06-3.

Clause 52.06-9 (Design standards) - access, splays, garaging dimensions have been reviewed and are considered compliant. However, Council's Traffic Department have raised concerns with turning movements for vehicles exiting the garages of Dwelling 1 and 3 where 4-point turns are relied on. As such, a condition is recommended on any permit issued to require all vehicles to manoeuvre in no more than 3-point turns to comply with AS/NZS 2890.1.

- 5.4 **Clause 55 - Two or More Dwellings on a Lot & Residential Buildings** – (Refer to Appendix A for the Planning Officer's full assessment against this report).

General Provisions

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

6.0 RELEVANT POLICIES

6.1 Planning Policy Framework (PPF)

- Clause 11 Settlement
- Clause 15 Built Environment and Heritage
- Clause 16 Housing

6.2 Local Planning Policy Framework (LPP)

- Clause 21.07 Housing
- Clause 22.06 Residential Development Policy
- Clause 22.11 Public Open Space Contributions
- Clause 22.12 Stormwater Management
- Clause 22.13 Environmentally Sustainable Development

Other

6.3 Neighbourhood Character Area Guidelines (Incorporated Document under **Clause 21.05** – Residential Land Use of the LPPF). The land is located within Area 74 of the Neighbourhood Character Guidelines.

6.4 Design Contextual Housing Guidelines (April 2003 – reference document within **Clause 22.06** – Residential Development Policy). The Design Contextual Housing Guidelines offer a range of design techniques and suggestions to assist with residential design, which is responsive to local character.

7.0 AMENDMENT TO THE APPLICATION

7.1 Following the first round of advertising, the Permit Applicant lodged amended plans on 30 June 2020 and 17 July 2020 pursuant to Section 50 of the *Planning and Environment Act 1987*. The amended plans incorporated the following changes:

- The plans mostly respond to Council's request for further information and initial concerns raised including the retention of the Coast Teatree in the north-west corner of the property. The SPOS of Dwelling 5 was repositioned to the north-western side to allow for more space to accommodate the existing tree.

7.2 It is these plans that form the basis of this recommendation and are described at section 4 of this report.

8.0 ADVERTISING

8.1 The proposal was advertised on two occasions by sending notices to adjoining and opposite property owners and occupiers and by maintaining a notice on site for fourteen (14) days.

8.2 As a result of advertising, a total of 3 objections were received. The grounds of objection raised were as follows:

- Request to reposition common driveway along the eastern boundary for improved privacy and sunlight.
- Overlooking.
- Overshadowing.
- Congestion in street parking.
- Building height, preference for single storey.

8.3 The following objections raised are not planning considerations:

- Boundary fencing (civil matter).

9.0 PLANNING CONSULTATION MEETING

9.1 A planning consultation meeting was not required as the number of objections received were less than six (6) in accordance with the Planning Consultation Meeting Policy. However, the planning officer contacted the objectors and the applicant contacted objectors directly in an attempt to resolve their concerns.

9.2 However, the above concerns were unable to be resolved and all objections still stand.

10.0 REFERRALS

10.1 The application was referred as set out in the tables below.

Internal Referrals

Department / Area	Comments
Council's Vegetation Management Officer	<p>The Officer initially raised concerns with the removal of a Coast Tea tree along the rear property boundary (noted as tree no. 18 on plans) as the tree is a locally indigenous species of high retention value. Together with the extent of vegetation removed from the site due to the large site area, the Officer requested for Dwelling 5 to be redesigned to accommodate the tree.</p> <p>Further, a number of trees on the neighbouring property at no. 41 Golden Avenue were identified as being potentially impacted by the proposed driveway footprint. Accordingly, a root investigation was undertaken and determined that the driveway location is suitable subject to appropriate surface design (combination of at-grade construction and porous material) protection measures for the trees to maintain their viability.</p> <p>Following amended plans to address the above concerns, the Officer offered no objection to the application subject to the following conditions on any permit issued:</p> <ul style="list-style-type: none"> • Provision of a landscape plan. • The retention of the <i>Leptospermum laevigatum</i> (Coast Teatree) located in the north-west corner of the property. • A Tree Management and Protection Plan. • Tree protection fencing around the existing street tree. <p>The conditions verbatim are included in the draft conditions within the recommendation of this report.</p>
Council's Development Engineer	No objection raised, subject to conditions included on any permit issued relating to stormwater management and slight rises to finished floor levels due to the property being subject to flooding as revealed by recent Council flood mapping.
Roads and Drains	No objection raised, subject to conditions included on any permit issued relating to works within the Council road reserve.
Traffic Engineer	No objection raised, subject to conditions included on any permit issued relating to swept paths. Traffic does not support 4 point turning movements as currently the case for vehicles associated with Dwelling 1 and 3 circled below:

- detrimental amenity impacts and achieves safety for future residents, and the community, through good design. The provisions of **Clause 15.02-1S** promote energy and resource efficiency through improved building design, urban consolidation and promotion of sustainable transport.
- 11.7 Clause **15.03-2S (Aboriginal Cultural Heritage)** seeks to ensure the protection and conservation of places of Aboriginal cultural heritage significance.
- 11.8 The Subject Land **is** identified in an area of Aboriginal Cultural Heritage Sensitivity and the proposed development is not exempt from the requirement of a Cultural Heritage Management Plan.
- 11.9 Accordingly, the applicant has submitted a CHMP (no. 17218, prepared by AKWP Heritage Advisors Pty Ltd) which has been approved by Aboriginal Victoria. Therefore, the requirements under the *Aboriginal Heritage Regulations 2018* have been satisfied for the development.
- 11.10 Housing objectives are further advanced at **Clause 16**. This Clause aims to encourage increased diversity in housing to meet the needs of the community through different life stages and respond to market demand for housing. In much the same vein as **Clause 11**, this Clause advances notions of consolidation of existing urban areas, particularly in and around activity centres and employment corridors that are well served by all infrastructure and services.
- 11.11 Housing objectives are further advanced at **Clause 16** which seek to encourage increased diversity in housing.
- 11.12 **Clause 16.01** (Residential Development) seeks to promote a housing market that meets community needs and is located in areas which offer good access to jobs, services and transport. **Clause 16.01-1R** specifically requires consideration of population growth in locations that are considered major and neighbourhood activity centres, especially those with good public transport connections.
- 11.13 It is submitted that the proposed development satisfies the aforementioned State strategies and policy direction. Specifically, the subject site is located on land earmarked for residential purposes, whereby residential development is an 'as of right' use under the zoning provisions. Subject to appropriate conditions on any permit issued, the development itself achieves an acceptable design outcome for the site and its immediate abutments, whilst enjoying convenient and direct access to community facilities and the like, including public transport nodes.

Local Planning Policy Framework

- 11.14 The City of Kingston's MSS at **Clause 21.07 - Housing** of the Kingston Planning Scheme, seeks to provide guidance to development in residential zoned land, mixed use zoned lands and land within activity centres. The Residential Land Use Framework Plan illustrates the range of housing outcomes sought across the City of Kingston.
- 11.15 Relevant objectives and strategies in **Clause 21.07-1 (Residential development)** include:
- To provide a range of housing types across the municipality taking account of the differential capacity of local areas to accommodate different types and rates of housing change.
This is to be achieved through strategies of encouraging residential development within activity centres via mixed-use development, and on transitional sites at the periphery of activity centres.
 - To ensure new residential development respects neighbourhood character and is site responsive, and that medium density dwellings are of the highest design quality.

This is to be achieved through strategies of promoting new residential development, which is of a high standard, responds to the local context and positively contributes to the character and identity of the local neighbourhood.

- *To promote more environmentally sustainable forms of residential development.*

To be achieved through strategies of promoting planning, design and construction of new development to accord with best practice environmental design guidelines for energy efficiency, waste and recycling and stormwater management and to encourage medium density housing development in close proximity to public transport facilities, particularly train stations.

- *To ensure residential development does not exceed known physical infrastructure capacities.*

11.16 Council's Local Planning Policy at **Clause 21.07** essentially reinforces the Planning Policy Framework relevant to housing, stressing the need to encourage urban consolidation in appropriate locations and to accommodate projected population increases.

11.17 **Clause 22.06 - Residential Development Policy** extends upon the provision contained at **Clause 21.07 - Housing**, relating to increased housing diversity areas, incremental housing change areas, minimal housing change areas, residential renewal areas and neighbourhood character. It provides design guidance on how new residential development should achieve architectural and urban design outcomes that positively respond to neighbourhood character.

11.18 Relevant objectives in **Clause 22.06-2** Residential Development Policy include:

- *To promote a managed approach to housing change, taking account of the differential capacity of local areas in Kingston to accommodate increased housing diversity, incremental housing change, residential renewal or minimal housing change, as identified within the MSS.*
- *To encourage new residential development to achieve architectural and urban design outcomes that positively respond to neighbourhood character having particular regard to that identified in the Kingston Neighbourhood Character Guidelines – August 2007.*
- *To promote on-site car parking which is adequate to meet the anticipated needs of future residents.*
- *To ensure that landscaping and trees remain a major element in the appearance and character of the municipality's residential environments.*
- *To limit the amount and impact of increased stormwater runoff on local drainage systems.*
- *To ensure that the siting and design of new residential development takes account of interfaces with sensitive and strategic land uses.*

11.19 Under this policy and **Clause 21.07**, the subject site is identified within an 'incremental change area' which is described as follows under **Clause 22.06-3**:

In suburban locations which are not within convenient walking distance of public transport and activity centres, encourage lower density housing forms with a predominance of single dwelling and the equivalent of dual occupancy developments on average sized lots. These areas are identified for 'incremental housing change' on the Residential Framework Plan within the MSS.

11.20 Further, Clause 22.06 includes policy for residential development with respect to site landscaping, built form, siting and scale of development, car parking and vehicle access and stormwater run-off mitigation and quality management. These are as follows:

Site landscaping

- *Encourage the retention of existing semi-mature and mature canopy trees wherever possible.*
- *Unless significant existing vegetation is to be incorporated as part of a redevelopment, encourage the planting of semi-mature canopy trees with spreading crowns in front setbacks and open space areas, with at least one semi-mature tree with a spreading canopy provided in the front setback area.*

Built form, siting and scale of development

- *Encourage the two storey component of new medium density housing to be located towards the front of a site.*
- *Ensure that two storey dwellings are designed to respond to the character of the local neighbourhood. Where the local neighbourhood is characterised by single storey development and this characteristic makes a major or critical contribution to neighbourhood character, new two storey development should incorporate rooms within the roof form of attic style dwellings, and should set the second storey building envelope back from the ground level envelope.*
- *Ensure that any upper storey components towards the rear of sites are sensitively designed to avoid unreasonable adverse amenity impacts on neighbours.*
- *Encourage well-articulated and graduated elevations in order to avoid 'box-like' double storey designs, thus reducing visual bulk.*
- *Ensure that the siting of new buildings respects the amenity of adjoining neighbours with regard to rear yards and garden outlooks from habitable living room windows.*
- *Ensure that the design and layout of new dwellings incorporate features which minimise overlooking of adjacent properties.*
- *Address potential overlooking through site layout planning as well as individual dwelling planning.*

Car parking and vehicle access

- *Ensure that adequate on-site car parking is provided to meet the needs of future residents and visitors and sited to reduce its impact on the streetscape.*

Performance measures

- *Locating garages or carports at the rear of dwellings fronting a street wherever possible.*
- *Ensuring that where garages are located in the street elevation, they are set back a greater distance than the front wall of the building.*

- *Ensuring that garages and carports are sited so that a tandem car parking space can be provided in front of the garage or carport.*
- *Incorporating garages and carports within the main roof line of the dwelling.*

Stormwater run-off mitigation and quality management

- *Ensure that new residential development limits the impact of increased stormwater run-off on drainage systems.*

Performance measures

On-site infiltration should be maximised by:

- *Wherever possible, using unpaved landscape areas or porous paving.*
- *Where appropriate, constructing on-site stormwater detention with delayed release into the stormwater drainage system.*
- *Designing to limit the impervious area.*
- *Incorporating on-site water re-cycling systems for stormwater run-off.*
- *Directing stormwater run-off into garden areas to reduce watering and the demand on drainage infrastructure.*

- 11.21 **Clause 22.11 (Public Open Space Contributions)** forms the prevailing policy that guides Council to apply a land or cash public open space contribution, which is applicable to all subdivision applications. This policy identifies the important role that contributions play in funding new open space areas and facilitating capital improvements to existing public open space to meet the needs of the future population growth in Kingston.
- 11.22 Whilst the application at hand does not propose to subdivide the land, it is imperative to identify at this stage of the process whether a public open space contribution requirement is likely to be applied should the site be subdivided at a later date and, if so, whether the land is located in a 'cash' or 'land' preferred area. If in a land preferred area, the proposed design and layout must be considered as it will ultimately shape the subdivision configuration and whether any land is set aside for public open space purposes.
- 11.23 The subject site is located in area 9A (Chelsea) which is a Cash Contribution Preferred Area on Map 1 of this clause.
- 11.24 A condition requiring a 5% cash contribution in accordance with this policy should form part of any future Planning Permit to subdivide the land.
- 11.25 **Clause 22.12 – Stormwater Management** is applicable to the consideration of medium and large scale developments as specified within Table 1 of the policy. This clause seeks to improve the quality and reduce the impact of stormwater run-off, incorporate the use of WSUD principles in development and to ensure that developments are designed to meet best practice performance objectives.
- 11.26 Council's Development Approvals Engineer has considered the proposal in accordance with this Clause and Clause 53.18 and has raised no objection to the application subject to stormwater management conditions. Therefore, the proposal is considered to achieve the objectives of this provision, subject to permit conditions.

- 11.27 **Clause 22.13 Environmentally Sustainable Development (ESD)** policy applies to the consideration of residential development of 3 or more dwellings (refer to Table 1 – ESD Application requirements). As required, the application for planning permit was accompanied by a Sustainable Design Assessment (BESS/STORM).
- 11.28 Council’s ESD Advisor was referred to for an assessment of the proposal and accompanying documentation (including SDA report) against this provision. The Advisor has raised no objection to the proposal and report and therefore, the objectives of this provision are considered to have been met.

Zoning Provisions

- 11.29 Pursuant to **Clause 32.08-4**, a lot must provide for the minimum garden area as set out in the following table:

Lot Size	Minimum percentage of a lot set aside as garden area
400-500m2	25%
501-650 m2	30%
Above 650 m2	35%

- 11.30 It is considered that the proposal in its current format complies with the mandatory garden area requirement. A minimum of 35% has been achieved for the development in accordance with the above.

12.0 CLAUSE 55 (RESCODE ASSESSMENT)

- 12.1 The proposal has been assessed against the objectives and standards of **Clause 55** (ResCode) of the Kingston Planning Scheme (refer to Appendix A). **Clause 55** requires that a development **must** meet all of the objectives, and all of the standards of this clause **should** be met. Variations to the standards are able to be considered where it is determined that the overall objective is met.
- 12.2 The table below provides a detailed discussion, where relevant, for any standards where concessions are sought. Overall, it is noted that the application achieves a high level of compliance with the ResCode provisions, with no variations sought to the ResCode standards.

13.0 CLAUSE 55: RESCODE TABLE ASSESSMENT

Two or more dwellings on a lot and residential buildings in a General Residential Zone – Schedule 3. *****MUST meet the objective, SHOULD meet the standard*****

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
<p>Clause 55.02-1 Neighbourhood Character objectives</p> <ul style="list-style-type: none"> ▪ To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character. ▪ To ensure that development responds to the features of the site and the surrounding area. 	<p>Standard B1</p> <ul style="list-style-type: none"> ▪ The design response must be appropriate to the neighbourhood and site. ▪ The proposed design must respect the existing or preferred neighbourhood character and respond to site features. 	<p>Complies with standard & meets objective</p>
<p>Assessment:</p> <p>The subject site is in the GRZ3 which the Planning Scheme categorises as land where the preferred direction is incremental housing change. The surrounding area is not typical of incremental housing change areas due to larger allotments in excess of 1000m² that have been developed with a combination of post-war villa housing and contemporary townhouse development. Further, the site is located within approximately 800m to the Chelsea Activity Centre and approximately 1.2km to the Chelsea railway station. Nonetheless, the larger allotment size, pattern of old and new medium density development in the area and relatively advantageous location to services supports medium density development on the site.</p> <p>The proposal for five (5) dwellings including four (4) double storey and one (1) single storey is consistent with the pattern of development in the immediate area. It responds in particular to the pattern of contemporary townhouse development that has been established at no. 37, 39, 49, 51, 54 and 56 Golden Avenue which all comprise of five (5) dwellings on similar size allotments. Additionally, the proposed built form for the development is reflective of the built form at no. 49 and 51 Golden Avenue where four (4) dwellings to the front and centre of the site are double storey and the rear dwelling single storey, as encouraged under the policies of Clause 22.06 to minimise amenity impacts to adjoining properties.</p> <p>The architectural response of the proposal offers a mix of contemporary and traditional styles. Contemporary features include rendered walls, cladding and skillion colorbond roofing for Dwellings 1 to 4, whereas traditional features of face brick and hip roofing are incorporated for Dwelling 5 and in part (face brick walls) to Dwelling 1 to 4. The architectural mix is considered to be an appropriate response to the mixed character of the area that has been established from the development of post-war villa housing and more recent townhouse development.</p> <p>With consideration of this, the development is considered to be an acceptable response to the site and surrounding context. Overall the proposal responds to the existing and emerging character of the area and will have a positive contribution to the streetscape and broader neighbourhood.</p>		
<p>Clause 55.02-2 Residential Policy objectives</p>	<p>Standard B2</p>	<p>Complies with standard &</p>

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
<ul style="list-style-type: none"> • To ensure that residential development is provided in accordance with any policy for housing in the MPS and the PPF. • To support medium densities in areas where development can take advantage of public transport and community infrastructure and services. 	<ul style="list-style-type: none"> ▪ An application must be accompanied by a written statement that describes how the development is consistent with relevant housing policy in the PPF & MPS 	<p>meets objective</p>
<p>Assessment:</p>		

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
<p>The development offers an acceptable response to Council’s Housing and Residential Development policy under Clause 21.07 (Housing) and 22.06 (Residential Development Policy).</p> <p>The site is identified within an ‘incremental change area’ where modest amount of change is directed under the local housing policies. As outlined above, the surrounding area is not a typical incremental change area due to large allotment sizes and consequential infill development. The proposal is consistent with the development pattern of the immediate and broader area. It is considered that the proposal warrants support in light of the broader contextual nature of the area and high level of compliance against Clause 55 and other aspects of the Planning Scheme.</p> <p>In terms of built form outcomes, the upper levels of each dwelling have been designed to limit their visual impact to adjoining properties by providing generous side and rear setbacks (of at least 4m where 1.7m is required) spacings of at least 3m between upper levels, well-articulated walls, varying materials/finishes and visually interesting architectural style. Further, as encouraged by Clause 22.06 and reflective of similar development in the area, the rear most dwelling will be single storey further ensuring the amenity of adjoining properties is protected from visual bulk.</p> <p>The proposed development meets the ResCode objectives pertaining to side and rear setbacks, no wall on boundaries, overlooking, overshadowing and daylight to existing windows (among other things). The proposed development will adequately protect the amenity of adjoining properties without compromising the internal amenity of the proposed dwellings.</p> <p>Landscaping will be provided throughout the site including meaningful gardens in the front setback, SPOS areas and along the common driveway. A large tree on the north-west corner of the site is to be retained and sufficient areas are provided for canopy tree replanting’s within the front setback and private open space of each dwellings, subject to conditions.</p> <p>The garages are sited behind the front dwelling to ensure garages do not dominate the streetscape as directed under Clause 22.06.</p> <p>Stormwater will be appropriately managed through conditions on any Permit issued as recommended by Council’s Development Engineer.</p>		
<p>Clause 55.02-3 Dwelling Diversity objective To encourage a range of dwelling sizes and types in developments of ten or more dwellings.</p>	<p>Standard B3 Developments of ten or more dwellings should provide a range of dwelling sizes and types, including:</p> <ul style="list-style-type: none"> ▪ Dwellings with a different number of bedrooms. ▪ At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level. 	N/A
<p>Assessment:</p>		

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
Less than ten (10) dwellings proposed.		
<p>Clause 55.02-4 Infrastructure objectives</p> <ul style="list-style-type: none"> ▪ To ensure development is provided with appropriate utility services and infrastructure. ▪ To ensure development does not unreasonably overload the capacity of utility services and infrastructure. 	<p>Standard B4</p> <ul style="list-style-type: none"> ▪ Connection to reticulated services/sewerage, electricity, gas and drainage services ▪ Capacity of infrastructure and utility services should not be exceeded unreasonably ▪ Provision should be made for upgrading and mitigation of the impact of services or infrastructure where little or no spare capacity exists 	<p>Complies with standard & meets objective</p> <p>(subject to conditions on any permit issued)</p>
<p>Assessment:</p> <p>The site is in an established area that is well serviced by existing infrastructure. Additionally, it is recommended that suitable condition(s) be included in any permit issued to address infrastructure considerations.</p>		
<p>Clause 55.02-5 Integration with the street objective</p> <ul style="list-style-type: none"> ▪ To integrate the layout of development with the street. 	<p>Standard B5</p> <ul style="list-style-type: none"> ▪ Provides adequate vehicle and pedestrian links that maintain or enhance local accessibility. ▪ Development oriented to front existing/proposed streets ▪ High fencing in front of dwellings should be avoided if practicable. ▪ Development next to existing public open space should be laid out to complement the open space. 	<p>Complies with standard & meets objective</p> <p>Complies with standard & meets objective</p> <p>Complies with standard & meets objective</p> <p>N/A</p>
<p>Assessment:</p> <p>The proposal provides a highly integrated design with the street through low front fencing and siting of habitable room windows and balconies to the street.</p>		
<p>Clause 55.03-1 Street setback objective</p>	<p>Standard B6</p>	<p>Variation sought, meets objective</p>

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
<ul style="list-style-type: none"> ▪ To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site. 		
<p>Assessment:</p> <p><i>Required:</i> 9m (lesser setback when compared to average of existing front setbacks on adjoining properties which is 9.3m to front walls – excluding carport).</p> <p><i>Proposed:</i> 7.3m and 6.29m from porch (porch encroachment allowable up to 2.5m within required setback under standard)</p> <p>A variation of 1.7m is therefore sought. A variation is considered acceptable due to the prevailing street setback pattern of Golden Avenue. The adjacent properties on either side of the subject site are unique to the area as they are large single dwelling allotments which have become less common as a result of infill development. These setbacks are not reflective of the broader setback pattern of the neighbourhood. Reduced setbacks are evident at several developments in proximity to the site including:</p> <ul style="list-style-type: none"> ▪ No. 37 Golden Avenue – 5.5m ▪ No. 39 Golden Avenue – 6.3m ▪ No. 49 Golden Avenue – 7.3m ▪ No. 54 Golden Avenue – 7.2m ▪ No. 56 Golden Avenue – 7.2m <p>Further, the proposed 7.3m setback together with the one crossover/driveway makes efficient use of the site by allowing generous areas for landscaping in the front setback including canopy tree plantings which will assist in softening the development from the street.</p>		
<p>Clause 55.03-2 Building height objective</p> <ul style="list-style-type: none"> ▪ To ensure that the height of buildings respects the existing or preferred neighbourhood character. 	<p>Standard B7 Maximum: 9 metres (GRZ3)</p>	<p>Complies with standard and meets objective.</p>
<p>Assessment:</p> <p>The maximum building height proposed is 7.59 m and double storey. As such, the proposal meets the height parameters specified in the General Residential Zone.</p>		
<p>Clause 55.03-3 Site Coverage objective</p>	<p>Standard B8 Maximum: GRZ3 – 50%</p>	<p>Complies with standard and meets objective.</p>

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
<ul style="list-style-type: none"> To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site. 		
<p>Assessment:</p> <p>The proposal achieves a site coverage statistic of 39.58%, which meets this Standard.</p>		
<p>Clause 55.03-4 Permeability & stormwater management objectives</p> <ul style="list-style-type: none"> To reduce the impact of increased stormwater run-off on the drainage system. To facilitate on-site stormwater infiltration. To encourage stormwater management that maximises the retention & reuse of stormwater 	<p>Standard B9</p> <p>At least: 20%</p>	<p>Complies with standard and meets objective.</p>
<p>Assessment:</p> <p>The permeability figure proposed (i.e. 47.4%) exceeds that specified in the Standard.</p>		
<p>Clause 55.03-5 Energy Efficiency objectives</p> <ul style="list-style-type: none"> To achieve and protect energy efficient dwellings and residential buildings. To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy. 	<p>Standard B10</p> <p>Orientation, siting & design of buildings should make appropriate use of solar energy. Further, siting & design should ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced. Siting & design should also ensure that the performance of existing rooftop solar energy facilities on dwellings on adjoining lots in GRZ, NRZ or TZ are not unreasonably reduced. The existing rooftop solar energy facility must exist at the date the application is lodged.</p> <p>Living areas & private open space should be located on the north side of the development, if practicable.</p> <p>Solar access to north-facing windows is maximised.</p>	<p>Complies with standard and meets objective (subject to conditions)</p>
<p>Assessment:</p>		

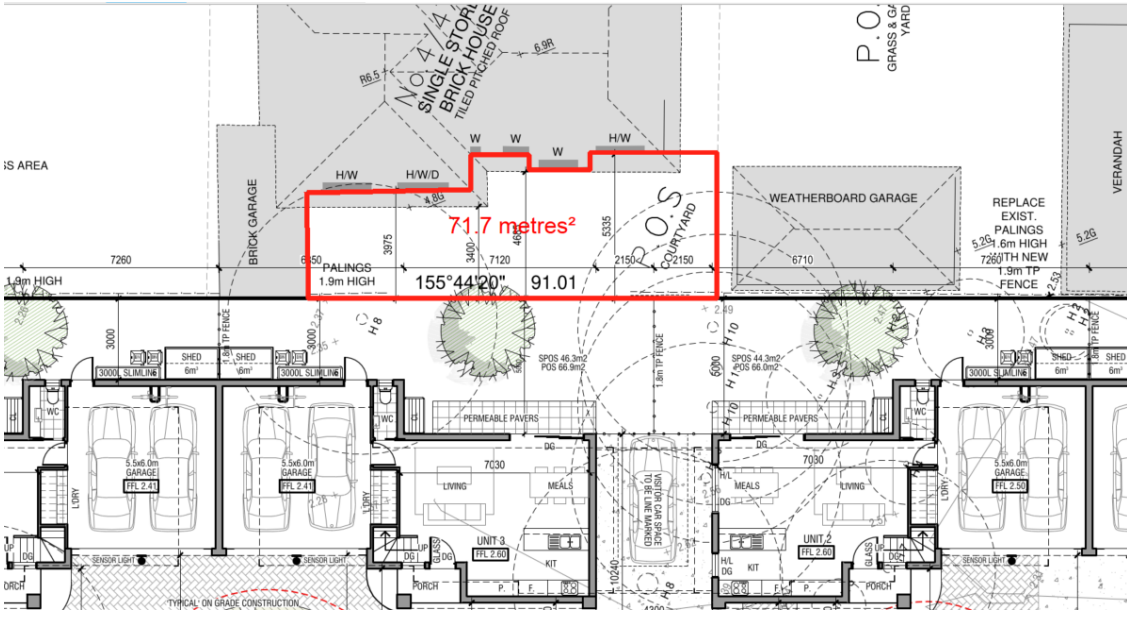
OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
<p>Overall, the proposal achieves an acceptable energy efficiency design within the limits of the site axis (generally north/south). The proposal features SPOS and living areas with north-east orientations as is common for other similar developments on the northern side of Golden Avenue. This is considered by Council Officers as the most efficient use of the site given the axis of the property.</p> <p>As required by Council policy, a Sustainable Design Assessment was provided with the application which was referred to Council's ESD Advisor. Following updates to the SDA and plans, the Advisor provided support for the design.</p> <p>There are no existing solar energy facilities on adjoining properties that will be impacted by the proposed development. The existing solar energy facility on the roof of no. 45 Golden Avenue will not be overshadowed for any time of the day between 9am and 3pm.</p>		
<p>Clause 55.03-6 Open Space objective</p> <ul style="list-style-type: none"> ▪ To integrate the layout of development with any public and communal open space provided in or adjacent to the development. 	<p>Standard B11</p> <p>Public or communal open space should:</p> <ul style="list-style-type: none"> ▪ Be substantially fronted by dwellings ▪ Provide outlook for dwellings ▪ Be designed to protect natural features. ▪ Be accessible and useable. 	<p>N/A</p>
<p>Assessment:</p> <p>There is no open space adjacent to the land and no communal open space proposed for the development.</p>		
<p>Clause 55.03-7 Safety objectives</p> <ul style="list-style-type: none"> ▪ To ensure the layout of development provides for the safety and security of residents and property. 	<p>Standard B12</p> <p>Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways.</p> <p>Planting should not create unsafe spaces along streets and accessways</p> <p>Good lighting, visibility and surveillance of car parks and internal accessways should be achieved.</p> <p>Private spaces should be protected from inappropriate use as public thoroughfares.</p>	<p>Complies with standard & meets objective (subject to conditions)</p>
<p>Assessment:</p> <p>The proposal offers limited opportunities for ground level surveillance from dwellings along the common driveway. However, it is considered that this can easily be addressed through conditions on any permit issued by requiring windows facing onto the driveway from the kitchen of Dwelling 2 and 3 and a window to the bedroom 2 south-facing wall of Dwelling 5.</p> <p>The visitor parking space between Dwellings 2 and 3 is somewhat obscured from view along the common driveway. It is therefore recommended as a condition on any permit issued that external lighting be provided to this area to improve safety on-site.</p>		
<p>Clause 55.03-8 Landscaping objectives</p>	<p>Standard B13</p> <p>In summary, landscape layout & design should:</p>	<p>Complies with standard &</p>

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
<ul style="list-style-type: none"> ▪ To encourage development that respects the landscape character of the neighbourhood. ▪ To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance. ▪ To provide appropriate landscaping. ▪ To encourage the retention of mature vegetation on the site. 	<ul style="list-style-type: none"> ▪ Protect predominant landscape features of the neighbourhood. ▪ Take into account the soil type and drainage patterns of the site. ▪ Allow for intended vegetation growth and structural protection of buildings. ▪ Provide a safe, attractive and functional environment for residents. <p>In summary, development should:</p> <ul style="list-style-type: none"> ▪ Provide for the retention or planting of trees, where these are part of the character of the neighbourhood. ▪ Provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made. ▪ Specify landscape themes, vegetation (location and species), paving and lighting. 	<p>meets objective (subject to conditions on any permit issued)</p>
<p>Assessment:</p> <p>Concerns were raised by Council's Vegetation Officer in relation to the removal of the large and indigenous significant tree on the north-west rear corner of the land (tree no. 19 – Coast Teatree) and potential impact to existing trees at no. 41 Golden Avenue. However, following amendments to plans to reposition the layout of Dwelling 5 to accommodate the Coast Teatree and driveway treatments in proximity to the neighbouring trees, the Officer offered no objection to the application subject to conditions including:</p> <ul style="list-style-type: none"> • Provision of a landscape plan. • The retention of the Coast Teatree in the north-west corner of the land. • A Tree Management and Protection Plan. • Tree protection fencing around the existing street tree. <p>There are no significant trees proposed to be removed as confirmed by Council's Vegetation Officer.</p> <p>In light of the above, the proposal is considered to meet the standard and objectives of this provision subject to the conditions above.</p>		
<p>Clause 55.03-9 Access objective</p> <ul style="list-style-type: none"> ▪ To ensure the number and design of vehicle crossovers respects the neighbourhood character. 	<p>Standard B14</p> <p>The width of accessways or car spaces should not exceed:</p> <ul style="list-style-type: none"> ▪ 33 per cent of the street frontage, or ▪ if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage. <p>No more than one single-width crossover should be provided for each dwelling fronting a street.</p>	<p>Complies with standard & meets objective</p> <p>Complies with standard & meets objective</p>




OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
	The location of crossovers should maximise the retention of on-street car parking spaces.	Complies with standard & meets objective
	The number of access points to a road in a Road Zone should be minimised.	N/A
	Access for service, emergency and delivery vehicles must be provided.	Complies with standard & meets objective
<p>Assessment:</p> <p>The application does not propose to construct a new crossover along the property frontage with the existing crossover to be reconstructed and provide access to all dwellings via common driveway. Therefore, the accessway width at the property frontage will be only 3m in total, resulting in a width of 19.68% of the Golden Avenue frontage, less than the maximum allowable of 40%. Therefore, on-street parking can be retained at the front of the property. The common driveway is designed to allow for service, emergency and delivery vehicles to access if required.</p>		
<p>Clause 55.03-10 Parking location objectives</p> <ul style="list-style-type: none"> ▪ To provide convenient parking for resident and visitor vehicles. ▪ To protect residents from vehicular noise within developments 	<p>Standard B15</p> <p>Car parking facilities should:</p> <ul style="list-style-type: none"> ▪ Be reasonably close and convenient to dwellings and residential buildings. ▪ Be secure. ▪ Be well ventilated if enclosed. <p>Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.</p>	Complies with standard & objective
<p>Assessment:</p> <p>The only habitable room window proposed next to the common driveway is the Dwelling 4 kitchen window. The window is setback 1m from the edge of the driveway and has a sill height of 1.69m. Therefore, the window complies with the requirements of the standard.</p> <p>All other windows facing the driveway are non-habitable.</p> <p>As outlined under standard B12, additional windows are recommended to be provided for the kitchen of Dwelling 2 and 3 and bedroom 2 of Dwelling 5 to improve surveillance along the common driveway. These new windows will be directly opposite a 1m garden buffer between the driveway and provided sill heights are no less than 1.4m, the new windows will comply with the standard. It is recommended that the condition be worded to comply with the standard.</p> <p>All other requirements of this standard have been met with proposed car parking to be located conveniently to dwellings and be well secured and ventilated.</p>		
<p>Clause 55.04-1 Side and rear setbacks objective</p>	<p>Standard B17</p>	Complies with standard and

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
<ul style="list-style-type: none"> To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings. 	<p>A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:</p> <ul style="list-style-type: none"> 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres. 	meets objective
<p>Assessment:</p> <p>All side and rear setbacks are compliant with the minimum requirements of this standard and in most cases, well exceed the minimum requirements particularly on the upper level.</p>		
<p>Clause 55.04-2 Walls on boundaries objective</p> <ul style="list-style-type: none"> To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings. 	<p>Standard B18</p> <p>A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary:</p> <ul style="list-style-type: none"> 10 m plus 25% of the remaining length of the boundary of an adjoining lot, or Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater. 	N/A
<p>Assessment:</p> <p>No walls on boundary proposed.</p>		
<p>Clause 55.04-3 Daylight to existing windows objective</p> <ul style="list-style-type: none"> To allow adequate daylight into existing habitable room windows. 	<p>Standard B19</p> <p>Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3m² and minimum dimension of 1m clear to the sky.</p> <p>Walls or carports more than 3m in height opposite an existing habitable room window should be set back from the window at least 50% of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.</p> <p>Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.</p>	<p>Complies with standard and meets objective</p> <p>Complies with standard and meets objective</p>
<p>Assessment:</p>		

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
<p>The development is adequately setback from existing habitable room windows on adjoining properties including the windows setback 3.43m from the shared boundary at no. 3/47A Golden Avenue, windows setback 3.9m from the shared boundary at no. 4/47A Golden Avenue and windows setback 1.88m at no. 41 Golden Avenue.</p>		
<p>Clause 55.04-4 North facing windows objective</p> <ul style="list-style-type: none"> To allow adequate solar access to existing north-facing habitable room windows. 	<p>Standard B20 Buildings should be setback 1m if an existing HRW is within 3m of the abutting lot boundary (add 0.6m to this setback for every metre of height over 3.6m & add 1m for every metre of height over 6.9m)</p>	<p>N/A</p>
<p>Assessment:</p> <p>There are no north-facing windows adjacent to the site.</p>		
<p>Clause 55.04-5 Overshadowing open space objective</p> <ul style="list-style-type: none"> To ensure buildings do not significantly overshadow existing secluded private open space 	<p>Standard B21 Where sunlight to the SPOS of an existing dwelling is reduced, at least 75%, or 40m² with min. 3m, whichever is the lesser area, of the SPOS should receive a min of 5hrs of sunlight btw 9am & 3pm on 22 September.</p> <p>If existing sunlight to the SPOS of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.</p>	<p>Complies with standard and meets objective</p>
<p>Assessment:</p> <p>New shadowing from the proposal will mostly fall within the subject site and existing boundary fencing. The adjoining property at no. 41 Golden Avenue will experience a large amount of shadowing at 9am, however the total amount of SPOS to this dwelling is over 800m² and therefore a significant portion of this area will remain unshadowed and easily complies with the standard requirements.</p> <p>Further, the adjoining dwelling at no. 4/47A Golden Avenue will experience new shadows at 3pm from the development, extending over the existing boundary fence shadow. Whilst new shadows will occur into this area, proposal remains compliant with the requirements of this standard.</p> <p>The SPOS of no. 4/47A is approximately 71m², requiring a minimum 40m² of its SPOS to maintain 5 hours of sunlight between 9am and 3pm in accordance with the standard. The worst of the new shadows into this SPOS will be at 3pm, where the balance of the SPOS that will continue to receive sunlight exceeds the minimum 40m² at 50m². Therefore, the proposal complies with the standard. Refer to diagrams below:</p>		

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
<p>Total SPOS area:</p>  <p>3pm sunlight achieved:</p>		

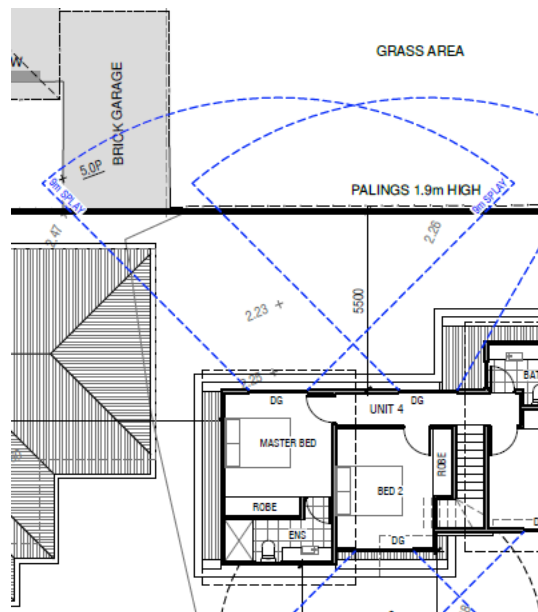
OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
<p>The diagram is a detailed site plan of a residential property. A red-outlined area is highlighted, with a red text label '50.3 metres²' placed over it. The plan shows various structures: a 'BRICK GARAGE' at the top, a 'NO 4/47A SINGLE STOREY BRICK HOUSE TILED PITCHED ROOF' in the center-right, a 'P.O.S COURTYARD' below the house, a 'WEATHERBOARD GARAGE' at the bottom, and a 'P.O.S GRASS & GARDEN YARD' to the right. On the left side, there are trees and a vertical dimension of '335'44'20"' and 'PALINGS 1.5m High 91.01'. The plan also shows 'UNIT 1', 'UNIT 2', and 'UNIT 3' with various dimensions and labels like 'H.8', 'H.15', 'H.6', 'H.10', 'H.4', 'H.3', 'H.2', 'H.1'. Other labels include 'P.O.S' and 'PALINGS 1.5m High'.</p>		

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
 <p>SHADOW DIAGRAM 9AM 22nd OF SEPTEMBER</p>	 <p>SHADOW DIAGRAM 12 PM 22nd OF SEPTEMBER</p>	 <p>SHADOW DIAGRAM 3PM 22nd OF SEPTEMBER</p>
<p>Clause 55.04-6 Overlooking objective</p> <ul style="list-style-type: none"> To limit views into existing secluded private open space and habitable room windows. 	<p>Standard B22</p> <p>A HRW, balcony, terrace, deck or patio should be located & designed to avoid direct views into the SPOS of an existing dwelling within 9m (refer to clause for exact specifications). Where within it should be either:</p> <ul style="list-style-type: none"> Offset a minimum of 1.5m from the edge of one window to the edge of the other. Have sill heights of at least 1.7m above floor level. Have fixed, obscure glazing in any part of the window below 1.7m above floor level. Have permanently fixed external screens to at least 1.7m above floor level & be no more than 25% transparent. <p>Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.</p> <p>Screens used to obscure a view should be:</p> <ul style="list-style-type: none"> Perforated panels or trellis with a maximum of 25% openings or solid translucent panels. Permanent, fixed and durable. Designed and coloured to blend in with the development. 	<p>Complies with standard & meets objective</p> <p>Complies with standard & meets objective</p> <p>Complies with standard & meets objective</p>
<p>Assessment:</p>		

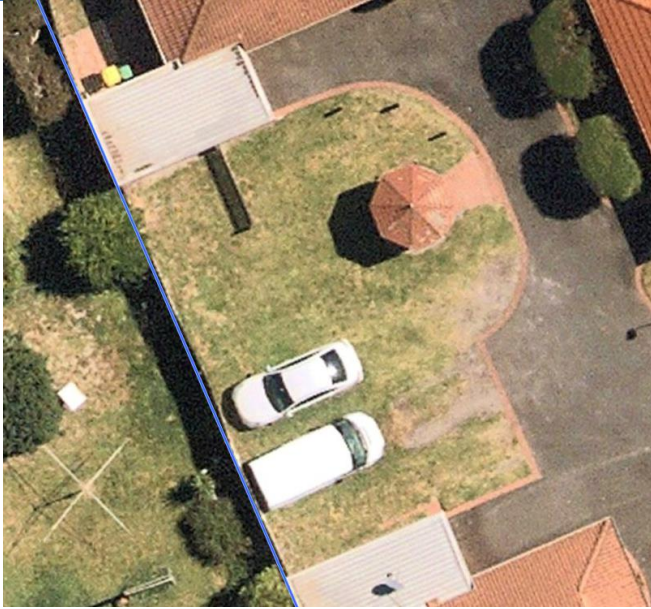
OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
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All upper level habitable room windows that have views into existing habitable room windows/private open space on adjoining properties have been designed in accordance with the standard. Compliance is achieved by providing highlight windows, obscured glazing to 1.7m above the finished floor level and external screening to 1.7m.

Concerns were raised by objectors in relation to overlooking from the eastern elevation into the adjoining properties at no. 45 and 47A Golden Avenue. The majority of habitable room windows on the eastern elevation have been designed to address overlooking in accordance with the standard. However, the exception is the passageway windows which are not considered habitable room windows and therefore do not require to be treated to limit overlooking. Further to this, the master bedroom window of Dwelling 4 will have unobstructed views into the common lawn area of no. 47A Golden Avenue as shown in the below diagram:



This affected area is not secluded private open space as it forms part of common property of no. 47A Golden Avenue. It is apparent from aerial imagery that the space is used for informal car parking (see below). Council Officers do not consider this area to be a habitable room or private open space that requires privacy from the development particularly as the dwellings associated with this common grassed area each contain their own SPOS, which has had its privacy protected from the development. Therefore, to improve internal amenity of the master bedroom of Dwelling 4, it is considered that this window should not require overlooking treatment given the minimal amenity impacts to the common area of no. 47A Golden Avenue.

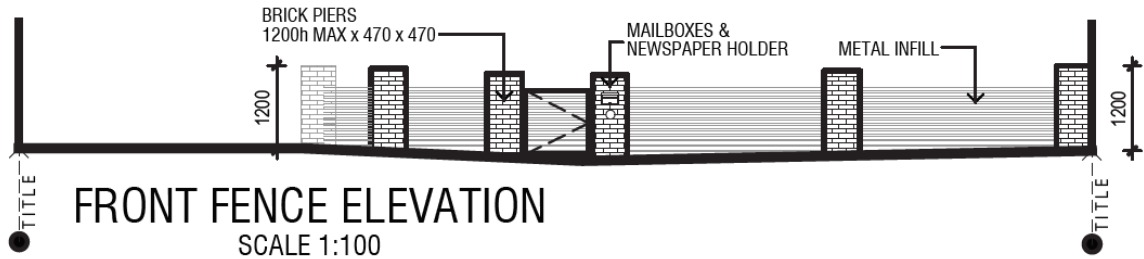
OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
		
<p>Proposed finished floor levels are less than 0.8m from natural ground level and proposed boundary fencing will be at least 1.8m in height, therefore satisfying the ground level overlooking requirements of this standard. It is noted that objectors requested high boundary fencing. Given there are no planning requirements to increase the proposed boundary fencing to address ground level overlooking, any increase to boundary fencing levels is a civil matter between property owners.</p>		
<p>Clause 55.04-7 Internal views objective</p> <ul style="list-style-type: none"> To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development. 	<p>Standard B23 Windows and balconies should be designed to prevent overlooking of more than 50% of the SPOS of a lower-level dwelling or residential building directly below and within the same development.</p>	<p>Complies with standard & meets objective</p>
<p>Assessment:</p> <p>No unreasonable internal overlooking will occur as a result of upper level and private open space positioning.</p>		
<p>Clause 55.04-8 Noise impacts objectives</p> <ul style="list-style-type: none"> To contain noise sources in developments that may affect existing dwellings. To protect residents from external noise. 	<p>Standard B24 Noise sources should not be located near bedrooms of immediately adjacent existing dwellings. Noise sensitive rooms and SPOS of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties. Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.</p>	<p>Complies with standard & meets objective (subject to condition)</p>

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
<p>Assessment:</p> <p>There are no noise impacts or noise sources impacting proposed dwellings. Any noise associated with the dwellings will be domestic in nature and is as-of-right within the residential zone.</p> <p>Any external heating/cooling units will be required as a condition on any Permit issued to be located so as to not be opposite any existing habitable room windows on adjoining properties.</p>		
<p>Clause 55.05-1 Accessibility objective</p> <ul style="list-style-type: none"> ▪ To encourage the consideration of the needs of people with limited mobility in the design of developments. 	<p>Standard B25</p> <p>The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.</p>	<p>Complies with standard & meets objective</p>
<p>Assessment:</p> <p>It is considered that the proposed layout and design of dwelling entries can accommodate for people of limited mobility. Site and building levels will not limit the ability of any persons accessing the dwellings.</p>		
<p>Clause 55.05-2 Dwelling entry objective</p> <ul style="list-style-type: none"> ▪ To provide each dwelling or residential building with its own sense of identity. 	<p>Standard B26</p> <p>Entries to dwellings and residential buildings should:</p> <ul style="list-style-type: none"> ▪ Be visible and easily identifiable from streets and other public areas. ▪ Provide shelter, a sense of personal address and a transitional space around the entry. 	<p>Complies with standard & meets objective</p>
<p>Assessment:</p> <p>The entries to each dwelling are designed and located to achieve high visibility from the street and common driveway as well as providing a sense of address and shelter for residents and visitors.</p>		
<p>Clause 55.05-3 Daylight to new windows objective</p> <ul style="list-style-type: none"> ▪ To allow adequate daylight into new habitable room windows. 	<p>Standard B27</p> <p>HRW should be located to face:</p> <ul style="list-style-type: none"> ▪ Outdoor space clear to the sky or a light court with a minimum area of 3m² and min. dimension of 1m clear to the sky or ▪ Verandah provided it is open for at least 1/3 of its perimeter, or ▪ A carport provided it has 2 or more open sides and is open for at least 1/3 of its perimeter. 	<p>Complies with standard & meets objective</p>
<p>Assessment:</p> <p>All proposed windows allow for adequate solar access and natural daylight into primary and secondary living areas.</p>		
<p>Clause 55.05-4 Private open space objective</p>	<p>Standard B28</p>	<p>Complies with standard and</p>

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
<ul style="list-style-type: none"> To provide adequate private open space for the reasonable recreation and service needs of residents. 	<p>A dwelling or residential building should have POS consisting of:</p> <ul style="list-style-type: none"> An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 40 square metres, a minimum dimension of 5 metres and convenient access from a living room. If a dwelling has more than 2 bedrooms an additional ground level private open space area of 20 square metres with a minimum width of 3 metres is required to be provided for each additional bedroom, with a maximum of 80 square metres of private open space required for the dwelling 	<p>meets objective</p>
<p>Assessment:</p> <p><i>Dwelling 1 (3 bedrooms)</i> – 40.6 m² of SPOS with a minimum dimension of 5 m and convenient access to living spaces. An additional 22 m² of SPOS is provided and 83.7 m² of POS in the front yard, both areas with minimum 3m dimensions.</p> <p><i>Dwelling 2 (3 bedrooms)</i> – 44.3 m² of SPOS with a minimum dimension of 5 m and convenient access to living spaces. An additional 21.7 m² of SPOS with a minimum dimension of 3 m.</p> <p><i>Dwelling 3 (3 bedrooms)</i> – 46.3 m² of SPOS with a minimum dimension of 5 m and convenient access to living spaces. An additional 20.6 m² of SPOS with a minimum dimension of 3 m.</p> <p><i>Dwelling 4 (3 bedrooms)</i> – 42.9 m² of SPOS with a minimum dimension of 5 m and convenient access to living spaces. An additional 21.8 m² of SPOS with a minimum dimension of 3 m.</p> <p><i>Dwelling 3 (2 bedrooms)</i> – 42.9 m² of SPOS with a minimum dimension of 5 m and convenient access to living spaces. An additional 47 m² of SPOS with a minimum dimension of 3 m.</p>		
<p>Clause 55.05-5 Solar Access to Open Space</p> <ul style="list-style-type: none"> To allow solar access into the secluded private open space of new dwellings and residential buildings. 	<p>Standard B29</p> <p>The private open space should be located on the north side of the dwelling or residential building, if appropriate.</p> <p>The southern boundary of secluded private open space should be set back from any wall on the north of the space at least (2 + 0.9h) metres, where 'h' is the height of the wall.</p>	<p>Complies with standard & meets objective</p> <p>Complies with standard & meets objective</p>
<p>Assessment:</p> <p>SPOS of each dwelling is positioned on the north and north-east of the dwellings, providing sufficient solar access throughout the day. There will be no walls of a height on the northern side of each SPOS that will have a significant shadowing impact to each dwelling's SPOS.</p>		
<p>Clause 55.05-6 Storage objective</p>	<p>Standard B30</p> <p>Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.</p>	<p>Complies with standard &</p>

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
<ul style="list-style-type: none"> To provide adequate storage facilities for each dwelling. 		meets objective
<p>Assessment:</p> <p>External secure storage areas have been provided for each dwelling within private open space areas.</p>		
<p>Clause 55.06-1 Design Detail objective</p> <ul style="list-style-type: none"> To encourage design detail that respects the existing or preferred neighbourhood character 	<p>Standard B31</p> <p>The design of buildings, including:</p> <ul style="list-style-type: none"> Facade articulation and detailing Window and door proportions, Roof form, and Verandahs, eaves and parapets, <p>should respect the existing or preferred neighbourhood character. Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.</p>	Complies with standard & meets objective
<p>Assessment:</p> <p>The design of the proposed development is respectful to the existing and emerging character of the area.</p> <p>The architectural response of the proposal offers a mix of contemporary and traditional styles. Contemporary features include rendered walls, cladding and skillion colorbond roofing for Dwellings 1 to 4, whereas traditional features of face brick and hip roofing are incorporated for Dwelling 5 and in part (face brick walls) to Dwelling 1 to 4. The architectural mix is considered to be an appropriate response to the mixed character of the area that has been established from the development of post-war villa</p> <p>Fenestration, eaves, framing and other detailing of the dwellings provide a positive design outcome for the area, particularly contemporary housing forms.</p>		
<p>Clause 55.06-2 Front fences objective</p> <ul style="list-style-type: none"> To encourage front fence design that respects the existing or preferred neighbourhood character. 	<p>Standard B32</p> <p>The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties.</p> <p>Schedule to GRZ2/3: A front fence within 3m of a street should not exceed:2m for streets in a RDZ1 or 1.2m for other streets</p>	Complies with standard and objective
<p>Assessment:</p> <p>The application proposes a 1.2m high brick pier and metal infill fence along the property frontage. The design and height of the fence is appropriate for the street and fencing character of the area.</p>		

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
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<p>Clause 55.06-3 Common property objectives</p> <ul style="list-style-type: none"> To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained. To avoid future management difficulties in areas of common ownership. 	<p>Standard B33 Developments should clearly delineate public, communal and private areas.</p> <p>Common property, where provided, should be functional and capable of efficient management.</p>	<p>Complies with standard and meets objective</p>
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Assessment:

The proposed common property has been designed to be functional and managed efficiently.

<p>Clause 55.06-4 Site services objectives</p> <ul style="list-style-type: none"> To ensure that site services can be installed and easily maintained. To ensure that site facilities are accessible, adequate and attractive. 	<p>Standard B34 Dwelling layout and design should provide sufficient space and facilities for services to be installed and maintained efficiently and economically.</p> <p>Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.</p>	<p>Complies with standard & meets objective</p>
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Assessment:

All services and facilities have been provided appropriately including clotheslines, bin storage, metering and mailboxes.

14.0 RESPONSE TO GROUNDS OF OBJECTIONS

14.1 The objector concerns have largely been addressed in the body of this report.

Ground(s)	Response
<p>Request to reposition common driveway along the eastern boundary for</p>	<p>The primary objections received were based on the design response of the proposal to have the rear SPOS of each dwelling along the eastern boundary, adjacent to existing SPOS areas at</p>

<p>improved privacy and sunlight.</p>	<p>no. 45 and 47A Golden Avenue. Concerns were raised with regard to privacy, overshadowing and noise impacts as a result of this layout. Council Officers have carefully considered this alternative arrangement and have determined that the current arrangement is acceptable for the following reasons:</p> <ul style="list-style-type: none"> • The layout is consistent with other infill developments in the immediate area including to the east and west at no. 39, 41, 49 and 51 Golden Avenue and opposite at no. 54 and 56 Golden Avenue. Whilst there are some examples of the alternative layout, the predominant pattern in this part of Golden Avenue is as proposed for the site. • The driveway along the western side of the property provides a more energy efficiency and improved internal amenity outcome by allowing the SPOS and living room of each dwelling to be oriented to the north. • It is not uncommon for SPOS to be positioned adjacent to other SPOS with noise generated from the SPOS as-of-right in residential areas. A driveway along the adjacent SPOS may create more detrimental impacts due to vehicle traffic and noise. • Generous setbacks are provided from ground and first floor walls to the adjoining properties to the east. The location of the driveway and SPOS does not significantly change side setbacks and shadowing impacts. • As outlined in the ResCode assessment, the proposal complies with and in some cases exceeds the minimum required side and rear setbacks including from existing windows. • Overshadowing and overlooking is also compliant as discussed under the ResCode assessment. • The siting of proposed SPOS areas adjacent to existing SPOS allows for canopy tree plantings along the eastern boundary which would not be possible if the driveway ran along the eastern boundary. • The proposal uses the existing crossover, removing the need to create a new crossover reducing resources.
<p>Building height</p>	<p>The proposed height of the development is within the height parameters of the Zone, being 9 metres. The proposal reflects similar built form in established medium density development in the immediate area including no. 49 and 51 Golden Avenue where four (4) out of the five (5) dwellings are double storey. The proposed upper levels are sensitively designed in accordance with Clause 22.06 (Residential Development Policy) to minimise amenity impacts. Refer to standards B1 and B2 for further discussion.</p>
<p>Overlooking</p>	<p>The proposed development has been designed to address overlooking and privacy concerns with the use of highlight windows, obscured glazing to a minimum height of 1.7m above the finished floor level and external screening. Refer to standard B22 above for further discussion.</p>

Overshadowing	The proposed development will not result in any unreasonable level of overshadowing. As discussed under standard B21 of the ResCode assessment, there will be some additional shadow at 3pm into the adjoining property of no. 4/47A Golden Avenue, however the sunlight that will be maintained complies with the minimum requirements of the standard. Refer to standard B21 for further discussion.
On-street congestion	parking In accordance with Clause 52.06, the proposed development generates a car parking requirement of 10 spaces based on four (4) 3 bedroom dwellings, one (1) 2 bedroom dwelling and visitor car parking space. The proposal will accommodate all required 10 spaces on-site and does not rely on off-site parking including on the street. The retention of the existing crossover and no new crossovers on the site's property frontage will also allow for car spaces to be maintained on the street.

14. CONCLUSION

- 14.1 On balance, the proposal is considered to substantially comply with the relevant planning policy and therefore should be supported.
- 14.2 As outlined above, it has been determined that prior to deciding on this application all factors pursuant to section 60(1) of the *Planning and Environment Act* 1987 have been considered. Further to this, the proposal does not give rise to any significant social and economic effects.
- 14.3 The proposed development is considered appropriate for the site, subject to conditions.

15. RECOMMENDATION

- 15.1 That the Council determine to support the proposal and issue a **Notice of Decision to Grant a Permit** for the **Development of land for five (5) dwellings** at 43 Golden Avenue, Bonbeach, subject to the following conditions:
 - 1. Before the development starts amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the advertised plans prepared by 'Planning & Design P/L', project no. 6429 drawing no. TP-01 and TP-02, dated 10/07/2020, submitted to Council on 17/07/2020, but modified to show:
 - a) The total garden area remaining compliant with the minimum required 35% as a result of any changes from condition 1.
 - b) Windows added to the west-facing kitchen walls of Dwelling 2 and 3 and to the south-facing bedroom 2 wall of Dwelling 5 to improve surveillance along the common driveway and designed to have minimum sill heights of no less than 1.4 metre above the finished surface level of the driveway.
 - c) Sensor lighting provided to the visitor car parking space and designed to have limited light pollution into adjoining Dwelling 2 and 3.
 - d) External screening to address overlooking for upper level windows, nominated as being permanently fixed with no more than 25% transparency.
 - e) A diagram of the external screening showing dimensions, materiality and demonstrating compliance with the standard requirements of B22 under Clause 55.04-6.
 - f) The part of the notation on the material schedule specifying obscured glazing to have a "...maximum transparency of 25%..." deleted.

- g) The rainwater tanks nominated as having a minimum capacity of 2000L and connected for toilet flushing.
- h) The minimum finished floor level of the proposed buildings (habitable areas) and garages must be nominated at 2.69m and 2.54m to AHD, respectively.
- i) Access designed to ensure all vehicles exiting the garages of Dwelling 1 and 3 can do so in no more than a 3-point turn in accordance with AS/NZS 2890.1.
- j) Provision of a longitudinal section of the reverse fall driveway with levels and grades to AHD, and designed in accordance with Clause 52.06 of the Kingston Planning Scheme.
- k) The internal driveway setback at least 500 millimetres from the side boundary at the front property boundary.
- l) The surface material of all driveways / accessways and car parking spaces to be nominated in all-weather coloured concrete sealcoat or similar or permeable paving.
- m) The location of all externally-located heating and cooling units, exhaust fans and the like, clearly shown and located in accordance with condition 22.
- n) The provision of a full colour palette, finishes and building materials schedule for all external elevations, front fencing and driveways of the development.
- o) the provision of a landscape plan in accordance with the submitted development plan and with such plans to be prepared by a suitably qualified landscape professional to the satisfaction of the Responsible Authority and incorporating:
 - i. A planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant with all plants chosen to be to the satisfaction of the Responsible Authority;
 - ii. A survey, including, botanical names of all existing trees to be retained or removed on the site including Tree Protection Zones for trees to be retained calculated in accordance with AS4970-2009;
 - iii. A survey including botanical names, of all existing trees on neighbouring properties where the Tree Protection Zones of such trees calculated in accordance with AS4970-2009 fall partially within the subject site;
 - iv. The delineation of all garden beds, paving, grassed area, retaining walls, fences and other landscape works;
 - v. A range of plant types from ground covers to large shrubs and trees, provided at adequate planting densities (e.g. plants 1 metre width at maturity planted 1 metre apart); with the species chosen to comprise of a minimum 80% coastal indigenous species by plant type and total quantities;
 - vi. The provision of two (2) native canopy trees capable of growing to minimum mature dimensions of 12 metres in height and 7 metres in width to be planted within the front setback of the property, with the species chosen to be approved by the Responsible Authority;
 - vii. The provision of one (1) canopy tree capable of growing to minimum mature dimensions of 8 metres in height and 5 metres in width to be planted within the secluded private open space of Unit 1, 2, 3 and 4, with the species chosen to be approved by the Responsible Authority;
 - viii. All trees provided at a minimum of 2 metres in height at time of planting, medium to large shrubs to be provided at a minimum pot size of 200mm;

- ix. The provision of notes regarding site preparation, including the removal of all weeds, proposed mulch, soil types and thickness, subsoil preparation and any specific maintenance requirements; and
- x. The location of any tree protection measures including for street trees accurately drawn to scale and labelled as per the endorsed Tree Management Plan.
- p) The location of tree protection measures illustrated to scale and labelled on the Ground Floor Plan as per the endorsed Tree Management Plan.
- q) Any changes as required by Conditions 3 and 4.

Endorsed Plans

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

Trees to be retained

- 3. The retention of the *Leptospermum laevigatum* (Coast Teatree) located in the north-west corner of the property.

Vegetation Management

- 4. Concurrent with the endorsement of plans, a Tree Management Plan must be submitted to and be endorsed by the Responsible Authority and incorporating:
 - a) A Tree Protection Plan (scale drawing) with a notation referring to the Tree Management Plan must provide details of:
 - i. The Tree Protection Zone and Structural Root Zone, calculated in accordance with AS4970-2009, for all trees to be retained on the site and for all trees on neighbouring properties where the Tree Protection Zone falls partially within the subject site.
 - ii. Tree protection fencing, or ground protection where required, provided in accordance with AS4970-2009.
 - iii. Stages of development at which inspections are required to ensure tree protection measures are adhered to must be specified.
 - iv. Appropriate signage on any tree protection fencing prohibiting access, excavation, changes in soil levels, or any storage within the Tree Protection Zone in accordance with AS4970-2009 unless with the prior written consent and under the direct supervision of the consulting arborist.
 - v. Maintenance of the area(s) within the Tree Protection Zone in accordance with AS4970-2009.
 - vi. Any pruning to be undertaken being in accordance with AS4373-2007.
 - b) A Tree Management Plan (written report) must be prepared by a suitably qualified arborist, with reference the Tree Protection Plan and provide details of:
 - i. Proposed footings and construction methods for any buildings or structures within the Tree Protection Zone nominated on the Tree Protection Plan.
 - ii. How excavation impacts, including soil level changes, on trees to be retained will be managed.
 - iii. How the canopy of trees nominated on the Tree Protection Plan will be protected.
 - iv. Any other measures required to demonstrate the successful ongoing retention and viability post-construction of any trees nominated on the Tree Protection Plan.
- 5. All protection measures identified in the Tree Management Plan must be implemented, and development works undertaken on the land must be undertaken in accordance with the Tree Management Plan, to the satisfaction of the Responsible Authority.

6. Prior to the commencement of works, the name and contact details of the project arborist responsible for implementing the Tree Management Plan must be submitted to the Responsible Authority.

Street tree

7. Tree Protection Fencing is to be established around the street trees prior to demolition and maintained until all works on site are complete.
 - a) The fencing is to be a 1.8 metre high temporary fence constructed using steel or timber posts fixed in the ground or to a concrete pad, with the fence's side panels to be constructed of cyclone mesh wire or similar strong metal mesh or netting.
 - b) The fencing is to encompass the entire nature strip with each end 3 metres from the base of the tree.

Drainage and Water Sensitive Urban Design

8. Unless with the prior written consent of the Responsible Authority, before the development commences, the following Integrated Stormwater Management documents must be prepared, by a suitably qualified person, to the satisfaction of the Responsible Authority.
 - a) Stormwater Management/drainage (drainage) Plan(s) must be prepared, with supporting computations, showing the stormwater (drainage) works to the nominated point of discharge. The plan(s) must show all details of the proposed stormwater (drainage) works including all existing and proposed features that may have impact on the stormwater (drainage) works, including landscaping details.
 - b) The Stormwater Management (drainage) Plan must address the requirements specified within Council's "Civil Design requirements for Developers – Part A: Integrated Stormwater Management".
 - c) A STORM modelling report with results demonstrating water sensitive urban design treatments that achieve Victorian best practice objectives with a minimum 100% rating must be provided as part of the Stormwater Management (drainage) Plan to the satisfaction of the Responsible Authority. These may include the use of an infiltration or bio-retention system, rainwater tanks connected for reuse, or other treatments to the satisfaction of the Responsible Authority.
 - d) The water sensitive urban design treatments as per conditions 8 a), b) and c) above must be implemented on-site, unless an alternative agreement for stormwater quality in-lieu contribution is reached with the Responsible Authority.
9. Stormwater/drainage works must be implemented in accordance with the approved stormwater management/drainage plan(s) and to the satisfaction of the Responsible Authority including the following:
 - a) All stormwater/drainage works must be provided on the site so as to prevent overflows onto adjacent properties.
 - b) The implementation of stormwater/drainage detention system(s) which restricts stormwater discharge to the maximum allowable flowrate of 12.1L/s.
 - c) All stormwater/drainage works must be maintained to the satisfaction of the Responsible Authority.

Sustainable Design Assessment

10. Concurrent with the endorsement of the plans required pursuant to Condition 1 of this permit, the provision of a Sustainable Design Assessment (SDA) substantially in accordance with the SDA prepared by 'Melbourne Energy Rating Pty. Ltd.' dated 30 June 2020 must be submitted to and approved by the Responsible Authority. The SDA must include, but is not limited to, detailing initiatives for stormwater harvesting, insulation, building materials,

daylighting, collective rainwater tanks and/or individual rainwater tanks, public and private landscape irrigation and car washing, energy efficient concepts, glazing and internal ventilation and the like.

11. All works must be undertaken in accordance with the endorsed Sustainable Design Assessment to the satisfaction of the responsible authority. No alterations to the SDA may occur without the written consent of the Responsible Authority.

Construction Management Plan

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

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

Cultural Heritage Management Plan

13. The works hereby approved must be carried out in accordance with the approved Cultural Heritage Management Plan No. 17218 prepared by AKWP Heritage Advisors and approved by the Director Heritage Services Aboriginal Victoria, acting under authority delegated by the Secretary, Department of Premier and Cabinet on 30 October 2020.

Infrastructure and Road Works

14. Vehicle crossings must be constructed at a 90 degree alignment with the kerb on Golden Avenue and all internal driveways must align with the existing/proposed vehicle crossing.
15. Any relocation of pits/power poles or other services affected by this development must be relocated to the satisfaction of the relevant servicing authority and the Responsible Authority, at the cost of the owner/developer.
16. Property boundary and footpath levels must not be altered without the prior written consent from the Responsible Authority.
17. All reinstatements and vehicle crossings must be constructed to the satisfaction of the Responsible Authority.
18. The replacement of all footpaths, including offsets, must be constructed to the satisfaction of the Responsible Authority.
19. Vehicle crossings must be constructed to council's industrial strength specifications unless otherwise approved by the Responsible Authority.

20. Any redundant vehicle crossings must be removed (including redundant portions of vehicle crossings) to the satisfaction of the Responsible Authority.

General amenity conditions

21. All works on or facing the boundaries of adjoining properties must be finished and surface cleaned to a standard that is well presented to neighbouring properties in a manner to the satisfaction of the Responsible Authority.
22. All externally-located heating and cooling units, exhaust fans and the like must not be located adjacent to bedroom windows on adjoining properties and must not be located where they will be highly visible from any public area to the satisfaction of the Responsible Authority.
23. All piping, ducting above the ground floor storey of the development (other than rainwater, guttering and downpipes) must be concealed to the satisfaction of the Responsible Authority.

Completion of Works

24. Prior to the occupation of the dwellings hereby permitted, all buildings and works and the conditions of this permit must be complied with to the satisfaction of the Responsible Authority, unless with the further prior written consent of the Responsible Authority.
25. Prior to the occupation of the dwellings hereby permitted, the landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority. Thereafter, the landscaping shall be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.

Expiry

26. This permit as it relates to development (buildings and works) will expire if one of the following circumstances applies:
- a. The development is not started within two (2) years of the issue date of this permit.
 - b. The development is not completed within four (4) years of the issue date of this permit.

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

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

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

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

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

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

Note: Any landscape plan prepared in accordance with conditions must comply with Council's Landscape Checklist.

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

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

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

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


Note: The property is subject to flooding as per recently prepared flood map of the area. The applicable flood level for the subject site for 1 in 100 year ARI is 2.39m to Australian Height Datum (AHD).

OR

In the event that the Council wishes to refuse the application, it can do so on the following grounds:

1. The proposal fails to comply with relevant local planning policies contained within of the Kingston Planning Scheme.
2. The proposal results in excessive visual bulk and massing to the detriment of the local neighbourhood character.
3. The proposal fails to achieve consistency and is not compatible with the existing neighbourhood character of the established surrounding residential area.
4. The proposal fails to comply with relevant following objectives and standards of Clause 55 of the Kingston Planning Scheme (ResCode):
 - Clause 55.02-1 – Neighbourhood Character
 - Clause 55.02-2 – Residential Policy
 - Clause 55.03-1 – Street Setback

Appendices

Appendix 1 - KP-2020/115 - 43 Golden Avenue Chelsea - CONSIDERED PLANS (Ref 20/299471) 

Author/s: Beau McKenzie, Principal Planner
Reviewed and Approved By: Amy Lin, Team Leader Statutory Planning
Jaclyn Murdoch, Manager City Development

8.3

KP-2020/115 - 43 GOLDEN AVENUE CHELSEA

1	KP-2020/115 - 43 Golden Avenue Chelsea - CONSIDERED PLANS	199
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ADVERTISED PLANS
Documentation May
Be Subject to Copyright

RECORD OF HAVING RE-ESTABLISHED A CADASTRAL BOUNDARY

SURVEYING (CADASTRAL SURVEYS) REGULATIONS 2015 - SCHEDULE 4, REGULATION 16

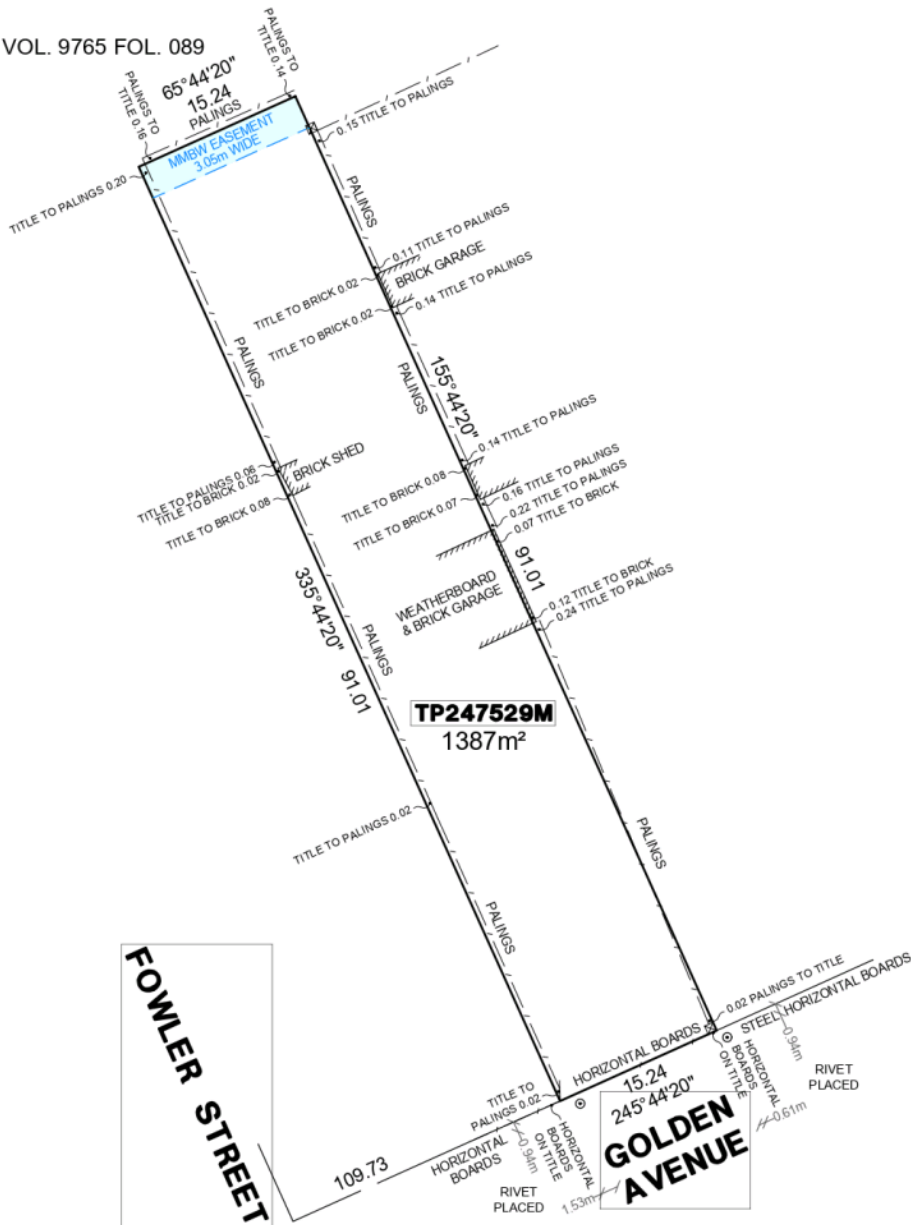
LOCATION OF LAND

Property Address: 43 GOLDEN AVENUE CHELSEA, 3196

Lot Description: TP 247529 M

Title Description: VOL. 9765 FOL. 089

IMPORTANT NOTE:
 PLEASE NOTE FOR ANY FENCING OR BUILDINGS ENCRACHING ONTO THE SUBJECT SITE. THE ADJOINING LAND OWNER(S) MAY HAVE RIGHTS OF POSSESSION. AS THIS LAND MAY NOT BE RECOVERABLE IT IS RECOMMENDED THAT NO DESIGN BE MADE BEYOND THIS POINT UNTIL A RESOLUTION IS REACHED WITH THE ADJOINING OWNER.





Connections to Reference marks and offsets to occupation are not shown to scale.

ORIGINAL SHEET SIZE: A3		CERTIFICATION BY SURVEYOR		SHEET 1 of 1
SCALE 1:400		I, Anthony Peter Ralph, of 9/303 Maroondah Hwy Ringwood certify that this plan has been prepared from a survey made under my direction and supervision in accordance with the Surveying Act 2004 and completed on 21/11/19, that this plan is accurate and correctly represents the adopted boundaries and that survey accuracy accords with that required for by regulation 7 (1) of the Surveying (Cadastral Surveys) Regulations 2015.		
REF. 2563211G1D	VERSION 01	DIGITALLY SIGNED Licensed Surveyor, Surveying Act 2004.		
<p>JCA Land Consultants THE SUBDIVISION SPECIALISTS Surveying Engineering Town Planning Suite 9, 303 Maroondah Highway Ringwood Vic, Australia 3134 Phone 03 9735 4888 Email jca@jcalc.com.au www.jcalc.com.au</p>				

**ADVERTISED PLANS
Documentation May
Be Subject to Copyright**

SITE PHOTOS
PROJECT ADDRESS: 43 GOLDEN AVENUE, CHELSEA



PLEASE REFER TO NEIGHBOURHOOD AND SITE DESCRIPTION PLAN FOR PHOTO VIEW REFERENCES V01-V12

ADDRESS: 31 ENFIELD AVE., PRESTON VIC 3072 PH: 03 9018 1529 EMAIL: admin@planninganddesign.com.au



ADVERTISED PLANS
 Documentation May
DESIGN RESPONSE Copyright

- 1 EXISTING CROSSOVER TO BE MODIFIED TO SERVICE ALL UNITS.
- 2 PROPOSED VEHICLE STORAGE FOR ALL UNITS ARE LOCATED BEHIND THE FRONT DWELLING TO HIDE FROM THE STREET AND PROVIDE PARKING STRUCTURES FROM THE STREET SCOPE.
- 3 NEW MAILBOXES FOR ALL UNITS.
- 4 PROPOSED FRONT STREET SETBACK TO DEVELOPMENT IS SYMPATHETIC TO THE ADJOINING NEIGHBOURS.
- 5 LARGE LAWN AREA PROVIDES SPACE FOR LANDSCAPING.
- 6 OPEN SPACES TO UNITS ARE ORIENTED TOWARDS NORTH PROVIDING FUTURE RESIDENCES WITH EXCELLENT SOLAR ACCESS AND NORTH LIGHT. THE DEVELOPMENT WILL PROVIDE SUFFICIENT PRIVATE OPEN SPACE FOR THE REASONABLE RECREATION, SERVICE AND STORAGE NEEDS OF RESIDENTS. THE PRIVATE OPEN SPACES FOR ALL DWELLINGS ARE LOCATED OFF-ROAD AREAS.
- 7 LANDSCAPING LOCATION TO PROVIDE SOFT VISUAL BOUNDARY BETWEEN THE ADJOINING PROPERTIES.
- 8 SETBACKS BETWEEN UNITS AIMS TO RETAIN EXISTING SIGHT LINES WITHIN AND THROUGH THE SITE. THIS WILL ALSO REDUCE VISUAL BULK OF THE NEW DEVELOPMENT.
- 9 THERE ARE NO PROPOSED WALLS TO BE BUILT TO ANY BOUNDARY FOR THIS DEVELOPMENT.
- 10 DRIVEWAYS HAVE BEEN DESIGNED WITH A TURNING CIRCLE TO ALLOW VEHICLES TO EXIT THE SITE IN A FORWARD DIRECTION.
- 11 THE DEVELOPMENT HAS PROVISION FOR VISITOR CAR PARKING.
- 12 UPPER FLOOR LEVEL OF DWELLINGS SETBACK FROM SIDE BOUNDARIES TO REDUCE VISUAL BULK AND TO PROVIDE VISUAL BULK TO ADJOINING PROPERTIES. UPPER LEVEL FOOTPRINT IS OFFSET WITHIN THE GROUND FLOOR ENVELOPE TO REDUCE VISUAL BULK AND CREATE A MORE GRADUAL TRANSITION BETWEEN THE SINGLE STOREY AND TWO-STOREY BUILDING FORM.

ALL LEVELS SHOWN ARE TO ADJ.

NO.	DATE	REVISION
1	10/11/2020	ISSUED FOR TENDERS
2	11/02/2021	REVISED TO REFLECT COMMENTS
3	11/02/2021	REVISED TO REFLECT COMMENTS
4	11/02/2021	REVISED TO REFLECT COMMENTS
5	11/02/2021	REVISED TO REFLECT COMMENTS
6	11/02/2021	REVISED TO REFLECT COMMENTS
7	11/02/2021	REVISED TO REFLECT COMMENTS
8	11/02/2021	REVISED TO REFLECT COMMENTS
9	11/02/2021	REVISED TO REFLECT COMMENTS
10	11/02/2021	REVISED TO REFLECT COMMENTS
11	11/02/2021	REVISED TO REFLECT COMMENTS
12	11/02/2021	REVISED TO REFLECT COMMENTS

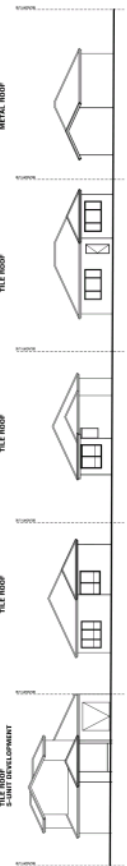
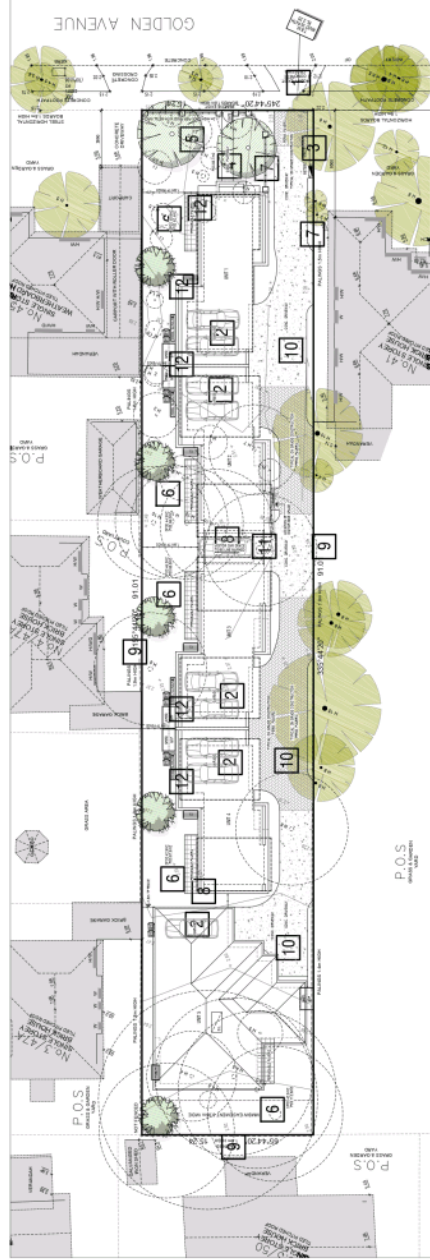
DESIGN

31 COLLEGE AVENUE SUITE 202, PLYMOUTH VIC 3209
 E: info@designplanning.com.au
 P: 03 9594 2222

D. A. N. N. G. A.

DESIGN RESPONSE
 URM DEVELOPMENT
 43 GOLDEN AVENUE, CHELSEA

DR 110

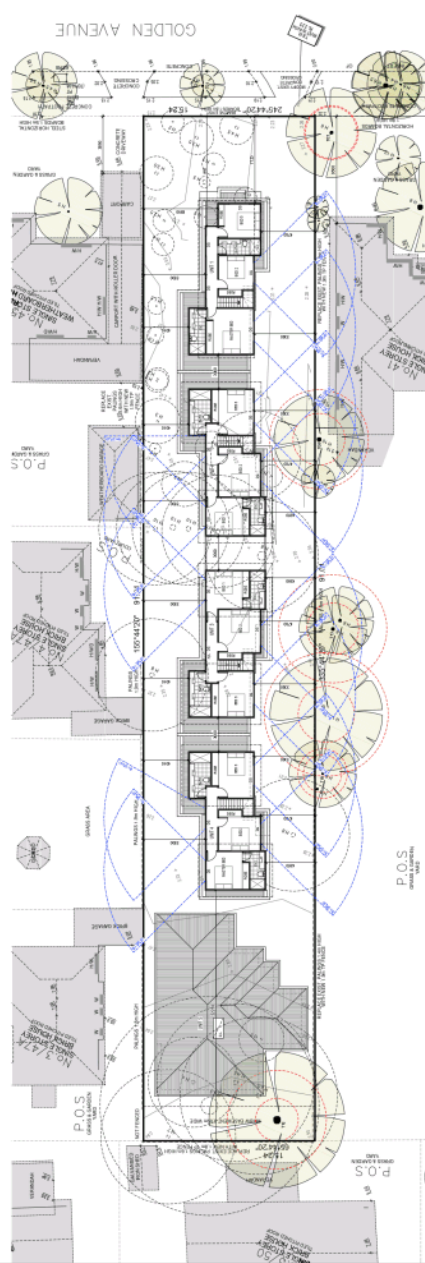
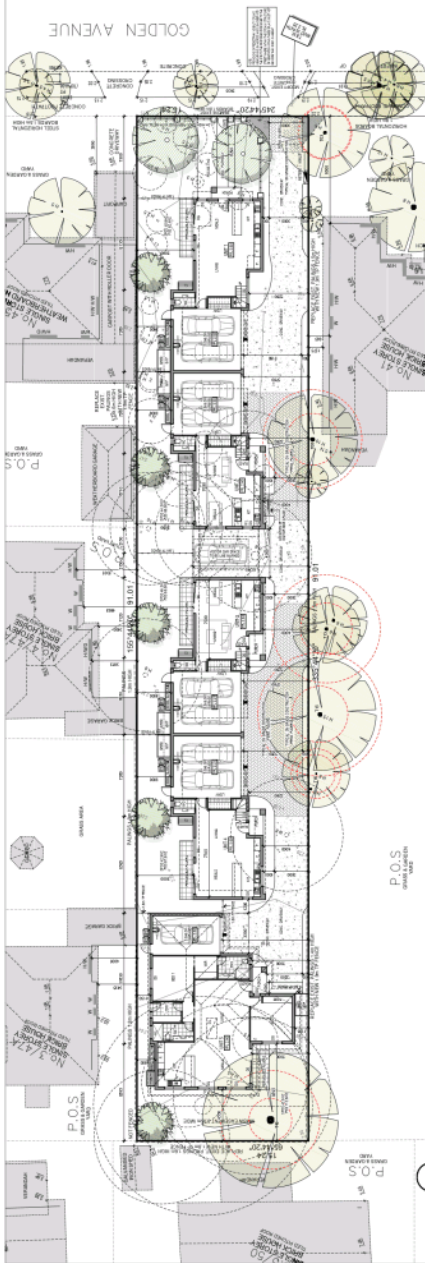


EXISTING ELEVATIONS



PROPOSED ELEVATIONS

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GREEN AREA PLAN
 GREEN AREAS
 GREEN AREAS
 GREEN AREAS

ESP NOTE:
 1. ALL LEVELS SHOWN ARE TO FINISH.

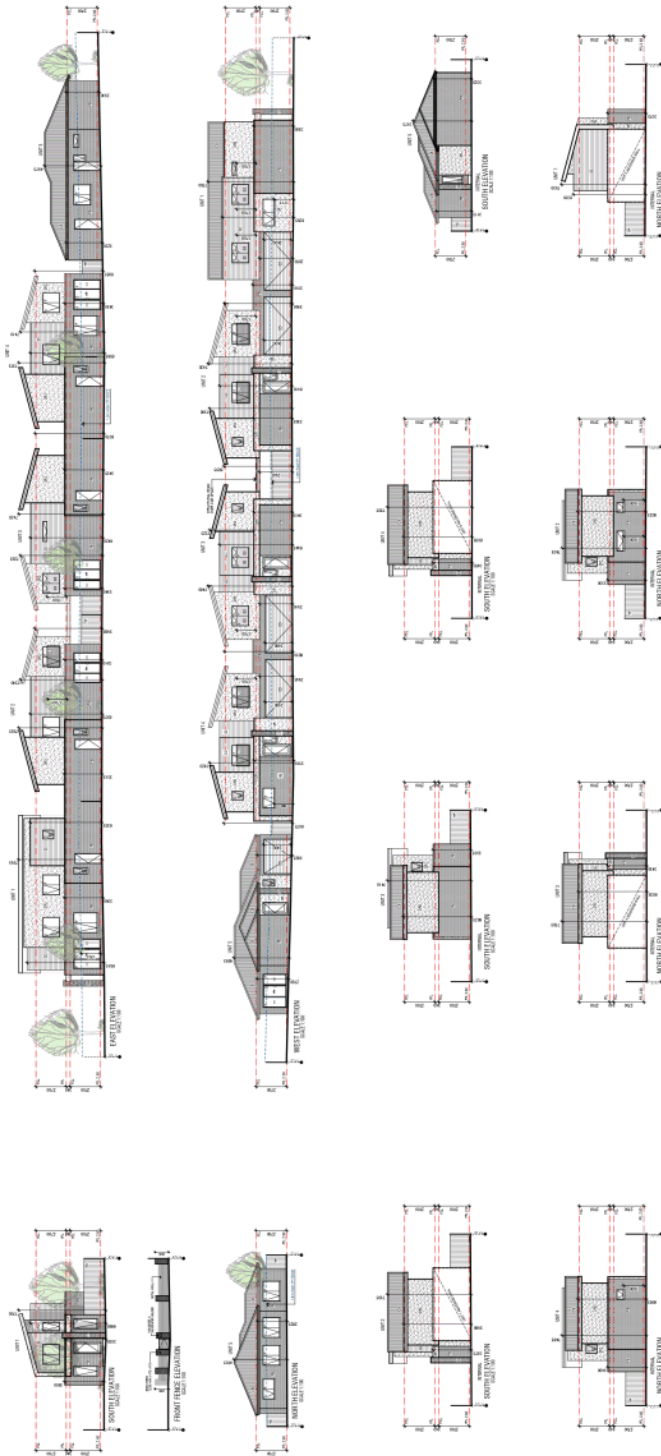
AREA	FINISH ELEVATION
1ST FLOOR	100.00
2ND FLOOR	101.00
3RD FLOOR	102.00
4TH FLOOR	103.00
5TH FLOOR	104.00
6TH FLOOR	105.00
7TH FLOOR	106.00
8TH FLOOR	107.00
9TH FLOOR	108.00
10TH FLOOR	109.00
11TH FLOOR	110.00
12TH FLOOR	111.00
13TH FLOOR	112.00
14TH FLOOR	113.00
15TH FLOOR	114.00
16TH FLOOR	115.00
17TH FLOOR	116.00
18TH FLOOR	117.00
19TH FLOOR	118.00
20TH FLOOR	119.00
21ST FLOOR	120.00
22ND FLOOR	121.00
23RD FLOOR	122.00
24TH FLOOR	123.00
25TH FLOOR	124.00
26TH FLOOR	125.00
27TH FLOOR	126.00
28TH FLOOR	127.00
29TH FLOOR	128.00
30TH FLOOR	129.00
31ST FLOOR	130.00
32ND FLOOR	131.00
33RD FLOOR	132.00
34TH FLOOR	133.00
35TH FLOOR	134.00
36TH FLOOR	135.00
37TH FLOOR	136.00
38TH FLOOR	137.00
39TH FLOOR	138.00
40TH FLOOR	139.00
41ST FLOOR	140.00
42ND FLOOR	141.00
43RD FLOOR	142.00
44TH FLOOR	143.00
45TH FLOOR	144.00
46TH FLOOR	145.00
47TH FLOOR	146.00
48TH FLOOR	147.00
49TH FLOOR	148.00
50TH FLOOR	149.00
51ST FLOOR	150.00
52ND FLOOR	151.00
53RD FLOOR	152.00
54TH FLOOR	153.00
55TH FLOOR	154.00
56TH FLOOR	155.00
57TH FLOOR	156.00
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73RD FLOOR	172.00
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83RD FLOOR	182.00
84TH FLOOR	183.00
85TH FLOOR	184.00
86TH FLOOR	185.00
87TH FLOOR	186.00
88TH FLOOR	187.00
89TH FLOOR	188.00
90TH FLOOR	189.00
91ST FLOOR	190.00
92ND FLOOR	191.00
93RD FLOOR	192.00
94TH FLOOR	193.00
95TH FLOOR	194.00
96TH FLOOR	195.00
97TH FLOOR	196.00
98TH FLOOR	197.00
99TH FLOOR	198.00
100TH FLOOR	199.00

ALL LEVELS SHOWN ARE TO FINISH.

DESIGN

TP01

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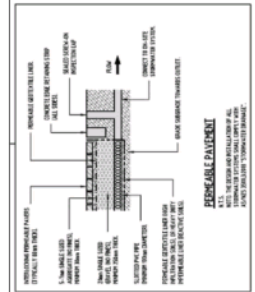


MATERIAL SCHEDULE:

- CONCRETE
- BRICKWORK
- GLAZING
- ROOFING
- WALLS
- FLOORING
- CEILING
- PAINTS
- IRONWORK
- MECHANICAL
- ELECTRICAL
- PLUMBING
- LANDSCAPE
- FIXTURES
- FINISHES
- DETAILS
- OTHER
- ITEMS

ALL LEVELS SHOWN IN TO.MD.

1. FINISHED FLOOR LEVEL	0.00
2. FINISHED CEILING LEVEL	-0.10
3. FINISHED ROOF LEVEL	0.00
4. FINISHED GROUND LEVEL	0.00
5. FINISHED SUBGRADE LEVEL	-0.15
6. FINISHED EXISTING GROUND LEVEL	0.00
7. FINISHED EXISTING ROOF LEVEL	0.00
8. FINISHED EXISTING CEILING LEVEL	-0.10
9. FINISHED EXISTING FLOOR LEVEL	0.00
10. FINISHED EXISTING WALL TOP LEVEL	0.00
11. FINISHED EXISTING WALL BOTTOM LEVEL	-0.10
12. FINISHED EXISTING ROOF RISE LEVEL	0.00
13. FINISHED EXISTING ROOF FALL LEVEL	0.00
14. FINISHED EXISTING ROOF RISE LEVEL	0.00
15. FINISHED EXISTING ROOF FALL LEVEL	0.00
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48. FINISHED EXISTING ROOF RISE LEVEL	0.00
49. FINISHED EXISTING ROOF FALL LEVEL	0.00
50. FINISHED EXISTING ROOF RISE LEVEL	0.00



ROOF AREA SCHEDULE

UNIT	ROOF AREA (m ²)	% OF TOTAL ROOF COVERAGE AREA
UNIT 1	153.1	27%
UNIT 2	90.1	16%
UNIT 3	90.1	16%
UNIT 4	90.1	16%
UNIT 5	137.7	25%

ROOF AREA SCHEDULE

UNIT	ROOF AREA (m ²)	% OF TOTAL ROOF COVERAGE AREA
UNIT 1	9.1	1%
UNIT 2	10.1	1%
UNIT 3	9.1	1%
UNIT 4	9.1	1%
UNIT 5	51.1	9%

Stormwater Calculations
Report for Kingston

Project ID | 1271

Project Name | 43 Golden Ave, Chelsea VIC 3196

Site Area (m²) | 1386.9

Planning number | KP-2020/115

Development type | Multi Dwelling (dual occupancy, townhouse, villa) unit 403

Existing site details | Residential >750m² per Dwelling

Street address | 43 Golden Ave, Chelsea VIC 3196, Australia

Results

Flow	Target: less than or equal to 100 L/s. If greater than this, a storage tank is required. (For the 100 L/s increase in stormwater to support for 100% volume required)	FLOW RESULT	0.0	Target: less than or equal to 100 L/s. If greater than this, a storage tank is required. (For the 100 L/s increase in stormwater to support for 100% volume required)
Volume	Target: less than or equal to 21.5 m ³ . If greater than this, a storage tank is required. (For the 21.5 m ³ increase in stormwater to support for 100% volume required)	VOLUME RESULT	-21.5	Target: less than or equal to 21.5 m ³ . If greater than this, a storage tank is required. (For the 21.5 m ³ increase in stormwater to support for 100% volume required)
Quality	Target: Achieve a score of 100 or more. (Achieve a score of 100 or more for 100% of the catchment area)	QUALITY RESULT	100	Target: Achieve a score of 100 or more. (Achieve a score of 100 or more for 100% of the catchment area)
Efficiency	Target: Achieve a score of 36.3 or more. (Achieve a score of 36.3 or more for 100% of the catchment area)	EFFICIENCY RESULT	36.3	Target: Achieve a score of 36.3 or more. (Achieve a score of 36.3 or more for 100% of the catchment area)

DESIGN

100% COMPLETE

31 CHAMBERLAIN STREET, MELBOURNE VIC 3000

03 9594 9999

www.in-site.com.au

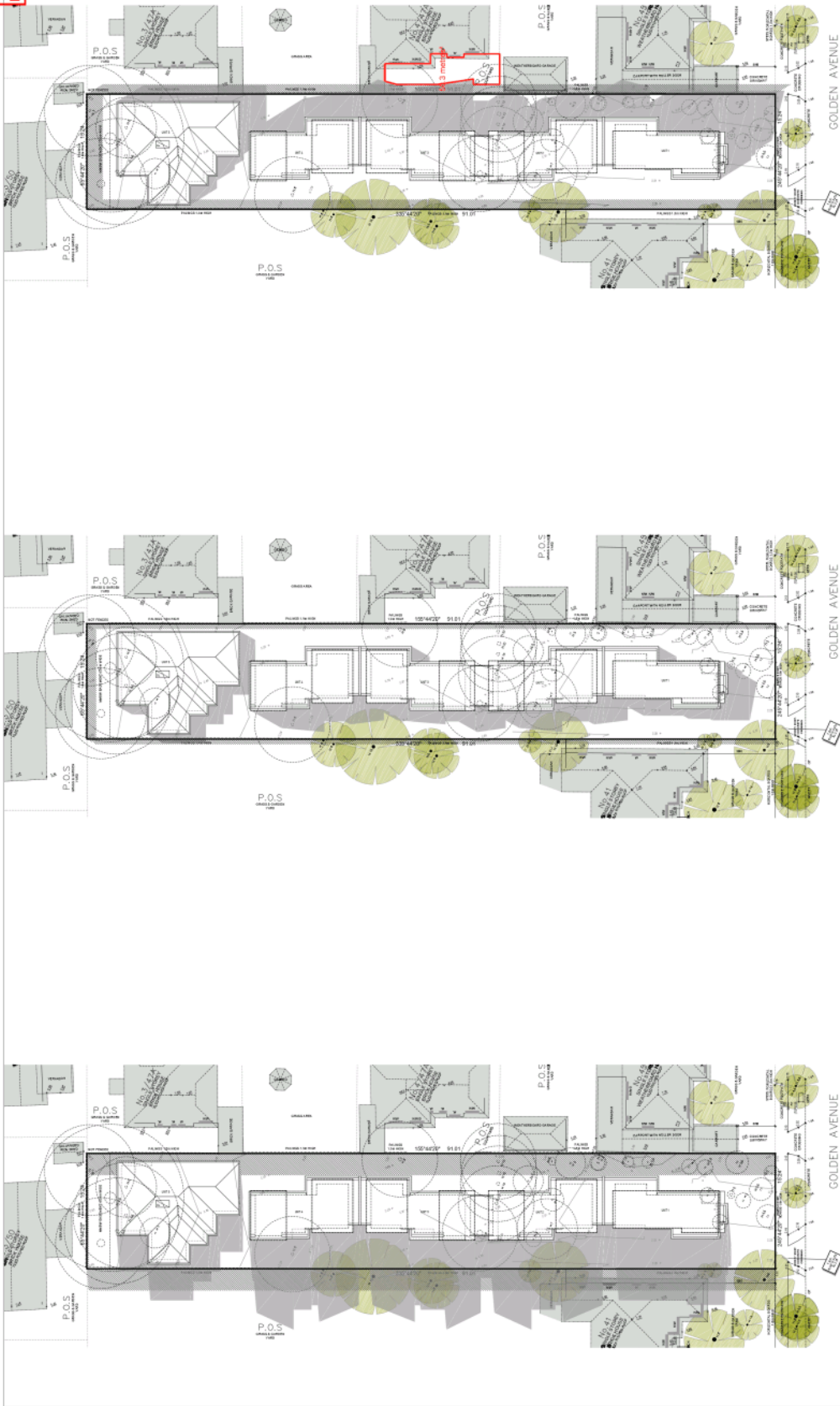
100% COMPLETE

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LEGEND
 PROPOSED SHADOWS
 EXISTING SHADOWS

SHADOW DIAGRAM 9AM
 NORTH
 22nd OF SEPTEMBER

SHADOW DIAGRAM 12 PM
 NORTH
 22nd OF SEPTEMBER

SHADOW DIAGRAM 3PM
 NORTH
 22nd OF SEPTEMBER

PLANNING & DESIGN PL
 31 Enfield Ave, Preston 3072 T: 9018 1529
 E: admin@planninganddesign.com.au

Revisions
 Rev. 2: 21.05.2020 RESPONSE TO COUNCIL (R1)
 Rev. 1: 18.07.2020 RESPONSE TO COUNCIL (R1)

PLANNING & DESIGN

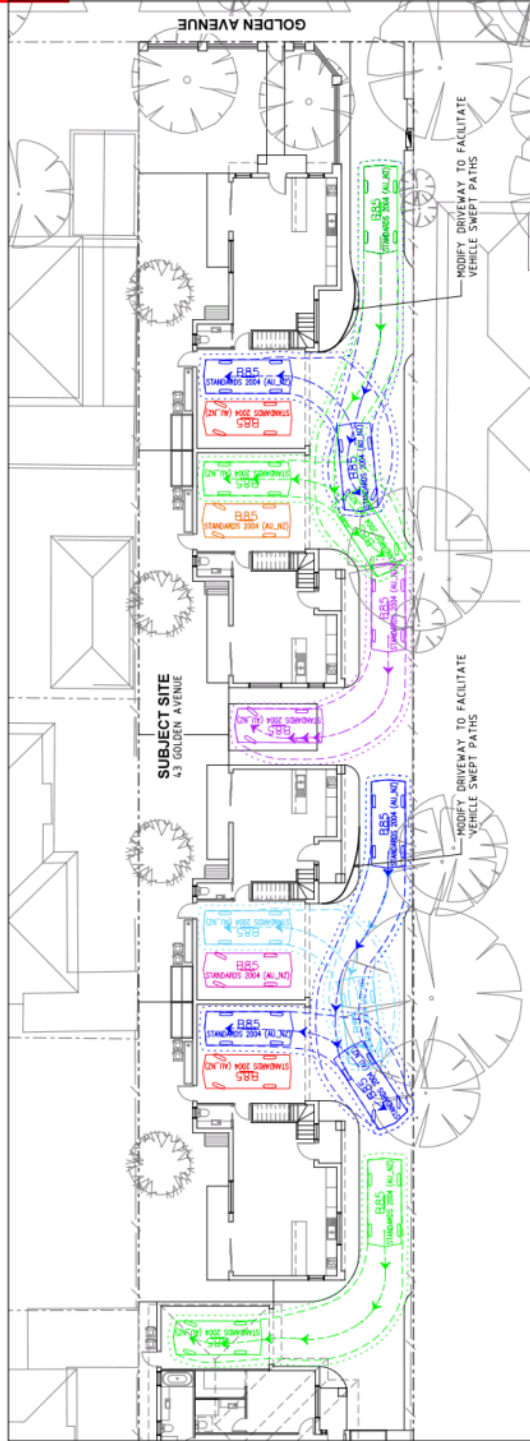
UNIT DEVELOPMENT
 43 GOLDEN AVENUE, CHELSEA

SHADOW DIAGRAMS

SD
 REV.

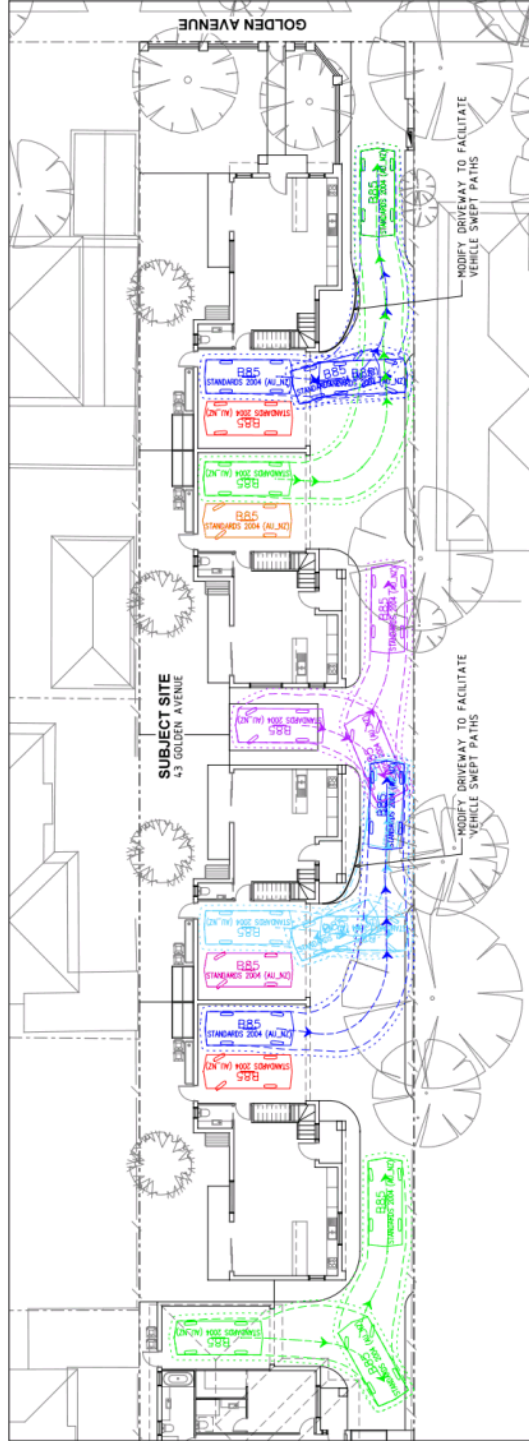
DATE	SCALE	DRAWN BY	PROJECT No.
FEB 2020	1:500 (A1)	C.M	8429

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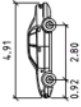
ENTRY MANOEUVRES

DESIGN VEHICLE SWEEP PATHS SHOWN DASHED
300mm CLEARANCE ENVELOPE SHOWN DOTTED



EXIT MANOEUVRES

DESIGN VEHICLE SWEEP PATHS SHOWN DASHED
300mm CLEARANCE ENVELOPE SHOWN DOTTED



B85 meters
Width : 1.87
Track : 1.77
Lock to Lock Time : 8.0
Steering Angle : 34.1



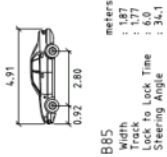
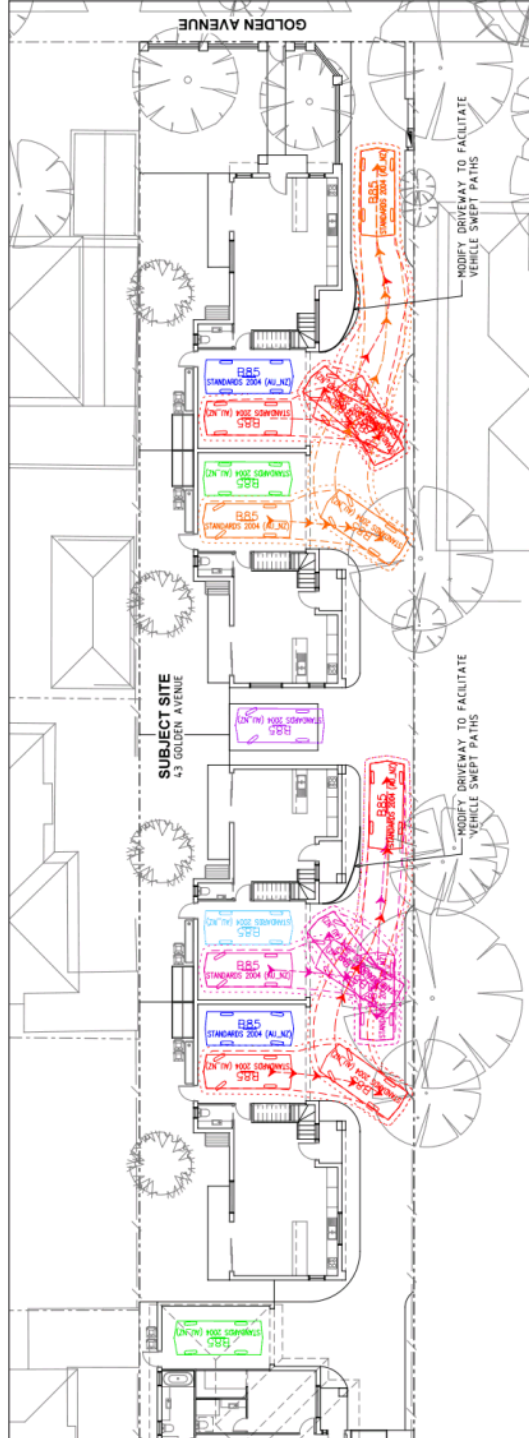
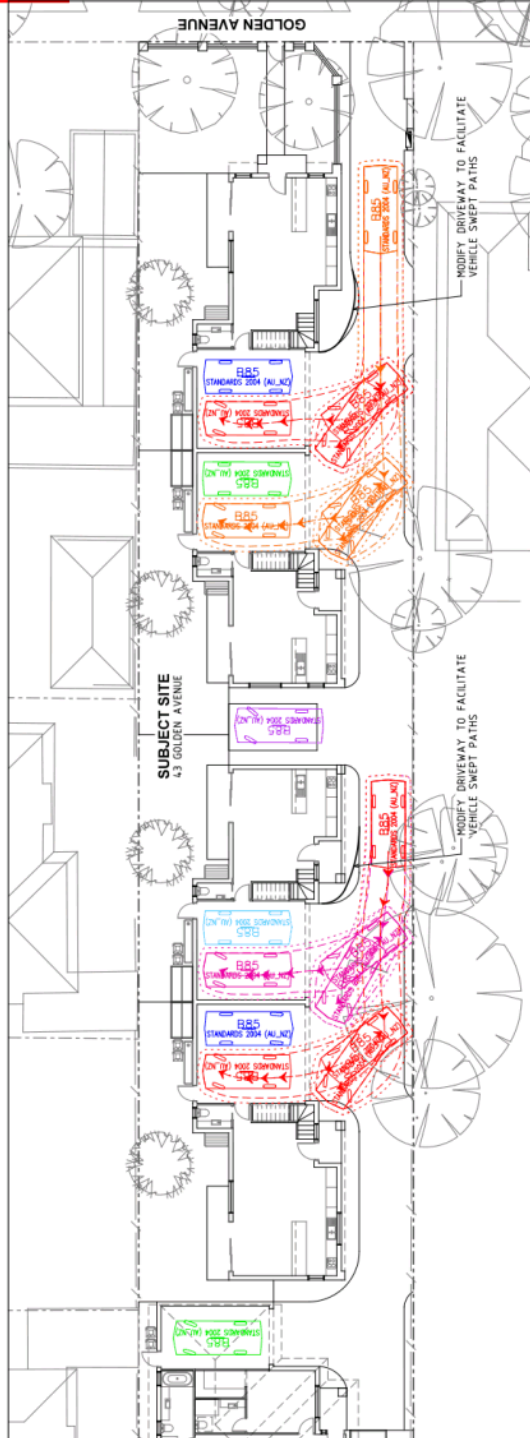
Drawn by: TMM
43 GOLDEN AVENUE CHELSEA
PROJECT ADDRESS
SWEEP PATH ANALYSIS
Project Number: 2020/115
Revision: A

Client: SV
Project Number: 2020/115
Revision: A



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 TRAFFIC ENGINEERING

Drawn by: RG
 Checked by: SV
 Project Number: 202075
 Revision: A

Scale: 1:250 @ A3



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27 January 2021

Agenda Item No: 8.4

KP-2020/462 - 66 GOLDEN AVENUE, BONBEACH

Contact Officer: James Leonard, Principal Planner

Purpose of Report

This report is for Council to consider Planning Permit Application No. KP-2020/462 - 66 Golden Avenue, Bonbeach

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That Council determine to support the proposal and issue a Notice of Decision for The development of Six (6) Dwellings, Subdivision of the land into Six (6) Lots and associated works generally in accordance with the submitted plans at 66 Golden Avenue, Bonbeach

subject to the conditions contained within this report.

This application requires a decision by Council in accordance with the Planning Delegation Policy, specifically the following trigger:

- Councillor Call-In – Cr. Georgina Oxley
- Applications for five (5) or more dwellings that incorporates one or more double storey dwelling(s) to the rear of the site, with 3 or more objections.

EXECUTIVE SUMMARY				
Address	66 Golden Avenue, BONBEACH VIC 3196			
Legal Description	Lot 68 on LP 5789			
Applicant	Millar Merrigan			
Planning Officer	James Leonard			
PLANNING REQUIREMENTS				
Planning Scheme	Kingston			
Zoning	Clause 32.08 – General Residential 3 Zone			
Overlays	None			
Particular Provisions	Clause 55 – Two or more dwellings on a Lot and Residential Buildings Clause 56 – Residential Subdivision Clause 52.06 – Car Parking Clause 53.01 – Public Open Space Contribution and Subdivision			
Permit Trigger/s	Clause 32.08 – 6 – Construct two or more dwellings on a lot Clause 32.08 – 3 – A permit is required to subdivide land			
APPLICATION / PROCESS				
Proposal	The development of Six (6) Dwellings, Subdivision of the land into Six (6) Lots and associated works generally in accordance with the submitted plans			
Reference No.	KP-2020/462	RFI Received	N/A	
App. Received	14/08/2020	App. Amended	N/A	
Site inspection	Yes			
S.52 Advertising Commenced	17/09/2020	Advertising Completed	05/10/2020	
S.52 Referrals	Fire Rescue Victoria (CFA)			
S.55 Referrals	South East Water, Melbourne Water, United Energy, Multinet Gas and Fuel			
Internal referrals	DAE, Vegetation, ESD, Roads and Drains, Waste Management, CMP			
Objection(s)	Seven (7) (TRIM checked on 06/01/2021)			
Mandatory Garden area requirement	Complies	Mandatory Building Height requirement	Complies	
Vegetation	Trees > 8m	One	No. of Trees to be removed (110cm circumference)	One
LEGISLATIVE				
Covenant/other Restriction	No	Complies: N/A		
CHMP	YES – Approved CHMP 16992			
Considered Plans	<ul style="list-style-type: none"> • Millar Merrigan, Drawing No's. 24803, Sheets P2 to P9 inclusive, Revision 1, dated 14/08/2020 • Millar Merrigan, Drawing No's. 24803, Landscape Plan L01, Revision 1, dated August 2020 			

1.0 RELEVANT LAND HISTORY

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

2.0 SITE PARTICULARS

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



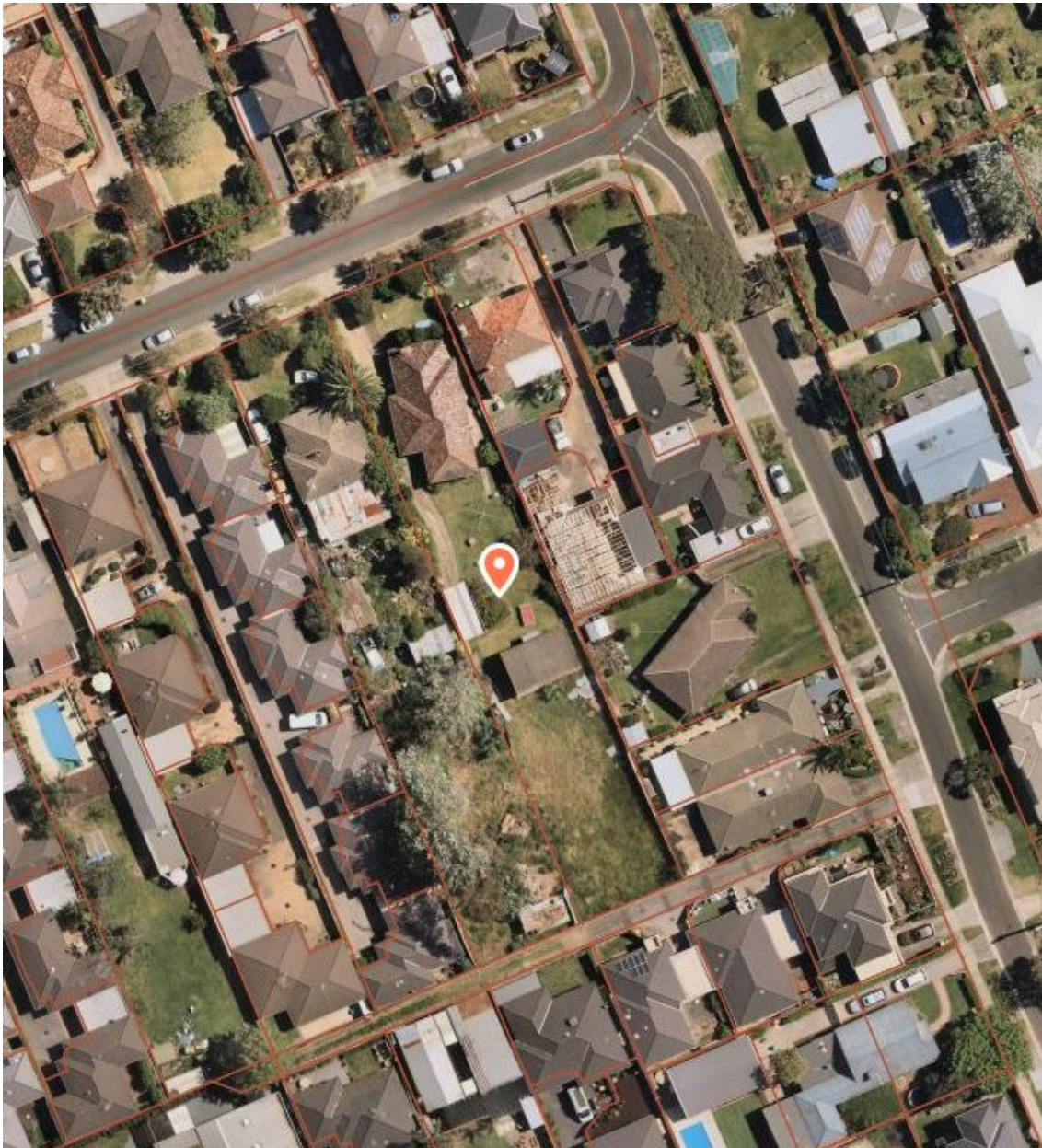
<p>Built form</p>	<p>A single storey brick dwelling and associated outbuildings occupy the land. The existing dwelling is set back 9.3 metres from its respective front property boundary.</p> <p>A garage is located in the rear garden, abutting the south-western boundary.</p> <p>A double storey height, cement sheet shed has been erected in the centre of the rear garden, with two roller doors.</p>
<p>Size (m²)</p>	<p>The subject site is rectangular shaped allotment.</p> <p>The site is situated on the southern side of Golden Avenue and is bordered by Dodds Lane to the south.</p> <p>The site has a frontage to Golden Avenue of 15.24m, and a maximum depth of 91.01m, resulting in a total site area of 1387m².</p>
<p>Topography</p>	<p>The land is generally flat.</p>
<p>Fencing</p>	<p>The Golden Avenue frontage is delineated by a low brick fence.</p> <p>A small section of the front garden is unfenced along the north-eastern boundary.</p> <p>The side and rear boundaries feature varying height paling fencing, with a section of the south-eastern boundary being a 1.7m high brick wall.</p>

Vegetation	<p>Vegetation is scattered primarily around the existing dwelling. The rear of the site is void of any vegetation. An accompanying arboricultural report has identified there is no significant vegetation on the subject site.</p> <p>There are several trees on the adjoining property at No. 64 Golden Avenue. A number of these have been removed following receipt of Local Laws Permits (including a large pine tree, melaleuca and poplar tree). The remaining trees on this site include, a palm, a fig and cotoneaster. These trees are robust and the proposed driveway has been designed to take into account the proximity of these trees to the boundary.</p>
Easement(s)	<p>The site contains no formal easements; however, a sewerage access chamber is located centrally along the eastern boundary. A sewerage easement exists along the rear of the property in Dodds Lane.</p>
Footpath assets / access	<p>One (1) existing crossover adjacent to the north-west (side) common boundary.</p> <p>One (1) street tree is located within the Golden Avenue road reserve, generally centrally located.</p> <p>No power poles or bollards are located along the frontage.</p>
Covenant(s) / Restrictions	<p>There appears to be no restrictions listed on the Certificate of Title.</p>

3.0 SURROUNDING ENVIRONS

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





Aerial image of site and surrounds (source: Nearmaps, 8 November 2020)

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

North

57-59 Golden Avenue:

A double width allotment developed with 10 dwellings, with a combination of double and single storey dwellings. 1/57-59 is set back 10.5 metres while 10/57-59 is set back 9.7 metres from Golden Avenue.

This property includes three crossovers, two providing individual access to dwellings 1 and 10, and a third located in the centre of the frontage giving access to the shared driveway.



East

1/68 Golden Avenue:

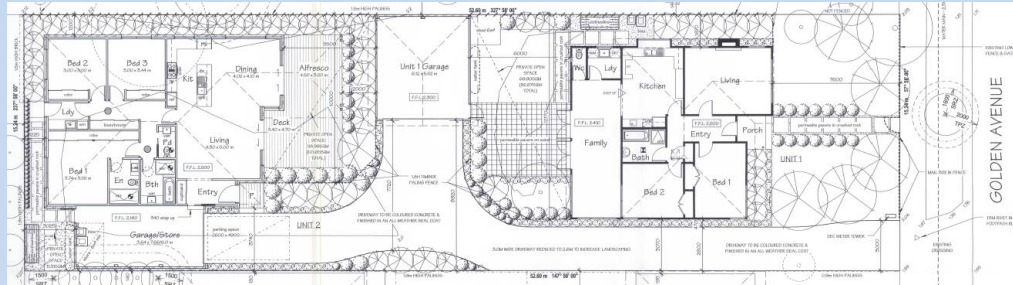
A single storey weatherboard dwelling, set back a minimum distance of 7.6 metres from Golden Avenue. A garage has recently been built abutting the common boundary. Access is via a common property driveway adjacent to the eastern boundary.



2/68 Golden Avenue:

Currently under construction as per KP-2016/896. A second dwelling located at the rear of 1/68 Golden Avenue. The dwelling is located 1.2 metres from the shared common (western) boundary. The dwelling is accessed via the shared crossover and driveway with 1/68 Golden Avenue.

The dwelling is proposed to be connected to the sewer point located on the subject site.



2 Alleyne Avenue:

A single storey brick dwelling, positioned diagonally central on the site. The rear of the dwelling is setback approximately 7 metres from the common boundary. Two galvanised iron sheds are located in both the rear corners. SPOS abuts the subject site.



4 Alleyne Avenue:

Part of a side-by-side development (4 & 4A) with the site being developed with a single storey brick dwelling. The dwelling includes a verandah constructed at the rear, setback approximately 2.5 metres from the rear boundary. The SPOS abuts the subject site.

4A Alleyne Avenue:

Part of a side-by-side development (4 & 4A) with the site being developed with a single storey brick dwelling. The dwelling is setback approximately 6.2 metres from the rear boundary. The SPOS abuts the subject site.



South

Dodds Lane

A partially constructed 3.2 metre wide laneway accessed via Alleyne Avenue. This laneway provides vehicular and pedestrian access to 2/6 & 3/6 Alleyne Avenue, and rear (secondary) access to several other properties. The laneway is constructed only to the rear western corner of the subject site.





2/6 Alleyne Avenue:

A single storey brick dwelling, developed as part of the three dwelling development at 6 Alleyne Avenue. A single car garage is accessed via Dodds Lane, with an area of enclosed POS (by a 1.9m high timber fence) abutting the accessway.



3/6 Alleyne Avenue:

A single storey brick dwelling, developed as part of the three dwelling development at 6 Alleyne Avenue. A single car garage is accessed via Dodds Lane, with an area of enclosed POS (by a 1.9m high timber paling fence) abutting the accessway.



West

64 Golden Avenue:

A single storey weatherboard dwelling setback approximately 12.2 metres from Golden Avenue. Various outbuildings are scattered across the site. Access is via a crossover abutting the western side boundary.

There are several trees on the adjoining property at No. 64 Golden Avenue. A number of these have been removed following receipt of Local Laws Permits (including a large pine tree, melaleuca and poplar tree). The remaining trees on this site include, a palm, a fig and cotoneaster. These trees are robust and the proposed driveway has been designed to take into account the proximity of

these trees to the boundary.



- 3.3 The surrounding area has experienced a significant amount of medium density development due to large land sizes and an evolving post-war character of villa housing. Whilst much of this development is in the form of villa housing, there is an emergence of contemporary townhouse development in proximity to the site at number 37, 39, 49, 51, 52, 53, 54, 56, 57-59, 60 and 62 Golden Avenue. An application is currently under assessment for multi-dwelling development at 43 Golden Avenue.
- 3.4 The subject site and the adjoining property at number 64 Golden Avenue are some of the few large allotments in the area that remain undeveloped.
- 3.5 The following images are of several developments (as listed above) within the immediate neighbourhood.



49 Golden Avenue



51 Golden Avenue



51 Golden Avenue



54 Golden Avenue




56 Golden Avenue

- 3.6 Built form is reflective of the above with most villa and older units being single storey. Recent contemporary development incorporating double storey forms, of various sizes.
- 3.7 Whilst new development has introduced double storey form in the area, it is noted several developments have included a single storey dwelling at the rear of the site. This is evident within the developments mentioned above at number 39, 49, 51, 54 and 56 Golden Avenue.
- 3.8 These developments exhibit double storey dwellings sited generally to the front and centre of these properties, which is thought to assist in maintaining the open style backyard realm when viewed from the directly adjoining properties.
- 3.9 Due to the depth of these allotments, the reduced built form in the rear of the site is generally not noticeable or obvious when viewed from the street.
- 3.10 The subject site is located within Local Character Area 74, which identifies the following typical characteristics:
- Narrow Side Setback: 0-2m
 - Front Setback: 5-12m
 - Wider Side Setback: 3-5m
 - Varied Building Footprint
 - Detached development
 - Simple and Complex Hipped Roof & Combination Roof (15-20-degree pitch)
 - Tile rooves and white weatherboard materials
 - Porches and Verandahs
 - Low Fence and Landscaped front gardens.
- a.
- 3.11 Whilst the above identifies the general characteristics of the wider neighbourhood, it is considered a significant amount of development has occurred since the character review, thus altering the existing neighbourhood character viewed in the area.
- 3.12 The materiality and architectural housing style in the area is now found to be mixed due to the diversity of housing that has been established in the area. However, older housing is generally made up of traditional brick veneer/weatherboard walls and hip/gable tile roofing as per the above. Newer development has introduced contemporary features including rendered walls, various wall cladding materials and ColorBond roofing. The newer developments are generally consistent in terms of the style and design.

4.0 PROPOSAL

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

Description	Demolish the existing dwelling and associated outbuildings on the land, the development of the land for six (6) dwellings and associated subdivision of the land into six (6) lots.		
Storeys	Double storey		
Maximum building height	8.07m		
Bedrooms	2 bedrooms per dwelling		
Car parking	7 spaces in total, 1 per dwelling; 1 visitor car space (between Dwelling 2 and 3)		
Front setback	7.50m (Ground Floor); 8.47m (First Floor)		
Private Open Space	Dwelling 1	Dwelling 2	Dwelling 3
	TOTAL: 45m ² 40m ² with 5m dimension as SPOS	TOTAL: 46m ² 41m ² with 5m dimension as SPOS	TOTAL: 47m ² 42m ² with 5m dimension as SPOS
Subdivision (Lot Size)	Dwelling 4	Dwelling 5	Dwelling 6
	TOTAL: 51m ² 42m ² with 5m dimension as SPOS	TOTAL: 58m ² 52m ² with 5m dimension as SPOS	TOTAL: 67m ² 40m ² with 5m dimension as SPOS
Subdivision (Lot Size)	Lot 1	Lot 2	Lot 3
	191m ²	127m ²	129m ²
	Lot 4	Lot 5	Lot 6
	132m ²	143m ²	144m ²
	Common Property: 521m ²		
Site Coverage	35% (483m ²)		
Permeability	39% (514m ²)		

Garden Area	35.8% (497m ²)																																				
Access	<p>Existing crossover to be reinstated with a new crossover proposed further towards the site's west (side) property boundary.</p> <p>A common driveway will provide vehicular and pedestrian access to all dwellings.</p>																																				
Vegetation removal/retention	All trees within the subject site and those previously approved for removal (through separate local law permits) on the neighbouring site to the west are to be removed.																																				
Building materials	<p>Brick, render, James Hardie Cladding, ColorBond Roofing</p> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <p><u>MATERIALS, FINISHES & COLOURS:</u></p> <table border="0"> <tr> <td>External Walls:</td> <td>Brick face</td> <td>Selkirk</td> <td>'Thunderstorm'</td> </tr> <tr> <td>External Walls:</td> <td>Cladding</td> <td>James Hardie</td> <td>'Woodland Grey'</td> </tr> <tr> <td>External Render:</td> <td>Rendered</td> <td>Dulux</td> <td>'Surfmist'</td> </tr> <tr> <td>Roofing:</td> <td>Bluescope</td> <td>Colorbond</td> <td>'Monument'</td> </tr> <tr> <td>Gutters:</td> <td>Metal</td> <td>Colorbond</td> <td>'Woodland Grey'</td> </tr> <tr> <td>Fascias:</td> <td>Metal</td> <td>Colorbond</td> <td>'Woodland Grey'</td> </tr> <tr> <td>Window & Door Frames:</td> <td>Aluminium</td> <td>Colorbond</td> <td>'Monument'</td> </tr> <tr> <td>Garage Door:</td> <td>Panel</td> <td>Colorbond</td> <td>'Monument'</td> </tr> <tr> <td>Posts & Entry Door:</td> <td>Timber</td> <td>-</td> <td>'Timber'</td> </tr> </table> <p>Note: Colours may be similar to those listed above to allow for variation between brands</p> </div> 	External Walls:	Brick face	Selkirk	'Thunderstorm'	External Walls:	Cladding	James Hardie	'Woodland Grey'	External Render:	Rendered	Dulux	'Surfmist'	Roofing:	Bluescope	Colorbond	'Monument'	Gutters:	Metal	Colorbond	'Woodland Grey'	Fascias:	Metal	Colorbond	'Woodland Grey'	Window & Door Frames:	Aluminium	Colorbond	'Monument'	Garage Door:	Panel	Colorbond	'Monument'	Posts & Entry Door:	Timber	-	'Timber'
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5.0 PLANNING PERMIT PROVISIONS

Zone

5.1 Clause 32.08 - General Residential Zone (Schedule 3):

- a planning permit is required to construct two (2) or more dwellings on a lot. A development must meet the requirements of Clause 55 of the Scheme.
- a planning permit is required to subdivide the land. A subdivision must meet the requirements of Clause 56 of the Scheme.

Overlay

5.2 The subject site is not affected by any overlays.

Particular Provisions

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

1 space to each 1 or 2 bedroom dwelling

2 spaces to each 3 or more bedroom dwelling

1 visitor space for every 5 dwellings

- 5.4 This equates to a parking requirement of 7 spaces (including 1 visitor space) for the proposed development.
- 5.5 As the required number of car parking spaces is provided on the site, a planning permit is not required for a reduced car parking rate pursuant to Clause 52.06-3.
- 5.6 Clause 52.06-9 (Design standards) - vehicle movements, access, splays, garaging dimensions have been reviewed and are considered compliant.
- 5.7 The development has been referred to Fire Rescue Victoria (CFA) to ensure the access and driveway can satisfy their access and firefighting requirements.
- 5.8 Clause 53.01 – Public Open Space Contribution and subdivision: The proposal is required to make a Public Open Space Contribution in accordance with the requirements of Clause 53.01.
- 5.9 Clause 55 - Two or More Dwellings on a Lot & Residential Buildings: Refer to full assessment within this report.
- 5.10 Clause 56 – Residential Subdivision: Refer to full assessment within this report.

General Provisions

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

6.0 RELEVANT POLICIES

6.1 Planning Policy Framework (PPF)

- Clause 11 Settlement
- Clause 12 Environmental and Landscape Values
- Clause 15 Built Environment and Heritage
- Clause 16 Housing

6.2 Local Planning Policy Framework (LPP)

- Clause 21.02 Settlement
- Clause 21.03 Environment and Landscape Values
- Clause 21.07 Housing
- Clause 22.06 Residential Development Policy
- Clause 22.11 Public Open Space Contributions
- Clause 22.12 Stormwater Management
- Clause 22.13 Environmentally Sustainable Development

6.3 Other

6.4 Neighbourhood Character Area Guidelines (Incorporated Document under Clause 21.05 – Residential Land Use of the LPPF). The land is located within Area 74 of the Neighbourhood Character Guidelines, as identified above.

6.5 Design Contextual Housing Guidelines (April 2003 – reference document within Clause 22.06 – Residential Development Policy). The Design Contextual Housing Guidelines offer a range of design techniques and suggestions to assist with residential design, which is responsive to local character.

7.0 ADVERTISING

7.1 The proposal was advertised by sending notices to adjoining and opposite property owners and occupiers and by maintaining a notice on site for at least fourteen (14) days.

7.2 As a result of advertising, a total of 7 objections were received. The primary grounds of objection raised were as follows:

- Double Storey Development;
- Visual bulk;
- Overlooking;
- Overshadowing;
- Insufficient car parking;

8.0 PLANNING CONSULTATION MEETING

8.1 The objectors were contacted by the planning officer to discuss their concerns, with this information then being relayed to the applicant.

8.2 The applicant provided a written response addressing the concerns of the objectors. This response detailed areas of compliance and specified how the proposal satisfied the requirements of the Kingston Planning Scheme. This written response was provided to each of the objectors.

8.3 No objections were withdrawn after receiving the written response.

8.4 Due to the number of objections, a planning consultation meeting was held on 8 December 2020 with the relevant Planning Officer, the Permit Applicant and one (1) objector in attendance. The above-mentioned issues were discussed at length.

8.5 The above concerns were unable to be resolved at the meeting, and the objections still stand.

9.0 AMENDMENT TO PLANS

9.1 There were no formal amendments made by the permit applicant post the advertising period.

9.2 To address concerns raised by Fire Rescue Victoria - CFA (discussed below) the applicant provided without prejudice plans to be reviewed. The plans were provided to the CFA for review against initial concerns.

9.3 The alterations made to the plans relate to meeting the requirements for CFA access and firefighting purposes, thus demonstrating the driveway could be altered via permit conditions, without any alterations of impact to the proposed built form. Appropriate conditions will be included on any permit to be issued.

9.4 Additional Shadow Diagrams have also been provided by the applicant providing additional information to address concerns raised by the objectors. These plans also form part of the reviewed documents.

10.0 REFERRALS

10.1 The application was referred as set out in the tables below.

Internal Referrals

b.

Department / Area	Comments
Council's Vegetation Management Officer	<p>No objection raised, subject to conditions included on any permit issued.</p> <p>The following comments have been provided:</p> <ul style="list-style-type: none"> • There is no vegetation worthy of retention at this property. Council supports the removal of all vegetation from the subject site. • There is a significant number of trees along the shared boundary of 64 Golden Avenue, some of which were removed earlier this year. A basic tree management plan will be required to protect the remaining trees and vegetation on the neighbouring property. • There is an <i>Agonis flexuosa</i> in the Golden Avenue nature strip. This tree is to be retained and protected throughout the development.
Council's Development Engineer	<p>No objection raised, subject to conditions included on any permit issued.</p>
Roads and Drains	<p>No objection raised, subject to conditions included on any permit issued.</p>
Waste Management	<p>No Objection raised. No conditions required.</p> <p>The following comments were provided:</p> <ul style="list-style-type: none"> • This site has been assessed as suitable for Council waste collection services with 6 dwellings.
ESD	<p>No objection raised, subject to conditions included on any permit issued.</p> <p>The following comments have been provided:</p> <ul style="list-style-type: none"> • The application size is considered 'Medium' in relation to City of Kingston's Sustainable Design Assessment in the Planning Process (SDAPP) criteria, as it concerns a residential development of 6 dwellings. For Medium applications, applicants are requested to submit a Sustainable Design Assessment (SDA) that outlines proposed sustainable design initiatives. • The SDA provided in the planning report needs to be accompanied by an assessment using a relevant sustainable design tool to demonstrate meeting best practice. • BESS has been tailored to the SDAPP program, to demonstrate best practice, the development is to meet a minimum 50% overall BESS score and achieve/surpass the score minimums in

CMP	<p>Energy (50%), Water (50%), IEQ (50%) and Stormwater (100%) categories in BESS.</p> <p><u>Stormwater Management</u></p> <ul style="list-style-type: none"> The site needs to achieve a 100% STORM score to demonstrate meeting the best practice stormwater quality objectives. Improvements to the current stormwater strategy required. <p><u>Energy Efficiency</u></p> <ul style="list-style-type: none"> For a development of this size we expect a commitment to achieving at least a 10% improvement on National Construction Code (NCC) minimum energy efficiency requirements (e.g. 6.6-stars average). <p><u>External Shading</u></p> <ul style="list-style-type: none"> Provide operable external shading to exposed NE and NW facing glazing to prevent glare and overheating. This could be in the form of external operable louvers, sliding shutters, venetian or roller blinds. <p><u>Indoor Environment Quality</u></p> <ul style="list-style-type: none"> Many materials used in the fit-out and construction of buildings contain Volatile Organic Compounds (VOC) and formaldehyde which pose serious health risks to building occupants. The report should include a commitment to the use of low VOC paints, sealants and adhesives and E1 or E0-grade engineered wood products (e.g. MDF, plywood, engineered-wood flooring). <p><u>Electric Vehicle Infrastructure</u></p> <ul style="list-style-type: none"> Provide the occupants the option of installing their own Electric Vehicle charge points with the provision of electrical connection points to car spaces. <p><u>Renewable energy systems – Solar</u></p> <ul style="list-style-type: none"> No on-site renewable energy generation is proposed. Considering the roof space and solar access available, a solar PV system is recommended to each unit reduce energy use and costs. This will significantly improve the environmental performance of the development. <p><u>Urban Cooling</u></p> <ul style="list-style-type: none"> For the non-visible flat roofs, specify light-coloured or reflective metal decking to help mitigate the urban heat island effect.
CMP	<p>No response as on 07/01/2021. A standard condition requiring a CMP will be include on any planning permit.</p>

External Referrals

c.

Department	Section 52/55	Determining / Recommending	Objection	Comments
CFA (Fire Rescue Victoria)	52	Recommending	No	No objection subject to conditions on the permit. The following comments have been provided:

			<ul style="list-style-type: none">• The driveway in the current development proposal is too narrow to allow fire appliance access. The length of the driveway means fire brigade operations including rescue and application of water to a fire at the rear units will be delayed compared to normal urban dwellings if a fire appliance cannot access at least the front part of the development driveway. This creates an inequity in the provision of emergency service to the occupants.• The nearest street fire hydrant is more than the standard 120 metres from the rear Lots in the development. This means fire brigade application of water to a fire at the rear units will be delayed compared to normal urban dwellings. This creates an inequity in the provision of emergency service to the occupants. <p>The comments have been provided to the applicant, with without prejudice plans prepared to demonstrate the conditions requested can be satisfactorily met. The revised plans were provided to the CFA on the 20 November 2020, with confirmation received that the alterations to the driveway width and location of hydrant boosters is acceptable.</p> <p>Conditions to be included on the planning permit requiring alterations be made prior to endorsement.</p>
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Melbourne Water	55	Determining	No	Subject to conditions included verbatim within the response.
South East Water	55	Determining	No	Subject to conditions included verbatim within the response.
United Energy	55	Determining	No	Subject to conditions included verbatim within the response.
Multinet Gas and Fuel	55	Determining	No	Subject to conditions included verbatim within the response.

11.0 PLANNING CONSIDERATIONS:

Planning Policy Framework

- 11.1 The Planning Policy Framework sets out the relevant state-wide policies for residential development at Clause 11 (Settlement), Clause 12 (Environmental and Landscape Values), Clause 15 (Built Environment and Heritage) and Clause 16 (Housing). Essentially, the provisions within these clauses seek to achieve the fundamental objectives and policy outcomes sought by 'Plan Melbourne 2017-2050: Metropolitan Planning Strategy' (Department of Environment, Land, Water and Planning, 2017).
- 11.2 Clause 11 seeks to ensure planning anticipates and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.
- 11.3 Planning is to prevent environmental and amenity problems created by siting incompatible land uses close together.
- 11.4 Planning is to facilitate sustainable development that takes full advantage of existing settlement patterns and investment in transport, utility, social, community and commercial infrastructure and services.
- 11.5 Clause 15 (Built Environment and Heritage) aims to ensure all new land use and development appropriately responds to its landscape, valued built form and cultural context, and protect places and sites with significant heritage, architectural, aesthetic, scientific and cultural value.
- 11.6 Clause 15.01-1S encourages development to achieve high quality architectural and urban design outcomes that contribute positively to neighbourhood character, minimises detrimental amenity impacts and achieves safety for future residents, and the community, through good design. The provisions of Clause 15.02-1S promote energy and resource efficiency through improved building design, urban consolidation and promotion of sustainable transport.
- 11.7 Clause 15.01-3S encourages the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods. The strategies seek to promote subdivisions in locations with good access to community infrastructure which create urban places with a strong sense of place.
- 11.8 Clause 15.03-2S (Aboriginal Cultural Heritage) seeks to ensure the protection and conservation of places of Aboriginal cultural heritage significance.

- 11.9 The subject site is identified in an area of Aboriginal Cultural Heritage Sensitivity and the proposed development is not exempt from the requirement of a Cultural Heritage Management Plan.
- 11.10 Accordingly, the applicant has submitted a CHMP (no. 16992, prepared by Benchmark Heritage Management) which has been approved by Aboriginal Victoria. Therefore, the requirements under the *Aboriginal Heritage Regulations 2018* have been satisfied for the development.
- 11.11 Appropriate conditions will be included in any planning permit issued ensuring the development is in accordance with the approved CHMP.
- 11.12 Housing objectives are further advanced at Clause 16. This Clause aims to encourage increased diversity in housing to meet the needs of the community through different life stages and respond to market demand for housing. In much the same vein as Clause 11, this Clause advances notions of consolidation of existing urban areas, particularly in and around activity centres and employment corridors that are well served by all infrastructure and services.
- 11.13 Housing objectives are further advanced at Clause 16 which seek to encourage increased diversity in housing.
- 11.14 Clause 16.01 (Residential Development) seeks to promote a housing market that meets community needs and is located in areas which offer good access to jobs, services and transport. Clause 16.01-1R specifically requires consideration of population growth in locations that are considered major and neighbourhood activity centres, especially those with good public transport connections.
- 11.15 It is submitted that the proposed development satisfies the aforementioned State strategies and policy direction. Specifically, the subject site is located on land earmarked for residential purposes, whereby residential development is an 'as of right' use under the zoning provisions. Subject to appropriate conditions on any permit issued, the development itself achieves an acceptable design outcome for the site and its immediate abuttals, whilst enjoying convenient and direct access to community facilities and the like, including public transport nodes.

Local Planning Policy Framework

- 11.16 The City of Kingston's MSS at Clause 21.07 - Housing of the Kingston Planning Scheme, seeks to provide guidance to development in residential zoned land, mixed use zoned lands and land within activity centres. The Residential Land Use Framework Plan illustrates the range of housing outcomes sought across the City of Kingston.
- 11.17 Relevant objectives and strategies in Clause 21.07-1 (Residential development) include:
- To provide a range of housing types across the municipality taking account of the differential capacity of local areas to accommodate different types and rates of housing change.
This is to be achieved through strategies of encouraging residential development within activity centres via mixed-use development, and on transitional sites at the periphery of activity centres.
 - To ensure new residential development respects neighbourhood character and is site responsive, and that medium density dwellings are of the highest design quality.
This is to be achieved through strategies of promoting new residential development, which is of a high standard, responds to the local context and positively contributes to the character and identity of the local neighbourhood.

- *To promote more environmentally sustainable forms of residential development.
To be achieved through strategies of promoting planning, design and construction of new development to accord with best practice environmental design guidelines for energy efficiency, waste and recycling and stormwater management and to encourage medium density housing development in close proximity to public transport facilities, particularly train stations.*
- *To ensure residential development does not exceed known physical infrastructure capacities.*

11.18 Council's Local Planning Policy at Clause 21.07 essentially reinforces Planning Policy Framework relevant to housing, stressing the need to encourage urban consolidation in appropriate locations and to accommodate projected population increases.

11.19 Clause 22.06 - Residential Development Policy extends upon the provision contained at Clause 21.07 - Housing, relating to increased housing diversity areas, incremental housing change areas, minimal housing change areas, residential renewal areas and neighbourhood character. It provides design guidance on how new residential development should achieve architectural and urban design outcomes that positively respond to neighbourhood character.

11.20 Relevant objectives in Clause 22.06-2 Residential Development Policy include:

- *To promote a managed approach to housing change, taking account of the differential capacity of local areas in Kingston to accommodate increased housing diversity, incremental housing change, residential renewal or minimal housing change, as identified within the MSS.*
- *To encourage new residential development to achieve architectural and urban design outcomes that positively respond to neighbourhood character having particular regard to that identified in the Kingston Neighbourhood Character Guidelines – August 2007.*
- *To promote on-site car parking which is adequate to meet the anticipated needs of future residents.*
- *To ensure that landscaping and trees remain a major element in the appearance and character of the municipality's residential environments.*
- *To limit the amount and impact of increased stormwater runoff on local drainage systems.*
- *To ensure that the siting and design of new residential development takes account of interfaces with sensitive and strategic land uses.*

11.21 Under this policy and Clause 21.07, the subject site is identified within an 'incremental change area' which is described as follows under Clause 22.06-3:

In suburban locations which are not within convenient walking distance of public transport and activity centres, encourage lower density housing forms with a predominance of single dwelling and the equivalent of dual occupancy developments on average sized lots. These areas are identified for 'incremental housing change' on the Residential Framework Plan within the MSS.

11.22 Further, Clause 22.06 includes policy for residential development with respect to site landscaping, built form, siting and scale of development, car parking and vehicle access and stormwater run-off mitigation and quality management. These are as follows:

Site landscaping

- *Encourage the retention of existing semi-mature and mature canopy trees wherever possible.*
- *Unless significant existing vegetation is to be incorporated as part of a redevelopment, encourage the planting of semi-mature canopy trees with spreading crowns in front setbacks and open space areas, with at least one semi-mature tree with a spreading canopy provided in the front setback area.*

Built form, siting and scale of development

- *Encourage the two storey component of new medium density housing to be located towards the front of a site.*
- *Ensure that two storey dwellings are designed to respond to the character of the local neighbourhood. Where the local neighbourhood is characterised by single storey development and this characteristic makes a major or critical contribution to neighbourhood character, new two storey development should incorporate rooms within the roof form of attic style dwellings, and should set the second storey building envelope back from the ground level envelope.*
- *Ensure that any upper storey components towards the rear of sites are sensitively designed to avoid unreasonable adverse amenity impacts on neighbours.*
- *Encourage well-articulated and graduated elevations in order to avoid 'box-like' double storey designs, thus reducing visual bulk.*
- *Ensure that the siting of new buildings respects the amenity of adjoining neighbours with regard to rear yards and garden outlooks from habitable living room windows.*
- *Ensure that the design and layout of new dwellings incorporate features which minimise overlooking of adjacent properties.*
- *Address potential overlooking through site layout planning as well as individual dwelling planning.*

Car parking and vehicle access

- *Ensure that adequate on-site car parking is provided to meet the needs of future residents and visitors and sited to reduce its impact on the streetscape.*

Performance measures

- *Locating garages or carports at the rear of dwellings fronting a street wherever possible.*
- *Ensuring that where garages are located in the street elevation, they are set back a greater distance than the front wall of the building.*
- *Ensuring that garages and carports are sited so that a tandem car parking space can be provided in front of the garage or carport.*
- *Incorporating garages and carports within the main roof line of the dwelling.*

Stormwater run-off mitigation and quality management

- *Ensure that new residential development limits the impact of increased stormwater run-off on drainage systems.*

Performance measures

On-site infiltration should be maximised by:

- *Wherever possible, using unpaved landscape areas or porous paving.*
- *Where appropriate, constructing on-site stormwater detention with delayed release into the stormwater drainage system.*
- *Designing to limit the impervious area.*
- *Incorporating on-site water re-cycling systems for stormwater run-off.*
- *Directing stormwater run-off into garden areas to reduce watering and the demand on drainage infrastructure.*

- 11.23 Clause 22.11 (Public Open Space Contributions) forms the prevailing policy that guides Council to apply a land or cash public open space contribution, which is applicable to all subdivision applications. This policy identifies the important role that contributions play in funding new open space areas and facilitating capital improvements to existing public open space to meet the needs of the future population growth in Kingston.
- 11.24 The subject site is located in area 9C (Bonbeach), which is a Cash Contribution Preferred Area on Map 1 of this clause.
- 11.25 In accordance with this policy and the Schedule to Clause 53.01, a public open space 'cash' contribution of 5% is required in respect of this subdivision and will be applied by way of a condition on any permit issued.
- 11.26 Clause 22.12 – Stormwater Management is applicable to the consideration of medium and large scale developments as specified within Table 1 of the policy. This clause seeks to improve the quality and reduce the impact of stormwater run-off, incorporate the use of WSUD principles in development and to ensure that developments are designed to meet best practice performance objectives.
- 11.27 Council's Development Approvals Engineer has considered the proposal in accordance with this Clause and Clause 53.18 and has raised no objection to the application subject to stormwater management conditions. Therefore, the proposal is considered to achieve the objectives of this provision, subject to permit conditions.
- 11.28 Clause 22.13 Environmentally Sustainable Development (ESD) policy applies to the consideration of residential development of 3 or more dwellings (refer to Table 1 – ESD Application requirements). As required, the application for planning permit was accompanied by a Sustainable Design Assessment (BESS/STORM).
- 11.29 Council's ESD Advisor was referred to for an assessment of the proposal and accompanying documentation (including SDA report) against this provision. The Advisor has raised no objection to the proposal and has identified shortfalls which will be addressed by way of permit conditions. It is considered the proposal has the ability to meet the ESD requirements for a medium density development.

Zoning Provisions

11.30 Pursuant to Clause 32.08-4, a lot must provide for the minimum garden area as set out in the following table:

Lot Size	Minimum percentage of a lot set aside as garden area
400-500m2	25%
501-650 m2	30%
Above 650 m2	35%

11.31 It is considered that the proposal in its current form complies with the mandatory garden area requirement. A minimum of 35% has been achieved for the development in accordance with the above.

11.32 As conditions will be included on the permit requiring the driveway be altered in accordance with the conditions specified by Fire Rescue Victoria, a separate condition will be included requiring the submission of a revised Garden Area Plan, ensuring on-going compliance with the above. The development must maintain compliance with the minimum 35% garden area requirement.

12.0 CLAUSE 55 (RESCODE ASSESSMENT)

12.1 The proposal has been assessed against the objectives and standards of Clause 55 (ResCode) of the Kingston Planning Scheme (refer to Appendix A). Clause 55 requires that a development must meet all of the objectives, and all of the standards of this clause should be met. Variations to the standards are able to be considered where it is determined that the overall objective is met.

12.2 The table below provides a detailed discussion, where relevant, for any standards where concessions are sought. Overall, it is noted that the application achieves a high level of compliance with the ResCode provisions, with no variations sought of the thirty-three (33) ResCode standards.

12.3 CLAUSE 55: RESCODE TABLE ASSESSMENT

Two or more dwellings on a lot and residential buildings in a General Residential Zone – Schedule 3. *****MUST meet the objective, SHOULD meet the standard*****

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE
Clause 55.02-1 Neighbourhood Character objectives	Standard B1 <ul style="list-style-type: none"> The design response must be appropriate to the neighbourhood and site. The proposed design must respect the existing or preferred neighbourhood character and respond to site features. 	Complies with standard & meets objective

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE
<ul style="list-style-type: none"> To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character. To ensure that development responds to the features of the site and the surrounding area. 		
<p>Assessment: The subject site is in the GRZ3 which the Planning Scheme categorises as land where the preferred direction is incremental housing change. The surrounding area is not typical of incremental housing change areas due to larger allotments in excess of 1000m² that have consequentially been developed with a combination of post-war villa housing and contemporary townhouse development.</p> <p>The site is located within approximately 800m of the Chelsea Activity Centre and approximately 1.2km to the Chelsea railway station. The larger allotment size, pattern of old and new medium density development in the area and relatively advantageous location to services supports medium density development on the site.</p> <p>The neighbourhood character and pattern of development in the immediate area, particularly contemporary townhouse development that has been established at number 37, 39, 49, 51, 54 and 56 Golden Avenue comprise of up to five (5) dwellings on similar size allotments. The built form of these developments include double storey dwellings located towards the front and centre of this site, and dwellings at the rear being of single storey. This style of development is encouraged under the policies of Clause 22.06 to minimise amenity impacts to adjoining properties.</p> <p>It is acknowledged the proposed development includes an additional dwelling, and double storey built form on all dwellings. This is inconsistent with the prevailing character and surrounding development; however, the subject site is unique in that it has a laneway abutting the rear of the site. The developments above (more so on the northern side of Golden Avenue) are surrounded by residential developments, therefore there is a sensitive interface and backyard realm to protect and maintain. The laneway to the rear of the subject site, which is used as vehicle access to properties directly adjacent to the rear boundary is not considered to be a sensitive interface, therefore limiting the detrimental impact from double storey built form extending towards the rear of the site. The site is unique in that double storey built form extending to the rear has a reduced amenity impact.</p> <p>As identified above, the more recent developments within the immediate area on similar sized allotments contain five (5) dwellings, opposed to six (6) as per the proposal. It is noted 62 Golden Avenue (two properties to the west) contains six dwellings, however, are single storey.</p> <p>Each of the proposed six dwellings contain two bedrooms and a single car garage, whereas it can be seen on other surrounding developments there is a high prevalence of three bedroom dwellings with double car garages. Within the GRZ3, a three bedroom dwelling requires</p>		

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE
<p>additional areas of private open space, therefore the footprint and lot size for a three bedroom dwelling is larger than what would be required for a two bedroom dwelling. It is considered the development of six two bedroom dwellings is an efficient use of the site and does not detract from the neighbourhood character.</p> <p>In regard to the siting of the dwellings, no built form is proposed on the side or rear boundaries. Dwellings include a minimum setback of 1 metre to the eastern boundary and 4 metres to the western boundary on the ground floor. The upper floors are further recessed from the ground floor and include substantial setbacks from the side and rear boundaries, thus further reducing the associated impact to adjoining properties.</p> <p>The architectural response of the proposal offers a mix of contemporary and traditional styles, consistent with that found within the surrounding neighbourhood. The dwellings incorporate traditional features such as face brick and 'weatherboard' style vertical James Hardie cladding, whilst more contemporary features include the use of render on the upper floor and ColorBond roofing.</p> <p>In regard to the roof form, Dwellings 1, 2, 5 and 6 feature a hipped / gable roof, whereas Dwelling 3 and 4 incorporate a skillion style roof. This is considered to provide a break in the built form and visual interest, that is consistent with both older style dwellings and more recent architecturally designed dwellings. The architectural mix is considered to be an appropriate response to the mixed character of the area.</p> <p>Landscaping will be provided throughout the site including meaningful gardens in the front setback, SPOS areas and within the common driveway. Suitable replacement planting is proposed and can be accommodated on the site given the generous areas of POS and common driveway. This is subject to condition.</p> <p>The garages are sited behind the front dwelling to ensure garages do not dominate the streetscape as directed under Clause 22.06.</p> <p>With consideration of this, the development is an acceptable response to the unique characters of the site and surrounding context. Overall the proposal responds to the existing and emerging character of the area and will have a positive contribution to the streetscape and broader neighbourhood.</p>		
<p>Clause 55.02-2 Residential Policy objectives</p> <ul style="list-style-type: none"> • To ensure that residential development is provided in accordance with any policy for housing in the MPS and the PPF. • To support medium densities in areas where development can take advantage of public transport and community infrastructure and services. 	<p>Standard B2</p> <ul style="list-style-type: none"> ▪ An application must be accompanied by a written statement that describes how the development is consistent with relevant housing policy in the PPF & MPS 	<p>Complies with standard & meets objective</p>

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE
<p>Assessment: The development offers an acceptable response to Council’s Housing and Residential Development policy under Clause 21.07 (Housing) and 22.06 (Residential Development Policy).</p> <p>The site is identified within an ‘incremental change area’ where modest amount of change is directed under the local housing policies. As outlined above, the surrounding area is not a typical incremental change area due to large allotment sizes and consequential infill development post-war and recently.</p> <p>The proposal is consistent with the development pattern of the immediate and broader area. It is considered that the proposal warrants support in light of the broader contextual nature of the area and high level of compliance against Clause 55 and other aspects of the Planning Scheme.</p> <p>The proposed development includes a development ratio of 1: 231m², which is consistent with other development within the area.</p> <p>In terms of built form outcomes, the upper levels of each dwelling have been designed to limit their visual impact to adjoining properties by providing generous side and rear setbacks, generous first floor separation of at least 3.7 metres, well-articulated walls, varying materials/finishes and a visually interesting architectural style.</p> <p>The proposed development meets the ResCode objectives pertaining to side and rear setbacks, no wall on boundaries, overlooking, overshadowing and daylight to existing windows (among other things). The proposed development will adequately protect the amenity of adjoining properties without compromising the internal amenity of the proposed dwellings.</p> <p>Stormwater will be appropriately managed through conditions on any Permit issued as recommended by Council’s Development Engineer.</p> <p>It is considered that the proposed development generally complies and satisfies the Scheme’s Planning Policy Framework guidelines which aim to encourage well-designed medium density housing in appropriate locations.</p>		
<p>Clause 55.02-3 Dwelling Diversity objective To encourage a range of dwelling sizes and types in developments of ten or more dwellings.</p>	<p>Standard B3 Developments of ten or more dwellings should provide a range of dwelling sizes and types, including:</p> <ul style="list-style-type: none"> • Dwellings with a different number of bedrooms. • At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level. 	<p>N/A</p>
<p>Assessment: The development is for less than 10 dwellings.</p>		
<p>Clause 55.02-4 Infrastructure objectives</p>	<p>Standard B4</p>	<p>Complies with standard & meets objective</p>

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE
<ul style="list-style-type: none"> To ensure development is provided with appropriate utility services and infrastructure. To ensure development does not unreasonably overload the capacity of utility services and infrastructure. 	<ul style="list-style-type: none"> Connection to reticulated services/sewerage, electricity, gas and drainage services Capacity of infrastructure and utility services should not be exceeded unreasonably Provision should be made for upgrading and mitigation of the impact of services or infrastructure where little or no spare capacity exists 	
<p>d. Assessment: The site is in an established area that is well serviced by existing infrastructure. Additionally, it is recommended that suitable conditions be included in any permit issued to address infrastructure considerations.</p>		
<p>Clause 55.02-5 Integration with the street objective</p> <ul style="list-style-type: none"> To integrate the layout of development with the street. 	<p>Standard B5</p> <ul style="list-style-type: none"> Provides adequate vehicle and pedestrian links that maintain or enhance local accessibility. Development oriented to front existing/proposed streets High fencing in front of dwellings should be avoided if practicable. Development next to existing public open space should be laid out to complement the open space. 	<p>Complies with standard & meets objective</p> <p>Complies with standard & meets objective</p> <p>Complies with standard & meets objective</p> <p>N/A</p>
<p>Assessment: The proposal provides a highly integrated design within the street through the retention of the existing low front fencing and siting of habitable room windows to the street. As per the proposed landscaping design, at least two (2) canopy trees can be accommodated within the front setback. These canopy trees, along with low scale shrubs and ground covers and the retention of the existing street tree will reduce the impact of built form and hardstand surfaces when viewed from the street. Appropriate vehicle and pedestrian links are available for safe transition from the street to each dwelling.</p>		
<p>Clause 55.03-1 Street setback objective</p> <ul style="list-style-type: none"> To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site. 	<p>Standard B6</p> <p>Walls of buildings should be set back from streets:</p> <ul style="list-style-type: none"> If no distance is specified in a schedule to the zone, the distance specified in Table B1 <p>Required: 9 metres</p>	<p>Variation to the standard & meets objective</p>

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE
<p>Assessment: The adjoining dwelling to the east (68 Golden Avenue) has a setback of 7.6 metres, whilst the dwelling to the west (64 Golden Avenue) has a setback of 12.2 metres. The average of the adjoining equates to 9.9 metres. To comply with the standard B6, the proposed dwelling must be setback the average of the adjoining, or 9 metres, whichever is the lesser. In this instance, the development should be setback 9 metres.</p> <p>Dwelling 1 has a proposed front setback of 7.5 metres, which is a variation of 1.5 metres. On review of Golden Avenue, it is considered there is not a consistent setback pattern. Developments on the northern side of Golden Avenue generally include deeper street setbacks, whilst developments on the southern side generally range from 6.9 metres to 8 metres. The adjoining 12.2 metre setback is considered to be an anomaly in the street and is more reflective of the original single dwelling development.</p> <p>The proposed setback is generally consistent with the adjoining dwelling to the east. It is considered the ground floor setback of 7.5 metres and first floor setback of 8.47 metres is an acceptable variation and will not detract from the streetscape.</p>		
<p>Clause 55.03-2 Building height objective</p> <ul style="list-style-type: none"> ▪ To ensure that the height of buildings respects the existing or preferred neighbourhood character. 	<p>Standard B7</p> <p>Maximum: 9 metres and no more than 3 storeys under GRZ3</p>	<p>Complies with standard & meets objective</p>
<p>Assessment: The maximum building height proposed is 8.07m and double storey. The maximum building height of 8.07 metres is for Dwelling 1 which features a hipped roof to add visual interest. The remaining dwellings have building heights of approximately 7-7.5 metres.</p> <p>As such, the proposal meets the height parameters specified in the General Residential Zone.</p>		
<p>Clause 55.03-3 Site Coverage objective</p> <ul style="list-style-type: none"> ▪ To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site. 	<p>Standard B8</p> <p>Maximum: GRZ3 – 50%</p>	<p>Complies with standard & meets objective</p>
<p>Assessment: The proposal achieves a site coverage statistic of 35%, which meets this Standard.</p>		
<p>Clause 55.03-4 Permeability objectives</p> <ul style="list-style-type: none"> ▪ To reduce the impact of increased stormwater run-off on the drainage system. ▪ To facilitate on-site stormwater infiltration. 	<p>Standard B9</p> <p>At least: 20%</p>	<p>Complies with standard & meets objective</p>
<p>Assessment: The permeability figure proposed (i.e. 39%) exceeds that specified in the Standard.</p>		

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE
<p>Clause 55.03-5 Energy Efficiency objectives</p> <ul style="list-style-type: none"> ▪ To achieve and protect energy efficient dwellings and residential buildings. ▪ To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy. 	<p>Standard B10</p> <p>Orientation, siting & design of buildings should make appropriate use of solar energy. Further, siting & design should ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced. Living areas & private open space should be located on the north side of the development, if practicable. Solar access to north-facing windows is maximised.</p>	<p>Complies with standard & meets objective (subject to conditions)</p>
<p>Assessment: Overall, the proposal achieves an acceptable energy efficiency design within the limits of the site axis (generally north/south). The proposal features SPOS and living areas with north-east orientations as is common for other similar developments within Golden Avenue. This is considered as the most efficient use of the site given the axis of the property.</p> <p>As required by Council policy, a Sustainable Design Assessment was provided with the application which was referred to Council's ESD Advisor. Subject to conditions, it is considered the development can meet ESD and energy efficiency requirements.</p> <p>There are no existing solar energy facilities on adjoining properties that will be impacted by the proposed development.</p>		
<p>Clause 55.03-6 Open Space objective</p> <ul style="list-style-type: none"> ▪ To integrate the layout of development with any public and communal open space provided in or adjacent to the development. 	<p>Standard B11</p> <p>Public or communal open space should:</p> <ul style="list-style-type: none"> ▪ Be substantially fronted by dwellings ▪ Provide outlook for dwellings ▪ Be designed to protect natural features. ▪ Be accessible and useable. 	<p>N/A</p>
<p>Assessment: There is no open space adjacent to the land and no communal open space proposed for the development.</p>		
<p>Clause 55.03-7 Safety objectives</p> <ul style="list-style-type: none"> ▪ To ensure the layout of development provides for the safety and security of residents and property. 	<p>Standard B12</p> <p>Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways. Planting should not create unsafe spaces along streets and accessways. Good lighting, visibility and surveillance of car parks and internal accessways should be achieved. Private spaces should be protected from inappropriate use as public thoroughfares.</p>	<p>Complies with standard & meets objective</p>
<p>Assessment: The proposal provides an acceptable level of consideration for safety & security of residents. In part, this is evidenced by the highly visibly, identifiable & attainable dwelling entries. In addition to identifiable dwelling entries, where possible habitable room windows have been included to provide improved passive surveillance into the communal driveway.</p>		

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE
<p>Clause 55.03-8 Landscaping objectives</p> <ul style="list-style-type: none"> ▪ To encourage development that respects the landscape character of the neighbourhood. ▪ To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance. ▪ To provide appropriate landscaping. ▪ To encourage the retention of mature vegetation on the site. 	<p>Standard B13</p> <p>In summary, landscape layout & design should:</p> <ul style="list-style-type: none"> ▪ Protect predominant landscape features of the neighbourhood. ▪ Take into account the soil type and drainage patterns of the site. ▪ Allow for intended vegetation growth and structural protection of buildings. ▪ Provide a safe, attractive and functional environment for residents. <p>In summary, development should:</p> <ul style="list-style-type: none"> ▪ Provide for the retention or planting of trees, where these are part of the character of the neighbourhood. ▪ Provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made. ▪ Specify landscape themes, vegetation (location and species), paving and lighting. 	<p>Complies with standard & meets objective (subject to conditions)</p>
<p>Assessment: The application provides adequate space for the planting of various species, including canopy trees.</p> <p>The application has been assessed by Council's VMO where it was determined all vegetation on the subject site has low retention value and should be removed. Vegetation on adjoining sites either has existing permission to be removed (through separate Local Law permits) or will be appropriately protected through the development.</p> <p>As a condition of any permit issued, a detailed landscape plan will be required.</p>		
<p>Clause 55.03-9 Access objective</p>	<p>Standard B14</p> <p>The width of accessways or car spaces should not exceed:</p> <ul style="list-style-type: none"> ▪ 33 per cent of the street frontage, or ▪ if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage. 	<p>Complies with standard & meets objective</p>

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE
<ul style="list-style-type: none"> ▪ To ensure the number and design of vehicle crossovers respects the neighbourhood character. 	<p>No more than one single-width crossover should be provided for each dwelling fronting a street.</p>	<p>Complies with standard & meets objective</p>
	<p>The location of crossovers should maximise the retention of on-street car parking spaces.</p>	<p>Complies with standard & meets objective</p>
	<p>The number of access points to a road in a Road Zone should be minimised.</p>	<p>N/A</p>
	<p>Access for service, emergency and delivery vehicles must be provided.</p>	<p>Complies with standard & meets objective (subject to conditions)</p>
<p>Assessment: The application proposes to remove the existing crossover and construct a new crossover slightly to the west. The crossover will have a maximum width of 3 metres, resulting in a width of 19.68% of the Golden Avenue frontage. This is less than the maximum allowable of 40%, therefore, on-street parking can be retained at the front of the property.</p> <p>As requested by the CFA, the common driveway must be increased in width and areas either side kept clear (with low lying planting) to facilitate access for an emergency vehicle. Appropriate conditions will be included on the planning permit.</p>		
<p>Clause 55.03-10 Parking location objectives</p> <ul style="list-style-type: none"> ▪ To provide convenient parking for resident and visitor vehicles. ▪ To protect residents from vehicular noise within developments 	<p>Standard B15</p> <p>Car parking facilities should:</p> <ul style="list-style-type: none"> ▪ Be reasonably close and convenient to dwellings and residential buildings. ▪ Be secure. ▪ Be well ventilated if enclosed. <p>Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.</p>	<p>Complies with standard & meets objective (subject to conditions)</p>
<p>Assessment: Due to the conditions requiring the access for the driveway to be altered in accordance with the CFA conditions, it is not able to be determined if all windows along the accessway will be compliant with this Standard.</p> <p>Generally, the windows along the driveway are part of a stairwell, or are located within the dwelling entry, therefore are not habitable rooms. However, to demonstrate compliance, a condition will be included on the permit that all habitable room windows will have a sill height of at least 1.4 metres above the accessway or be set back 1.5 metres to be compliant with Standard B15.</p> <p>All other requirements of this standard have been met with proposed car parking to be located conveniently to dwellings and be well secured and ventilated.</p>		

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE	
<p>Clause 55.04-1 Side and rear setbacks objective</p> <ul style="list-style-type: none"> To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings. 	<p>Standard B17</p> <p>A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:</p> <ul style="list-style-type: none"> 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres. 	<p>Complies with standard & meets objective</p>	
<p>Assessment: Side and rear walls substantially exceed minimum requirements and are consistent with the neighbourhood character. Side setbacks are an appropriate response to the site features, with both ground floor and first floor featuring significant setbacks which reduce the perception of bulk when viewed from adjoining properties.</p> <p>The height and distance of the walls facing the side boundaries minimize any relative impact on adjoining properties, and result in the development being centrally sited through the development.</p>			
<i>Dwelling Number</i>	<i>Proposed Wall Height</i>	<i>Setback required</i>	<i>Setback proposed</i>
1 (GF)	3.60m	1.00m	1.00m
1 (FF)	6.37m	1.83m	4.54m
1 (FF)	6.43m	1.85m	4.47m
2 (GF)	3.60m	1.00m	1.00m
2 (FF)	6.17m	1.77m	5.73m
2 (FF)	6.22m	1.78m	4.15m
3 (GF)	3.60m	1.00m	1.00m
3 (FF)	6.20m	1.78m	5.15m
3 (FF)	6.82m	1.97m	4.15m
4 (GF)	3.75m	1.05m	1.73m
4 (FF)	6.20m	1.78m	5.15m
4 (FF)	6.82m	1.97m	4.15m
5 (GF)	3.70m	1.03m	1.60m
5 (FF)	6.10m	1.75m	5.15m
5 (FF)	6.02m	1.73m	4.20m
6 (GF)	3.77m	1.05m	1.60m
6 (GF)	3.77m	1.05m	1.20m
6 (FF)	6.05m	1.74m	1.75m
6 (FF)	6.07m	1.74m	3.15m
6 (FF)	6.04m	1.73m	5.36m

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE
<p>Clause 55.04-2 Walls on boundaries objective</p> <ul style="list-style-type: none"> To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings. 	<p>Standard B18</p> <p>A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary:</p> <ul style="list-style-type: none"> 10 m plus 25% of the remaining length of the boundary of an adjoining lot, or Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater. 	<p>N/A</p>
<p>Assessment: The proposal does not include any walls on boundaries.</p>		
<p>Clause 55.04-3 Daylight to existing windows objective</p> <ul style="list-style-type: none"> To allow adequate daylight into existing habitable room windows. 	<p>Standard B19</p> <p>Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3m² and minimum dimension of 1m clear to the sky.</p> <p>Walls or carports more than 3m in height opposite an existing habitable room window should be set back from the window at least 50% of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.</p>	<p>Complies with standard & meets objective</p> <p>Complies with standard & meets objective</p>
<p>Assessment: Given the axis of the allotment and siting of the dwellings, the proposal will not have an unreasonable impact upon daylight to existing habitable room windows.</p> <p>Whilst under construction and therefore is not required to be considered, the dwelling at 2/68 Golden Avenue is the closest dwelling to the subject site, being setback a minimum distance of 1.2 metres from the common boundary. The proposal is setback a minimum distance of 1.0 metre (Dwelling 3 garage), with the remainder of the built form along this shared boundary being setback at least 5 metres.</p> <p>The separation between the built form meets the standard.</p>		
<p>Clause 55.04-4 North facing windows objective</p> <ul style="list-style-type: none"> To allow adequate solar access to existing north-facing habitable room windows. 	<p>Standard B20</p> <p>Buildings should be setback 1m if an existing HRW is within 3m of the abutting lot boundary (add 0.6m to this setback for every metre of height over 3.6m & add 1m for every metre of height over 6.9m)</p>	<p>Complies with standard & meets objective</p>
<p>Assessment: There are no north-facing windows within 3m of the site's boundaries. Dodds Lane is located along the rear of the site providing ample separation from the nearest north facing windows.</p>		

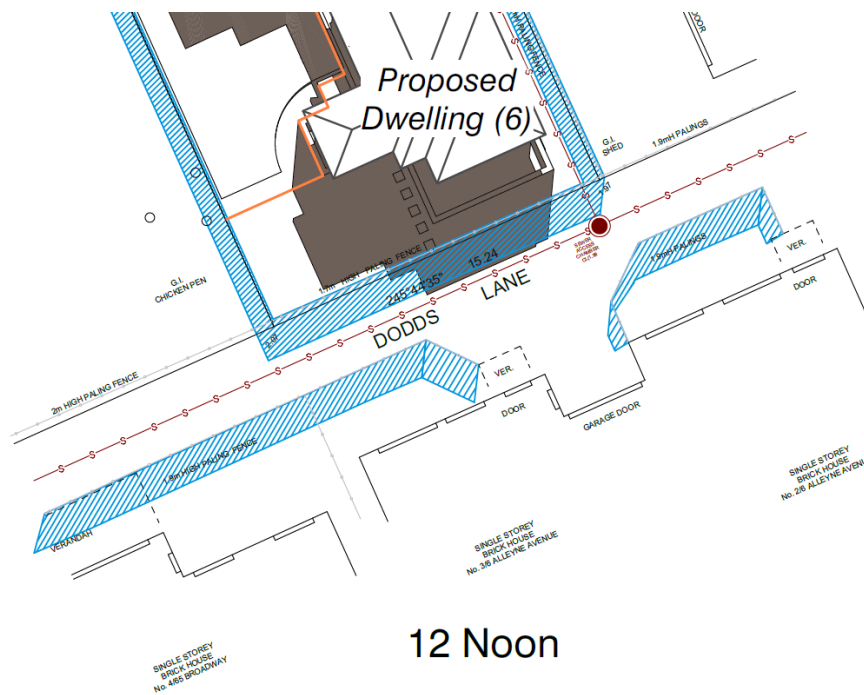
OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE
<p>Clause 55.04-5 Overshadowing open space objective</p> <ul style="list-style-type: none"> To ensure buildings do not significantly overshadow existing secluded private open space 	<p>Standard B21</p> <p>Where sunlight to the SPOS of an existing dwelling is reduced, at least 75%, or 40m² with min. 3m, whichever is the lesser area, of the SPOS should receive a min of 5hrs of sunlight btw 9am & 3pm on 22 September.</p> <p>If existing sunlight to the SPOS of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.</p>	<p>Complies with standard & meets objective</p>

Assessment: Overshadowing was a concern raised in several of the objections and is relevant given there are several properties with areas of SPOS and POS directly adjacent to the site.

The applicant has provided shadow diagrams which include the shadow cast by the existing fencing on the side and rear boundaries, and the shadows cast by existing fencing located on the properties at 6 Alleyne Avenue.

At 9 am shadows fall beyond the property boundary, extending into 64 Golden Avenue. Given this is a single dwelling allotment, the overshadowing into the rear areas of SPOS is not considered to be unreasonable and satisfies the standard B21 requirements.

At 12 noon the shadowing is contained within the subject site, within the shadows cast by the existing fence on the rear boundary, or slightly extending into Dodds Lane, which is not a sensitive area.



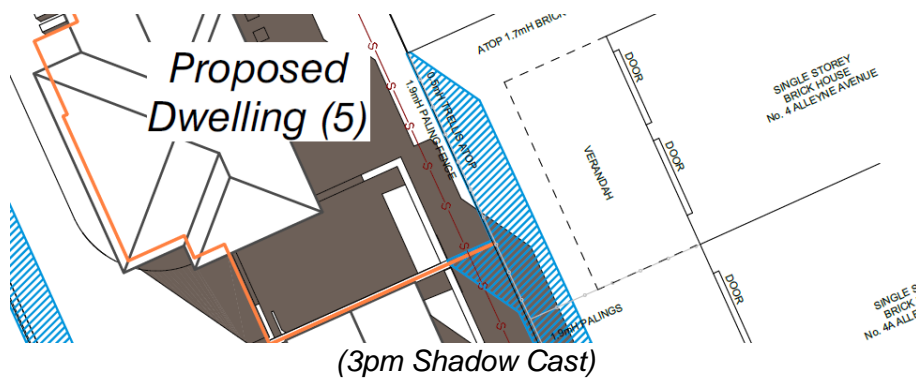
At 3 pm, it can be seen from the submitted shadow diagrams that the shadowing again is generally contained within the title boundary, existing shadowed areas, or public realm (Dodds Lane). Shadows cast by Dwellings 1, 2 and 3 into 1/68 and 2/68 Golden Avenue are contained within the shadow cast by the existing 1.7m high timber fence.

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE
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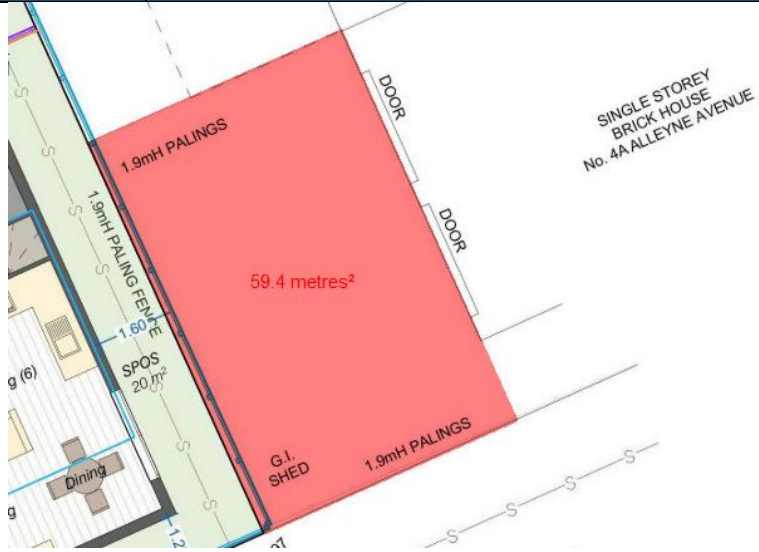
Similarly, for the shadow cast into the SPOS at 2 Alleyne Avenue, the shadow is generally within the existing shadow from the 1.7m high brick wall. The total area of SPOS for this dwelling significantly exceeds 40 square metres, therefore any additional shadow cast into this area at 3pm demonstrates compliance with the standard.

The proposed shadow cast by Dwelling 5 into the SPOS of 4 Alleyne Avenue is contained within the existing shadow cast by the fence.

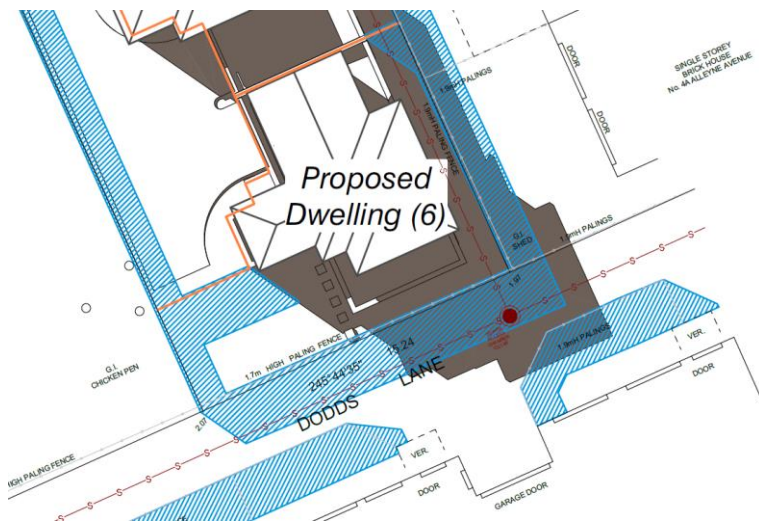


The shadow cast by Dwelling 6 can be seen to extend beyond the existing shadow cast by the 1.9m high timber paling fence into the SPOS of Dwelling 4A Alleyne Avenue. This dwelling has approximately 60m² of SPOS (as measured in Trapeze)

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE
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The shadows cast are generally contained within the existing shadows, with the exception of a section in the south-west corner, in the location of an existing Galvanised Iron shed.



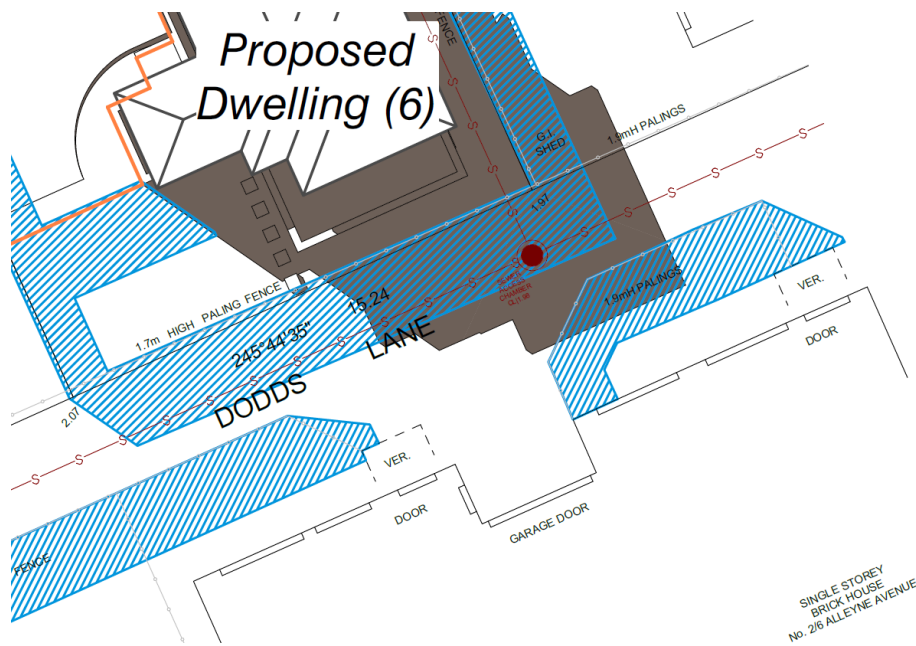
The shadow cast over the existing shed, and small area of SPOS is approximately 3m², resulting in more than 40 square metres of unshaded SPOS at 3pm. The image below demonstrates more than 40 square metres of unshadows SPOS is available at 3pm, excluding the shadows cast by the existing fence.

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE
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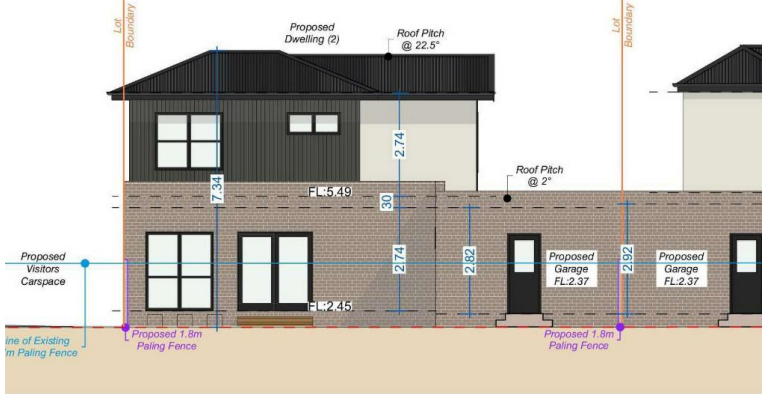
Significant concerns was raised by property owners of 2/6 and 3/6 Alleyne Avenue, relating to shadows cast into the area of POS located within the front of their dwellings. It is noted primary areas of SPOS are located to the rear / south-eastern side of these dwellings. This area adjacent to the accessway is considered to be a secondary area of POS, however council has been informed residents use it regularly for private enjoyment.

The applicant has provided shadow diagrams that indicate the shadow cast by Dwelling 6 is located mostly within Dodds Lane, and partially extends across the property boundary into the allotment of 2/6 Alleyne Avenue. However, the proposed shadow does not extend beyond the shadow cast at 3pm by the existing 1.9m high timber fence. This can be seen by the shadow (darg grey) being contained within the blue hatched area below.



The proposed development will not result in any additional shadowing or loss of sunlight to the dwellings located to the south of the subject site, being 2/6 and 3/6 Alleyne Avenue.

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE
<p>The proposal satisfies the requirements of Standard B21.</p>		
<p>Clause 55.04-6 Overlooking objective</p> <ul style="list-style-type: none"> ▪ To limit views into existing secluded private open space and habitable room windows. 	<p>Standard B22 A HRW, balcony, terrace, deck or patio should be located & designed to avoid direct views into the SPOS of an existing dwelling within 9m (refer to clause for exact specifications). Where within it should be either:</p> <ul style="list-style-type: none"> ▪ Offset a minimum of 1.5m from the edge of one window to the edge of the other. ▪ Have sill heights of at least 1.7m above floor level. ▪ Have fixed, obscure glazing in any part of the window below 1.7m above floor level. ▪ Have permanently fixed external screens to at least 1.7m above floor level & be no more than 25% transparent. 	<p>Complies with standard & meets objective (subject to conditions)</p>
	<p>Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.</p>	<p>Complies with standard & meets objective</p>
	<p>Screens used to obscure a view should be:</p> <ul style="list-style-type: none"> ▪ Perforated panels or trellis with a maximum of 25% openings or solid translucent panels. ▪ Permanent, fixed and durable. ▪ Designed and coloured to blend in with the development. 	<p>Complies with standard & meets objective</p>
<p>Assessment: Concern has been raised by several objectors regarding the potential overlooking as a result of the double storey development.</p> <p>On review of the elevation plans, most windows have been designed with sill heights exceeding 1.7m above Finished Floor Level or have obscured glazing to 1.7m above FFL. These windows comply with the Standard and do not provide any overlooking potential into habitable rooms or areas of SPOS on adjoining properties.</p> <p>The first floor east facing Bed 1 window on Dwelling 2 however does not include screening and has a sill height below 1.7m.</p>		

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE
 <p style="text-align: center;"><u>EAST ELEVATION DWELLINGS 2</u></p>		
<p>This window provides unreasonable overlooking potential into the SPOS of the adjoining dwelling; therefore, a condition will be included on the permit requiring appropriate screening.</p> <p>An objector has raised concern regarding the overlooking potential from the first floor Dwelling 6 Bed 2 window into habitable rooms and areas of open space at 2/6 and 3/6 Alleyne Avenue. Whilst the window demonstrates technical compliance given the height of the fence of 2/6 and 3/6 Alleyne Avenue, the applicant is satisfied to provide additional screening to this window, to alleviate any concerns. A condition will be included on any planning permit requiring the window to be screened or modified to appease the objector.</p>		
<p>Clause 55.04-7 Internal views objective</p> <ul style="list-style-type: none"> To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development. 	<p>Standard B23</p> <p>Windows and balconies should be designed to prevent overlooking of more than 50% of the SPOS of a lower-level dwelling or residential building directly below and within the same development.</p>	<p>Complies with standard & meets objective</p>
<p>Assessment: No unreasonable internal overlooking will occur.</p>		
<p>Clause 55.04-8 Noise impacts objectives</p> <ul style="list-style-type: none"> To contain noise sources in developments that may affect existing dwellings. To protect residents from external noise. 	<p>Standard B24</p> <p>Noise sources should not be located near bedrooms of immediately adjacent existing dwellings.</p> <p>Noise sensitive rooms and SPOS of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties.</p> <p>Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.</p>	<p>Complies with standard & meets objective (subject to conditions)</p>
<p>Assessment: There are no noise impacts or noise sources impacting proposed dwellings. Any noise associated with the dwellings will be domestic in nature and is as-of-right within the residential zone.</p>		

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE
Any external heating/cooling units will be required as a condition on any Permit issued to be located so as to not be opposite any existing habitable room windows on adjoining properties.		
<p>Clause 55.05-1 Accessibility objective</p> <ul style="list-style-type: none"> ▪ To encourage the consideration of the needs of people with limited mobility in the design of developments. 	<p>Standard B25</p> <p>The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.</p>	Complies with standard & meets objective
<p>Assessment: It is considered that the proposed layout and design of dwelling entries can accommodate for people of limited mobility. Site and building levels will not limit the ability of any persons accessing the dwellings</p>		
<p>Clause 55.05-2 Dwelling entry objective</p> <ul style="list-style-type: none"> ▪ To provide each dwelling or residential building with its own sense of identity. 	<p>Standard B26</p> <p>Entries to dwellings and residential buildings should:</p> <ul style="list-style-type: none"> ▪ Be visible and easily identifiable from streets and other public areas. ▪ Provide shelter, a sense of personal address and a transitional space around the entry. 	Complies with standard & meets objective
<p>Assessment: The entries to each dwelling are designed and located to achieve high visibility from the street / common driveway as well as providing a sense of address and shelter for residents and visitors.</p>		
<p>Clause 55.05-3 Daylight to new windows objective</p> <ul style="list-style-type: none"> ▪ To allow adequate daylight into new habitable room windows. 	<p>Standard B27</p> <p>HRW should be located to face:</p> <ul style="list-style-type: none"> ▪ Outdoor space clear to the sky or a light court with a minimum area of 3m² and min. dimension of 1m clear to the sky or ▪ Verandah provided it is open for at least 1/3 of its perimeter, or ▪ A carport provided it has 2 or more open sides and is open for at least 1/3 of its perimeter. 	Complies with standard & meets objective
<p>Assessment: All proposed windows allow for adequate solar access and natural daylight into primary and secondary living areas.</p>		
<p>Clause 55.05-4 Private open space objective</p> <ul style="list-style-type: none"> ▪ To provide adequate private open space for the reasonable recreation and service needs of residents. 	<p>Standard B28</p> <p>GRZ3 – A dwelling or residential building should have POS consisting of:</p>	Complies with standard & meets objective

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE
	<ul style="list-style-type: none"> An area of 40m², with one part of the POS to consist of SPOS at the side or rear of the dwelling or residential building with a min. 40m², a min. dimension of 5m and convenient access from a living room. If a dwelling has more than 2 bedrooms an additional ground level POS area of 20m² with a minimum width of 3m is required to be provided for each additional bedroom, with a max. of 80m² of POS required for the dwelling. 	
<p>Assessment: Each dwelling has been provided with adequate POS that meets the area and dimension requirements specified above and will service the social, recreational and passive needs of future residents.</p> <p><i>Dwelling 1 (2 bedrooms)</i> – 40m² of SPOS with a minimum dimension of 5 m and convenient access to living spaces.</p> <p><i>Dwelling 2 (2 bedrooms)</i> – 41m² of SPOS with a minimum dimension of 5 m and convenient access to living spaces.</p> <p><i>Dwelling 3 (2 bedrooms)</i> – 42m² of SPOS with a minimum dimension of 5 m and convenient access to living spaces.</p> <p><i>Dwelling 4 (2 bedrooms)</i> – 42m² of SPOS with a minimum dimension of 5 m and convenient access to living spaces.</p> <p><i>Dwelling 5 (2 bedrooms)</i> – 52m² of SPOS with a minimum dimension of 5 m and convenient access to living spaces.</p> <p><i>Dwelling 6 (2 bedrooms)</i> – 40m² of SPOS with a minimum dimension of 5 m and convenient access to living spaces.</p>		
<p>Clause 55.05-5 Solar Access to Open Space</p> <ul style="list-style-type: none"> To allow solar access into the secluded private open space of new dwellings and residential buildings. 	<p>Standard B29</p> <p>The private open space should be located on the north side of the dwelling or residential building, if appropriate.</p> <p>The southern boundary of secluded private open space should be set back from any wall on the north of the space at least (2 + 0.9h) metres, where 'h' is the height of the wall.</p>	<p>Complies with standard & meets objective</p> <p>Complies with standard & meets objective</p>
<p>Assessment: SPOS for Dwelling 1 to 5 is positioned on the north-eastern side of the dwellings, providing sufficient solar access throughout the day. The SPOS for Dwelling 6 is located on the south-western side of the dwelling, also receiving adequate solar access.</p> <p>There will be no walls of a height on the northern side of each SPOS that will have a significant shadowing impact to each dwelling's SPOS.</p>		

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE
<p>Clause 55.05-6 Storage objective</p> <ul style="list-style-type: none"> ▪ To provide adequate storage facilities for each dwelling. 	<p>Standard B30</p> <p>Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.</p>	<p>Complies with standard & meets objective</p>
<p>Assessment: Secure storage areas have been provided for each dwelling within their respective POS areas.</p>		
<p>Clause 55.06-1 Design Detail objective</p> <ul style="list-style-type: none"> ▪ To encourage design detail that respects the existing or preferred neighbourhood character 	<p>Standard B31</p> <p>The design of buildings, including:</p> <ul style="list-style-type: none"> ▪ Facade articulation and detailing ▪ Window and door proportions, ▪ Roof form, and ▪ Verandahs, eaves and parapets, <p>should respect the existing or preferred neighbourhood character. Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.</p>	<p>Complies with standard & meets objective</p>
<p>Assessment: The design of the proposed development is respectful to the existing and emerging character of the area.</p> <p>The architectural response of the proposal offers a mix of contemporary and traditional styles. Contemporary features include rendered walls, cladding and a combination of hipped / gable and skillion ColorBond roofing. Face brick is incorporated into the design on ground floor, along with a modern interpretation of the weatherboards found within the immediate area.</p> <p>The architectural mix is considered to be an appropriate response to the mixed character of the area that has been established from the development of post-war villas. The articulation and reduced upper floor footprints assist in reducing the bulk associated with any double storey dwelling and provides meaningful separation through the site and from adjoining properties.</p> <p>Fenestration, eaves, framing and other detailing of the dwellings provide a positive design outcome for the area, particularly contemporary housing forms.</p>		
<p>Clause 55.06-2 Front fences objective</p> <ul style="list-style-type: none"> ▪ To encourage front fence design that respects the existing or preferred neighbourhood character. 	<p>Standard B32</p> <p>The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties.</p>	<p>Complies with standard & meets objective</p>
<p>Assessment: The existing low brick fence is proposed to be retained; therefore, the pattern of fencing within the streetscape will not be altered by the development.</p>	<p>Schedule to GRZ2/3: A front fence within 3m of a street should not exceed:2m for streets in a RDZ1 or 1.2m for other streets</p>	<p>Complies with standard & meets objective</p>

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE
<p>Clause 55.06-3 Common property objectives</p> <ul style="list-style-type: none"> ▪ To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained. ▪ To avoid future management difficulties in areas of common ownership. 	<p>Standard B33</p> <p>Developments should clearly delineate public, communal and private areas.</p> <p>Common property, where provided, should be functional and capable of efficient management.</p>	<p>Complies with standard & meets objective (subject to conditions)</p>
<p>Assessment: Where common property is proposed, it is functional, well-designed and capable of efficient management through an owner's corporation arrangement. A condition will be included for baffled lighting to be included within the common driveway.</p>		
<p>Clause 55.06-4 Site services objectives</p> <ul style="list-style-type: none"> ▪ To ensure that site services can be installed and easily maintained. ▪ To ensure that site facilities are accessible, adequate and attractive. 	<p>Standard B34</p> <p>Dwelling layout and design should provide sufficient space and facilities for services to be installed and maintained efficiently and economically.</p> <p>Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.</p>	<p>Complies with standard & meets objective</p>
<p>Assessment: It is understood that all the facilities required for the development can be accommodated within the development. Site services such as mailboxes and bin/recycling enclosures have been nominated on the respective plans and located appropriately.</p>		

13.0 CLAUSE 56: RESIDENTIAL SUBDIVISION

13.1 Pursuant to this clause, an application to subdivide land must meet all of the objectives included in the clauses specified in the zone and should meet all of the standards included in the clauses specified in the zone.

<p><i>Clause 56.03-5 – C6 Neighbourhood Character Objective</i></p> <p>The proposed development will create six lots that will be similar in size and consistent with the pattern of subdivision of recent approvals within the surrounding neighbourhood. The shape of the site adequately allows for this proposal and is considered to respond positively to the neighbourhood character, therefore satisfying the requirements of this standard.</p> <p style="text-align: right;">e. <i>Complies</i></p>
<p><i>Clause 56.04-1 – C7 Lot diversity and distribution objectives</i></p> <p>The site is well located, within walking distance to the centre of Bonbeach, and also to Chelsea Activity Centre. The proposal provides six two bedroom dwellings in an area that is dominated by three and four bedroom homes, that will cater for the changing needs of the population.</p> <p>A density of 1:231.16m² is consistent with the emerging lot density within the area.</p> <p style="text-align: right;">f. <i>Complies</i> g. <i>Complies</i></p>

<i>Clause 56.04-2 – C8 Lot area and building envelopes</i>	
The proposed lots range from 127m ² to 191m ² and can easily accommodate the proposed dwellings. The density of 1:231m ² is appropriate for this neighbourhood	
The proposal respects the Kingston Neighbourhood Character Guidelines, Character Area 74 by retaining adequate setbacks, providing a porch to each dwelling, pitched roofs and materials and colours commonly found within the area.	
The subdivision design reflects the layout of the proposed development and is consistent with lot sizes in the area.	
h.	<i>Complies</i>
<i>Clause 56.04-3 – C9 Solar orientation of lots</i>	
The aim of the objective is to provide a good solar orientation of lots and solar access for future dwellings. The proposed dwellings and lot orientation take advantage of the northerly aspect of each lot and satisfy this objective.	
i.	<i>Complies</i>
<i>Clause 56.04-4 – C10 Street Orientation</i>	
Lot 1 is oriented towards Golden Avenue, providing surveillance over the public realm, which is considered to contribute to community social interaction, personal safety and property security. All other lots are oriented to the internal driveway and cast surveillance over the common property area.	
<i>Complies</i>	
<i>Clause 56.04-5 – C11 Common areas objective</i>	
A total area of 521sqm of common property has been proposed that mostly consists of the shared access way and visitor parking space. Each lot will have equal entitlement over this area with the area being easy to maintain.	
j.	<i>Complies</i>
<i>Clause 56.06-8 – C21 Lot access objective</i>	
A crossover is proposed in a similar location to the existing crossover. This will provide access to the site, via a common driveway that will lead directly to the parking facilities of each dwelling.	
k.	<i>Complies</i>
<i>Clause 56.07-1 – C22 Drinking Water Supply</i>	
The subdivision has access to potable water.	
l.	<i>Complies</i>
<i>Clause 56.07-2 – C23 Reused and Recycled Water</i>	
Adequate area is available for the provision of water tanks for non- drinking purposes.	
m.	<i>Complies</i>
<i>Clause 56.07-3 – C24 Waste water management</i>	
Connection to the existing sewerage network is available to the site and future dwellings can connect to this.	
n.	<i>Complies</i>
<i>Clause 56.07-4 – C25 Urban Run-off Management</i>	
The drainage design and management will be in accordance with the requirements of the relevant drainage authority.	

o.	<i>Complies</i>
<i>Clause 56.08-1 – C26 Site management</i>	
During the construction of the building compliance with the relevant building regulations and conditions imposed by Council will be undertaken. A Construction Management Plan forms part of the planning permit.	
p.	<i>Complies</i>
<i>Clause 56.09-1 – C27 Shared trenching</i>	
Shared trenching will be utilised where convenient and practical.	
q.	<i>Complies</i>
<i>Clause 56.09-2 – C28 Electricity, telecommunications and gas</i>	
Agreements will be entered with all relevant service authorities, if required.	
r.	<i>Complies</i>

13.2 It is considered the proposed 6 lot subdivision meets the objectives and standards of Clause 56 – Residential Subdivision and each lot created is respectful of the existing neighbourhood character.

14.0 RESPONSE TO GROUNDS OF OBJECTIONS

14.1 The objector concerns have largely been addressed in the body of this report.

14.2 The following objector concerns, however, remain outstanding:

Ground(s)	Response
Double Storey Built Form	<p>The proposed height of the development and double storey built form is within the height parameters of the Zone, being 9 metres. The proposal reflects similar built form in established medium density development in the immediate area.</p> <p>It is acknowledged the development differs by way of a double storey dwelling in the rear however given the limited sensitive interfaces as discussed, it is considered there is no determinantal impact to adjoining properties as a result of the development.</p> <p>The proposed upper levels are sensitively designed in accordance with Clause 22.06 (Residential Development Policy) to minimise amenity impacts. Refer to standards B1 and B2 for further discussion.</p>
Overlooking	<p>The proposed development has been designed to address overlooking and privacy concerns with the use of highlight windows, obscured glazing to a minimum height of 1.7m above the finished floor level and external screening.</p> <p>Where necessary, conditions will be included on the planning permit.</p> <p>Refer to standard B22 above for further discussion.</p>
Overshadowing	<p>The proposed development will not result in any unreasonable level of overshadowing.</p>

**Insufficient Car
Parking / On-street
parking congestion**

In accordance with Clause 52.06, the proposed development generates a car parking requirement of 7 spaces based on six (6) 2 bedroom dwellings and one (1) visitor car parking space.

The proposal will accommodate all required spaces on-site and does not rely on off-site parking including on the street. The creation of a new crossover in a similar location to the existing crossover and no new crossovers on the site's property frontage will also allow for car spaces to be maintained on the street.

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 and economic effects.
- 15.3 The proposed development is considered appropriate for the Site, subject to conditions, as evidenced by:
- The compatibility of the design and siting with the surrounding area
 - The mitigation of off-site amenity impacts
 - A suitable level of compliance with all relevant policies, including **Clause 55** of the Kingston Planning Scheme
 - A suitable level of compliance with all relevant policies, including **Clause 56** of the Kingston Planning Scheme

16.0 RECOMMENDATION

- 16.1 That the Council determine to support the proposal and issue a **Notice of Decision to Grant a Permit** for the Development of Six (6) Dwellings, Subdivision of the land into Six (6) Lots and associated works in accordance with the submitted plans at 66 Golden Avenue, BONBEACH VIC 3196, subject to the following conditions:
1. Before the development starts amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the plans prepared by Millar Merrigan, Drawing No's. 24803, Sheets P2 to P9 inclusive, Revision 1, dated 14/07/2020, but modified to show:
 - a. Compliance with the requirements specified by Fire Rescue Victoria (CFA) at Condition 28 and 29 of the Planning Permit. Any modification made to the driveway must maintain compliance with the Garden Area requirements specified in Clause 32.08 of the Kingston Planning Scheme.
 - b. A revised Garden Area Plan demonstrating compliance in accordance with Condition 1a.
 - c. All ground floor habitable room windows adjacent to the shared accessway to show compliance with Clause 55.03-10 in accordance with the modifications made to the accessway as required in condition 1a.

- d. The 500mm setback between the driveway and the western side boundary notated at the front title boundary.
- e. Provision of fixed and obscure glazing (no more than 25% transparent and unopenable), fixed external screens, or similar to a height of 1.7 metres above finished floor level, demonstrating compliance with Clause 55.04-6 to the following windows:
 - i. Bedroom 1 of Dwelling 2 facing east;
 - ii. Bedroom 2 of Dwelling 6 facing south.
- f. The location of appropriately designed, baffled lighting within the shared accessway.
- g. The location of all externally-located heating and cooling units, exhaust fans and the like, clearly shown.
- h. The rainwater tanks nominated as having a minimum capacity of 2000L and connected for toilet flushing.
- i. A revised SDA in accordance with the requirements of Condition 24 of the planning permit. All relevant commitments identified within the SDA must be shown on the plans.
- j. The provision of a revised Landscape Plan substantially in accordance with the submitted landscape plan prepared by Millar and Merrigan (August 2020; Version 1), with such plans to be prepared to the satisfaction of the Responsible Authority and incorporating:
 - i. The delineation of all garden beds, paving, grassed area, retaining walls, fences and other landscape works;
 - ii. A range of plant types from ground covers to large shrubs and trees, provided at adequate planting densities (e.g. plants 1 metre width at maturity planted 1 metre apart); with the species chosen to comprise of a minimum 80% coastal indigenous species by plant type and total quantities;
 - iii. Two (2) *Banksia integrifolia* (Coast Banksia) to be planted in the front setback of the property; to replace the *Eucalyptus gonicalyx* and *Tristaniopsis laurina*;
 - iv. The nominated canopy tree, *Acacia implexa* (Lightwood), to be replaced with *Allocasuarina verticillata* (Drooping Sheoak);
 - v. The nominated canopy tree, *Waterhousea floribunda* 'Sweeper', to be replaced with *Banksia integrifolia* (Coast Banksia);
 - vi. All trees provided at a minimum of 2 metres in height at time of planting, medium to large shrubs to be provided at a minimum pot size of 200mm;
 - vii. Tree protection measures including for street trees accurately drawn to scale and labelled as per the endorsed Tree Management Plan;
- k. The location of tree protection measures illustrated to scale and labeled on the Ground Floor Plan as per the endorsed Tree Management Plan.

Endorsed Plans

- 2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
- 3. The subdivision as shown on the endorsed plan must not be altered or modified without the consent in writing of the Responsible Authority.

4. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.

Vegetation Management

5. Concurrent with the endorsement of plans, a Tree Management Plan prepared by a suitably qualified arborist in accordance with AS4970-2009, must be submitted to and be endorsed by the Responsible Authority and incorporating:
 - a. A Tree Management Plan (written report) must provide details of:
 - i. Tree protection measures that will be utilized to ensure all trees to be retained remain viable post-construction.
 - ii. Stages of development at which inspections are required to ensure tree protection measures are adhered to must be specified.
 - b. A Tree Protection Plan (scale drawing) must provide details of:
 - i. The Tree Protection Zone and Structural Root Zone for all trees to be retained on the site and for all trees on neighboring properties where any part of the Tree Protection Zone falls within the subject site.
 - ii. The location of tree protection measures to be utilized.
 - iii. A notation to refer to the Tree Management Plan.
6. All protection measures identified in the Tree Management Plan must be implemented, and development works undertaken on the land must be undertaken in accordance with the Tree Management Plan, to the satisfaction of the Responsible Authority.
7. Prior to the commencement of works, the name and contact details of the project arborist responsible for implementing the Tree Management Plan must be submitted to the Responsible Authority.
8. Tree Protection Fencing is to be established around the street trees prior to demolition and maintained until all works on site are complete.
 - a. The fencing is to be a 1.8 metre high temporary fence constructed using steel or timber posts fixed in the ground or to a concrete pad, with the fence's side panels to be constructed of cyclone mesh wire or similar strong metal mesh or netting
 - b. The fencing is to encompass the entire nature strip with each end 3 metres from the base of the tree.

Drainage and Water Sensitive Urban Design

9. Unless with the prior written consent of the Responsible Authority, before the development commences, the following Integrated Stormwater Management documents must be prepared, by a suitably qualified person, to the satisfaction of the Responsible Authority.
 - a. Stormwater Management/drainage (drainage) Plan(s) must be prepared, with supporting computations, showing the stormwater (drainage) works to the nominated point of discharge. The plan(s) must show all details of the proposed stormwater (drainage) works including all existing and proposed features that may have impact on the stormwater (drainage) works, including landscaping details.
 - b. The Stormwater Management (drainage) Plan must address the requirements specified within Council's "Civil Design requirements for Developers – Part A: Integrated Stormwater Management".
 - c. A STORM modelling report with results demonstrating water sensitive urban design treatments that achieve Victorian best practice objectives with a minimum 100% rating must be provided as part of the Stormwater Management (drainage) Plan to the

satisfaction of the Responsible Authority. These may include the use of an infiltration or bio-retention system, rainwater tanks connected for reuse, or other treatments to the satisfaction of the Responsible Authority.

- d. The water sensitive urban design treatments as per conditions 9a, 9b & 9c above must be implemented on-site, unless an alternative agreement for stormwater quality in-lieu contribution is reached with the Responsible Authority.
10. Stormwater/drainage works must be implemented in accordance with the approved stormwater management/drainage plan(s) and to the satisfaction of the Responsible Authority including the following:
- a. All stormwater/drainage works must be provided on the site so as to prevent overflows onto adjacent properties.
 - b. The implementation of stormwater/drainage detention system(s) which restricts stormwater discharge to the maximum allowable flowrate of 12.6L/s.
 - c. All stormwater/drainage works must be maintained to the satisfaction of the Responsible Authority.

Subdivision Conditions

11. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
12. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
13. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.

Telecommunications

14. The owner of the land must enter into an agreement with:
 - a. a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
 - b. a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
15. Before the issue of a Statement of Compliance for any stage of the subdivision under the *Subdivision Act 1988*, the owner of the land must provide written confirmation from:
 - a. a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
 - b. a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

United Energy

16. The applicant must enter into an agreement with United Energy Distribution Pty Ltd for the extension, upgrading or rearrangement of the electricity supply to lots on the plan of subdivision. A payment to cover the cost of such work will be required.

South East Water

17. The owner of the subject land must enter into an agreement with South East Water for the provision of drinking water supply and fulfil all requirements to its satisfaction.
18. The owner of the subject land must enter into an agreement with South East Water for the provision of sewerage and fulfil all requirements to its satisfaction.
19. All lots shown on the Plan of Subdivision must be included in the Owners Corporation schedule. The certified Plan of Subdivision will need to show sewerage supply easements over all existing and/or proposed South East Water sewer mains located within the land, to be in favour of South East Water Corporation pursuant to Section 12(1) of the Subdivision Act.

Multinet Gas and Fuel

20. A Statement of Compliance be obtained from Multinet Gas prior to the plan of subdivision being released from the Titles Office.

Section 173 Agreement

21. If the plan of subdivision is to be Certified prior to the issue of an Occupancy Permit by the relevant Building Surveyor, the Owner of the land must enter into an Agreement with the Responsible Authority under Section 173 of the Planning and Environment Act 1987 to provide for the development of the created lots in accordance with Planning Permit KP-2020/462. All costs associated with the Agreement will be borne by the landowner.

Public Open Space Contribution

22. Prior to the issue of a Statement of Compliance, the applicant or owner must pay to the Responsible Authority an amount equivalent to five per cent (5%) of the site value of all land in the subdivision. If the payment is not made within 12 months of the date of this permit, Council will request a revaluation of the site value at each anniversary, and will vary the amount of the payment accordingly.

Completion of Subdivision

23. Once the subdivision has started it must be continued and completed to the satisfaction of the Responsible Authority.

Sustainable Design Assessment

24. Prior to the endorsement of the plans required pursuant to Condition 1 of this permit, the provision of a Sustainable Design Assessment (SDA) to be prepared by a suitably qualified professional must be submitted to and approved by the Responsible Authority. The SDA must include, but is not limited to, detailing initiatives for stormwater harvesting, insulation, building materials, daylighting, collective rainwater tanks and/or individual rainwater tanks, public and private landscape irrigation and car washing, energy efficient concepts, glazing and internal ventilation and the like.
25. All works must be undertaken in accordance with the endorsed Sustainable Design Assessment to the satisfaction of the responsible authority. No alterations to the SDA may occur without the written consent of the Responsible Authority.

Construction Management

26. Prior to the commencement of any buildings and works on the land, a Construction Management Plan (CMP), to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority. The CMP must be prepared in accordance with the City of Kingston Construction Management Policy and Construction Management Guidelines. The CMP must specify and deal with, but is not limited to, the following elements:

- a. Public Safety, Amenity and Site Security
- b. Traffic Management
- c. Stakeholder Management
- d. Operating Hours, Noise and Vibration Controls
- e. Air Quality and Dust Management
- f. Stormwater and Sediment Control
- g. Waste and Materials Re-use

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

Cultural Heritage Management Plan

27. The works hereby approved must be carried out in accordance with the approved Cultural Heritage Management Plan No 16992 prepared by Benchmark Heritage Management and approved by the Director Heritage Services Aboriginal Victoria, acting under authority delegated by the Secretary, Department of Premier and Cabinet on 26 March 2020.

Fire Rescue Victoria (CFA)

28. Hydrants:
 - a. An on-site above ground dual head millcock is to be installed inside the property front boundary beside the driveway.
 - b. The hydrant must be identified by the riser pipe being painted bright red and a blue road reflector installed in the centre of the driveway adjacent to the hydrant.
29. Roads: The driveway, from the allotment front boundary to the visitors car space between Lots 2 & 3, must be constructed to a standard so that:
 - a. It is capable of accommodating a vehicle of 15 tonnes for the trafficable road width.
 - b. It has a minimum trafficable width of 3.5 metres and be clear of encroachments or at least 0.5 metres on each side and 4 metres above the access way.

Infrastructure and Road Works

30. Vehicle crossings must be constructed at a 90 degree alignment with the kerb on Golden Avenue and all internal driveways must align with the existing / proposed vehicle crossing.
31. Any relocation of pits/power poles or other services affected by this development must be relocated to the satisfaction of the relevant servicing authority and the Responsible Authority, at the cost of the owner/developer.
32. Property boundary and footpath levels must not be altered without the prior written consent from the Responsible Authority.
33. Any reinstatements and vehicle crossings are to be constructed to the satisfaction of the Responsible Authority.
34. The replacement of all footpaths, including offsets, must be constructed to the satisfaction of the Responsible Authority.
35. Any redundant vehicle crossings must be removed (including redundant portions of vehicle crossings) to the satisfaction of the Responsible Authority.

General amenity conditions

36. All works on or facing the boundaries of adjoining properties must be finished and surface cleaned to a standard that is well presented to neighbouring properties in a manner to the satisfaction of the Responsible Authority.
37. All externally-located heating and cooling units, exhaust fans and the like must not be located adjacent to bedroom windows on adjoining properties and must not be located where they will be highly visible from any public area to the satisfaction of the Responsible Authority.
38. All piping, ducting above the ground floor storey of the development (other than rainwater, guttering and downpipes) must be concealed to the satisfaction of the Responsible Authority.

Completion of Works

39. Prior to the occupation of the dwellings hereby permitted, all buildings and works and the conditions of this permit must be complied with to the satisfaction of the Responsible Authority, unless with the further prior written consent of the Responsible Authority.
40. Prior to the occupation of the dwellings hereby permitted, the landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority. Thereafter, the landscaping shall be maintained to the satisfaction of the Responsible Authority.

Time Limits

41. In accordance with section 68 of the *Planning and Environment Act 1987* (the Act), this permit will expire if one of the following circumstances applies:
 - a. The development is not started within two (2) years from the date of permit issue.
 - b. The development is not completed within four (4) years from the date of permit issue.
 - c. The plan of subdivision is not certified within two (2) years from the date of this permit.
 - d. The plan of subdivision is not registered within five (5) years of the date of certification.

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

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

Note: Any buildings and works (including eaves) to be located within an easement requires separate consent from Council and/or the relevant service authority. This will need to be obtained prior to the issue of a building permit.

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

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


- Note:** The applicant/owner must provide a copy of this planning permit and any endorsed plans to any external contractor to ensure that all trees to be retained on site are protected during any works.
- Note:** Each building or part of a building resulting from this subdivision must comply with Regulation 231 of the Building Regulations 2018.
- Note:** In accordance with the *Planning and Environment Act 1987* and the *Subdivision Act 1988*, there is no provision to grant an extension of time for a certified plan of subdivision.
- Note:** The allocation of street numbering and addressing of properties is vested in Council. Any reference to addressing or dwelling/unit/apartment and street numbers or street names on any endorsed plan is indicative only. The onus is on the Permit Applicant/Land Owner to contact Council's Property Data Department to determine the official dwelling/unit/apartment street numbers, street name details and the like for the approved development.
- If the Permit Applicant/Land Owner adopts the street numbering or addressing from the endorsed plans, or where advertising and/or sales transact (off the plan) prior to Council's official allocation of the street numbering and addressing, it will be viewed to be non-compliant with the guideline and standard applied (*Australian/New Zealand Standard for Rural & Urban Addressing / AS/NZS 4819:2011*).
- Note:** The owner(s), occupiers and visitors of the development allowed by this permit may not be eligible for Council resident or visitor parking permits.
- Note:** Before removing / pruning any vegetation from the site, the applicant or any contractor engaged to remove any vegetation, should consult Council's Vegetation Management Officer to verify if a Local Laws Permits is required for the removal of such vegetation.
- Note:** Any landscape plan prepared in accordance with conditions must comply with Council's Landscape Checklist.
- Note:** All buildings and works must be carried out in accordance with the approved Cultural Heritage Management Plan as required by the *Aboriginal Heritage Act 2006*. A copy of the approved CHMP must be held on site during the construction activity.
- Note:** The following South East Water agreement options are available:
1. Application to enter into a Development Agreement-Works – If South East Water reticulated sewer/water/recycled water (as applicable) is required to be extended to service lots within the development
 2. Application for Notice of Agreement Subdivision-Non Works – If South East Water reticulated sewer/water/recycled water (as applicable) is available to the development and the owner only requires Statement of Compliance to release the titles (i.e. subdivision prior to building)
 3. Plumbing Industrial, Commercial, Units & Private Water application – If South East Water reticulated sewer/water/recycled water (as applicable) is available to the development and the owner wishes to commence construction of the building/s (i.e. building prior to subdivision)

Or in the event that the Council wishes to refuse the application, it could do so on the following grounds:

1. The proposal fails to comply with relevant local planning policies contained within of the Kingston Planning Scheme.
2. The proposal results in excessive visual bulk and massing to the detriment of the local neighbourhood character.

3. The proposal fails to achieve consistency and is not compatible with the existing neighbourhood character of the established surrounding residential area.
4. The proposal fails to comply with relevant following objectives and standards of Clause 55 of the Kingston Planning Scheme (ResCode):
 - Clause 55.02-1 – Neighbourhood Character
 - Clause 55.02-2 – Residential Policy
 - Clause 55.03-1 – Street Setback
 - Clause 55.03-5 – Energy Efficiency
 - Clause 55.03-7 – Safety
 - Clause 55.03-9 – Access
 - Clause 55.03-10 – Parking Location
 - Clause 55.04-6 – Overlooking

Appendices

Appendix 1 - KP-2020/462 - 66 Golden Avenue, BONBEACH VIC 3196 - Considered Plans (Ref 20/203644)  [↓](#)

Author/s: James Leonard, Principal Planner
Reviewed and Approved By: Jennifer Roche, Team Leader Statutory Planning
Jaclyn Murdoch, Manager City Development

8.4

KP-2020/462 - 66 GOLDEN AVENUE, BONBEACH

1	KP-2020/462 - 66 Golden Avenue, BONBEACH VIC 3196 - Considered Plans	269
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20/180930



Planning Enquiries
Phone: (03) 9581 4131
Web: www.kingston.vic.gov.au
Email: info@kingston.vic.gov.au

Office Use Only - Application No:

Date Lodged: / /

Application for Planning Permit

Privacy notice – Information submitted in this application will be used by Council to assess your application for a planning permit in accordance with the Planning and Environment Act 1987 and for related municipal purposes. Information will be included in a public register of planning applications and may be disclosed to external consultants and to referral authorities in order to assess your application, and to other external parties as required by law.

All planning applications are available for public inspection at Council's offices during the assessment period and until the end of the latest period during which an application for a review may be made. During the assessment period information from this application will be available on Council's website as part of Advertising Documentation and may be available at public meetings.

The applicant may request a copy of their application from Council's Planning Team at any time. If you fail to provide all or part of the information required Council will get in touch with the nominated contact on this form to request further information. For further information contact Council's Planning Department on 9581 4131.

Need Help? - If you need help to complete this form, read: *How to complete the application for planning permit form* available at www.kingston.vic.gov.au/planning

Questions marked with an asterisk (*) are mandatory and must be completed

1. Pre-application meeting

Has there been a pre-application meeting with a council planning officer?

 No

If 'yes', with whom? Written advice by James Leonard

 Yes

Date: December 2019

dd/mm/yyyy

2. The Land *

Address of the land. Complete the street address and one of the formal land descriptions.

Street Address *

Unit No.:

St No.: 66

St Name: Golden Avenue

Suburb: Bonbeach

Postcode: 3196

Formal Land Description *

A Lot No.: 68

Lodged Plan

Title Plan

Plan of Subdivision

No.: 005789

Complete either A or B.

OR

B

Crown Allotment No.:

Section No.:

Parish/Township Name:

This information can be found on the certificate of title

20/180930

3. Description of Land *

Describe how the land is used and development now

e.g. vacant, single dwelling, three dwellings, shop, factory, medical centre, with two practitioners, licensed restaurant with 80 seats.

Single-storey brick veneer dwelling

4. Plan of the Land *



Attach a plan of the existing conditions. Photos are also helpful.

5. The Proposal *

You must give full details of your proposal and attach the information required to assess the application. Lack of detail, insufficient or unclear information will delay your application.

For what use, development or other matter do you require a permit?

If you need help about the proposal, read: *How to complete the application for planning permit form.*

Six lot subdivision and development of six new dwellings

6. Additional Information



Attach additional information providing details of the proposal, including:

- Any information required by the planning scheme, requested by Council or outlined in a council planning permit checklist.
- Plans and elevations showing the layout and details of the proposal x 3 including 1 x A3
- If required, a description of the likely effect of the proposal (e.g. traffic, noise, environmental impacts).



Note

Contact council or refer to council planning permit checklists for more information about council's requirements

20/180930

7. Title Information *


Attach a full, current copy of title information, not older than 90 days, for each individual parcel of land, forming the subject site.

Encumbrances on title?

Encumbrances are identified on the certificate of title.

Is the land affected by an encumbrance such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?

No, go to Question 8.

Yes,  Attach a copy of the document (instrument) specifying the details of the encumbrance.

↳ Does the proposal breach, in any way, the encumbrance on title?

No, go to Question 8.

Yes, contact council for advice on how to proceed before continuing with this application.

**Note**

Council must not grant a permit that authorises anything that would result in a breach of a registered restrictive covenant (sections 61 (4) and 62 of the *Planning and Environment Act 1987*). Contact Council and/or an appropriately qualified person for advice.

8. Costs of Buildings and Works/permit fee *

All applications require a fee to be paid. Where development is proposed, the value of the development affects the fee. Contact Council to determine the appropriate fee.

Estimate cost of development for which the permit is required? *

Cost \$ 1,500,000

**Note**

You may be required to verify this estimate

Write 'Nil' if no development is proposed (eg. Change of use, subdivision, removal of covenant, liquor licence)

Is a Metropolitan Planning Levy (MPL) certificate required? *

Is the estimated cost of the development greater than \$1,052,000?

No, go to Question 9.

Yes,  Attach a valid copy of the MPL Certificate

**Note**

If a MPL is applicable, a planning application **must** be accompanied by the MPL certificate. This is a requirement of section 3 of the *Planning and Environment Act 1987*. For more information on the MPL visit www.sro.vic.gov.au

20/180930

9. Applicant and owner details *

Provide details of the applicant and owner of the land.

Applicant *

The person or organisation who wants the permit.

Name:		
Title:	First Name: Dennis	Surname: Milani
Organisation (if applicable): C/- Millar Merrigan		
Postal Address:		If it is a PO Box, enter the details here:
Unit No.:	St No.:	St Name: PO Box 247
Suburb: Croydon	State: VIC	Postcode: 3136

Contact *

The person you want council to communicate with about the application.

Name: <input type="checkbox"/> If same as applicant go to 'contact information'		
Title: Mr	First Name: Duncan	Surname: van Rooyen
Organisation (if applicable): Millar Merrigan		
Postal Address:		If it is a PO Box, enter the details here:
Unit No.:	St No.:	St Name: PO Box 247
Suburb: Croydon	State: VIC	Postcode: 3136

Contact information *

Please provide at least one contact phone number and email address

Business Phone: 8720 9500	Mobile Phone:
Email: planning@millarmerrigan.com.au	

Owner *


The person or organisation who owns the land.

Where the owner is different from the applicant or contact provide the name of the person or organisation who owns the land.

Name: <input type="checkbox"/> Same as Contact <input type="checkbox"/> Same as applicant		
Title:	First Name: D.Milani &	Surname: R.Pusey
Organisation: C/- Millar Merrigan		
Postal Address:		If it is a PO Box, enter the details here:
Unit No.:	St No.:	St Name:
Suburb:	State:	Postcode:
Owner's Signature (optional):	Date: <input type="text"/>	
	dd/mm/yyyy	


10. Declaration ***This form must be signed by the applicant**

Remember it is against the law to provide false or misleading information, which could result in a heavy fine and cancellation of the permit.

<input checked="" type="checkbox"/>	I declare that all the information in this application is true and correct and the owner (if not myself) has been advised of the permit application.
Signature: 	Date: 14/8/2020
	dd/mm/yyyy

11. Information checklist

Have you:

- Filled in the form completely?
- Included the application fee? (Contact council to determine the appropriate fee).
-  **Provided all necessary supporting information and documents?**
- Provided a copy of full title, no older than 3 months, for each individual parcel of land forming the subject site?
- Provided a plan of existing site conditions?
- Included plans showing the layout and details of the proposal x 3 including 1 x A3?
- Provided all information required by the planning scheme, requested by Council or outlined in a council planning permit checklist?
- Where required, provided a description of the likely effect of the proposal (e.g. traffic, noise, environmental impacts)?
- If applicable, included a current MPL Certificate. Note: a levy certificate expires 90 days after the day on which it is issued by the State Revenue Office. Once expired, the certificate becomes invalid and cannot be used. Failure to comply means the application is void.
- Completed Kingston's relevant Council Planning Permit Checklist?
- Signed the Declaration (section 10 of this form)?

12. Lodgement

Lodge the completed and signed form, the fee payment and all documents with:

Email

info@kingston.vic.gov.au

By Post

City Development
Kingston City Council
PO Box 1000, Mentone, VIC 3194

In Person

1230 Nepean Highway, Cheltenham VIC 3194

Contact Information

T (03) 9581 4131

E info@kingston.vic.gov.au

20/180930



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**REGISTER SEARCH STATEMENT (Title Search) Transfer of
Land Act 1958**

Page 1 of 1

VOLUME 04257 FOLIO 227

Security no : 124084307231J
Produced 14/07/2020 11:44 AM

LAND DESCRIPTION

Lot 68 on Plan of Subdivision 005789.
PARENT TITLE Volume 04246 Folio 178
Created by instrument 0902912 20/09/1919

REGISTERED PROPRIETOR

Estate Fee Simple
TENANTS IN COMMON
As to 1 of a total of 2 equal undivided shares
Sole Proprietor
RICHARD PAUL ANDREW PUSEY of 101 ST DAVID STREET FITZROY VIC 3065
As to 1 of a total of 2 equal undivided shares
Sole Proprietor
DENNIS MARK MILANI of 7 BANNING ROAD WARRYNDYTE NORTH VIC 3113
AS954147T 03/02/2020

ENCUMBRANCES, CAVEATS AND NOTICES

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE LP005789 FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: 66 GOLDEN AVENUE BONBEACH VIC 3196

ADMINISTRATIVE NOTICES

NIL

eCT Control 17378B KAHNS LAWYERS
Effective from 03/02/2020

DOCUMENT END

20/11/2020 14:49:30 TAS, timestamp 14/07/2020 11:49 Page 1 of 2

*Plan of Subdivision of
Parts of Crown Allots 144 & 145
Parish of Lyndhurst
County of Mornington*

VOL.3396 FOL.014
3396 015
Measurements are in Foot & Inches
Conversion Factor
FEET x 0.3048 = METRES



APPURTENANCIAS CONT.

AS TO LOTS 12, 23, 32 & 47,
TOGETHER WITH A RIGHT OF
CARRIAGEWAY OVER THE ROADS
COLOURED BROWN HEREON AND
ON LP5351

AS TO LOT 88,
TOGETHER WITH A RIGHT OF
CARRIAGEWAY OVER THE ROADS
COLOURED BROWN HEREON AND
ON LP5350

AS TO LOTS 2, 3, 9, 10, 11, 12, 14, 15,
27, 31, 33, 43, 44, 45, 48, 49, 50, 51, 53,
68, 73, 74, 78, 81 & 86,
TOGETHER WITH A RIGHT OF
CARRIAGEWAY OVER THE ROADS
COLOURED BROWN HEREON AND
ON LP5350 & LP5351

LP 5789

EDITION 3
PLAN MAY BE LODGED 10/6/12

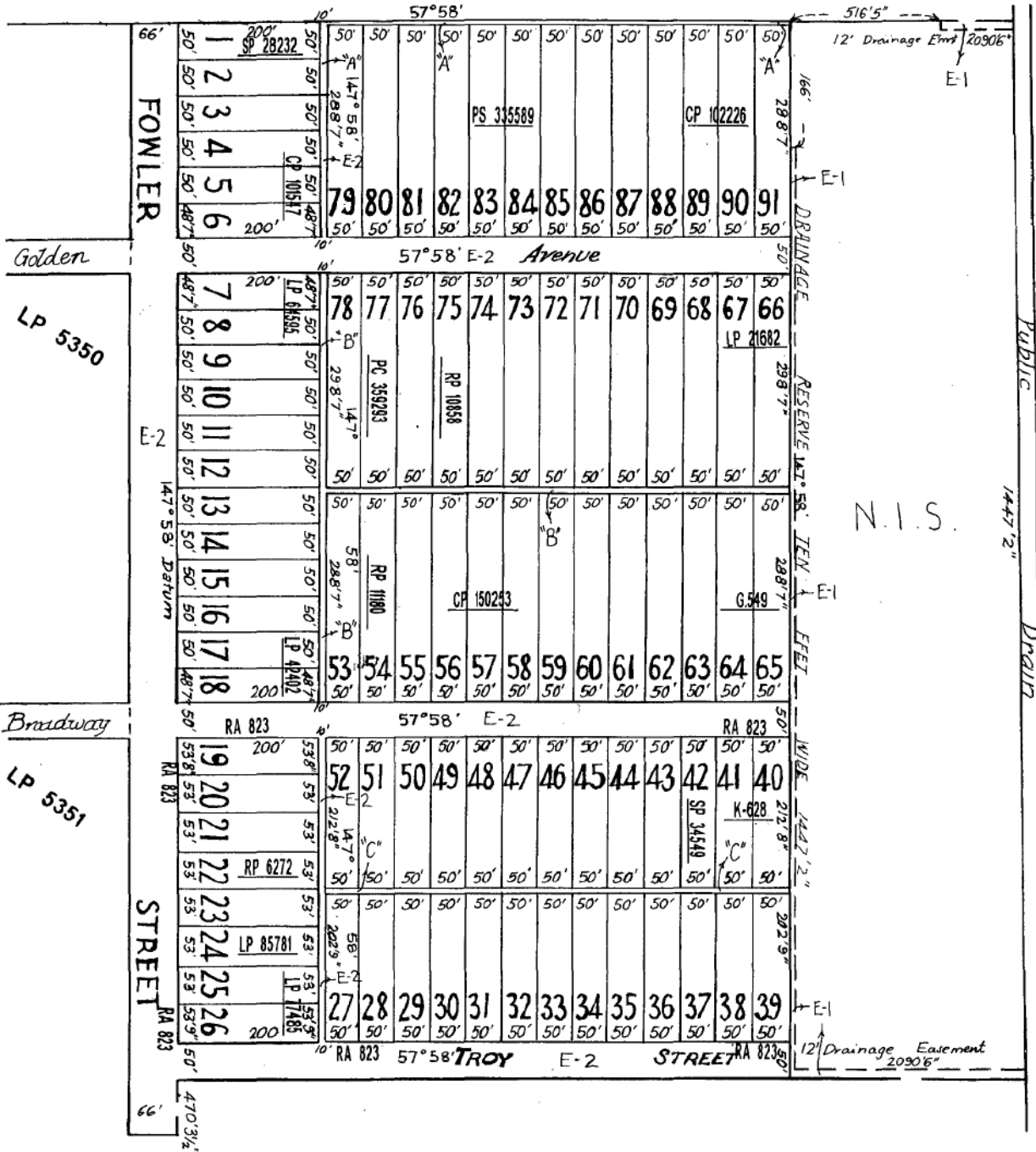
COLOUR CODE

E-1 = BLUE
E-2 = BROWN

ROADS COLOURED BROWN

APPURTENANCIAS

AS TO LOTS 13, 16, 20, 28, 61, 62, 69
& 80,
TOGETHER WITH A RIGHT OF
CARRIAGEWAY OVER THE ROADS
COLOURED BROWN



PLAN NUMBER
LP 5789

MODIFICATION TABLE

RECORD OF ALL ADDITIONS OR CHANGES TO THE PLAN

AFFECTED LAND / PARCEL	LAND / PARCEL / IDENTIFIER CREATED	MODIFICATION	DEALING NUMBER	DATE	TIME	EDITION NUMBER	ASSISTANT REGISTRAR OF TITLES
	"A"	ROAD DISCONTINUED	L.G.D.4136			1	
	"B"	ROAD DISCONTINUED	L.G.D.5259			1	
	"C"	ROAD DISCONTINUED	L.G.D.8258			1	
		EASEMENT EXCISED	L.G.D.4992			1	
		STREET NAME AMENDED FROM GOLDEN LANE TO GOLDEN AVENUE	CORR. 47/9139			1	
		STREET NAME AMENDED FROM CENTRE ROAD TO FOWLER STREET	GAZ.1933 P.1920			1	
		STREET NAME AMENDED FROM TROY'S LANE TO TROY STREET	GAZ. 29/7/53 P.3655 No.578			1	AD
WARNING: THE IMAGE OF THIS PLAN/DOCUMENT HAS BEEN DIGITALLY AMENDED. NO FURTHER AMENDMENTS ARE TO BE MADE TO THE ORIGINAL PLAN/DOCUMENT.							
THIS PLAN		APPURTENANCY NOTATION ADDED				2	AD
LOT 69		APPURTENANCY NOTATION ENHANCED				3	AD

20/180930

STATE REVENUE OFFICE
PLANNING AND ENVIRONMENT ACT 1987

Metropolitan Planning Levy (MPL)

Certificate



Entity Developments

Certificate Number: MPLCERT16400

PO BOX 7074

Issue Date: 23 July 2020

Doncaster East

Expiry Date: 21 October 2020

AUSTRALIA

PART 1 - APPLICANT DETAILS

Details of person who applied for this Certificate:

Name: Entity Developments**Address:** PO BOX 7074

Doncaster East

AUSTRALIA

PART 2 - LEVIABLE LAND DETAILS

Address of land to which the Metropolitan Planning Levy applies:

Street Address: 66 Golden Avenue
Bonbeach VIC 3196**Formal Land Description:****Vol/Folio:** 4257 / 227**Lot/Plan:** 68 / SP005789**Block/Subdivision:****Crown Reference:****Other:****Municipality:** Kingston City Council**Estimated Cost of Development:** \$1,500,000

PART 3 - MPL PAYMENT DETAILS

MPL Application ID: MPL16400**MPL Paid:** \$1,950.00**MPL Payment Date:** 15 July 2020

PART 4 - CERTIFICATION

The Commissioner of State Revenue confirms that the whole of the amount of the MPL has been paid in respect of the estimated cost of development.

Paul Broderick
Commissioner of State Revenue

20180930



Miller & Merrigan certifies that the site of this planning only for the purposes described by the plan along shown table. This property should be used in accordance with all relevant planning, zoning, and other laws, regulations, and conditions. © Miller & Merrigan Pty Ltd.

No.	Prepared by/checked by/checked	Date	By	For	Date

SUBJECT TO APPROVAL

Miller | Merrigan
Land Development Consultants

Civil Engineering
Landscape Architecture
Project Management
Town Planning
Urban Design
www.millermerrigan.com.au

Miller & Merrigan Pty Ltd ACN 005 541 655
Melb: 21128 Warrimul Drive, Clayton 3168
Regional: 128 Commercial Road, Mooroolbatho 3653
Mail: PO Box 247 Clayton, Victoria 3168
Mobile: 0422 255 255 R: 0325 2534 8811
www.millermerrigan.com.au
admin@millermerrigan.com.au

OVERALL SITE LAYOUT PLAN
PROPOSED DEVELOPMENT
66 Golden Avenue, Bonbeach
Kingston City Council
24803 P2
Version 01

North
0 5 10
1:300 (2:1)

20180930



Miller & Merrigan warrant the accuracy of the information provided in this plan, but do not warrant the accuracy of the information provided by the client. This document is intended for use as a guide only and should not be relied upon for any legal or financial purposes. Miller & Merrigan Pty Ltd.

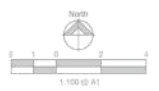
No.	Prepared by	Checked by	Date

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Land Surveying
Landscape Architecture
Project Management
Town Planning
Urban Design
www.millerandmerrigan.com.au

Miller & Merrigan Pty Ltd. ACN 005 541 655
Mills 17126 Warrimale Drive, Clayton 3158
Regional 126 Commercial Road, Mooroolbath 3658
Melb. P.O. Box 247 Clayton, Victoria 3168
N.City 8729 2000 R.City 0534 8811
www.millerandmerrigan.com.au
enquiries@millerandmerrigan.com.au



SITE LAYOUT PLAN
PROPOSED DEVELOPMENT
66 Golden Avenue, Bonbeach
Kingston City Council
24803 P3
Version 01
Sheet 1 of 2

20180930



Miller & Merrigan certifies the use of this drawing only for the purposes described by the client. It is not to be used for any other purpose without the written consent of Miller & Merrigan Pty Ltd.

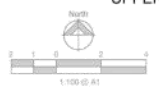
Author	Project/Issued/Revised	Appr	Utd	Checked

SUBJECT TO APPROVAL

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Land Development Consultants

Civil Engineering
Land Surveying
Landscape Architecture
Project Management
Town Planning
Urban Design

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Melb. PO Box 247 Clayton, Victoria 3168
NCCity 8720 2030 RCity 0754 8811
www.millermerrigan.com.au
melb@millermerrigan.com.au



UPPER FLOOR LAYOUT PLAN
PROPOSED DEVELOPMENT
66 Golden Avenue, Bonbeach
Kingston City Council

24803 P4
Version 01
Sheet 1 of 2

20180930



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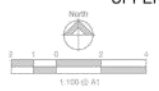
No.	Project/Issuing Name	Rev.	By	Date

SUBJECT TO APPROVAL

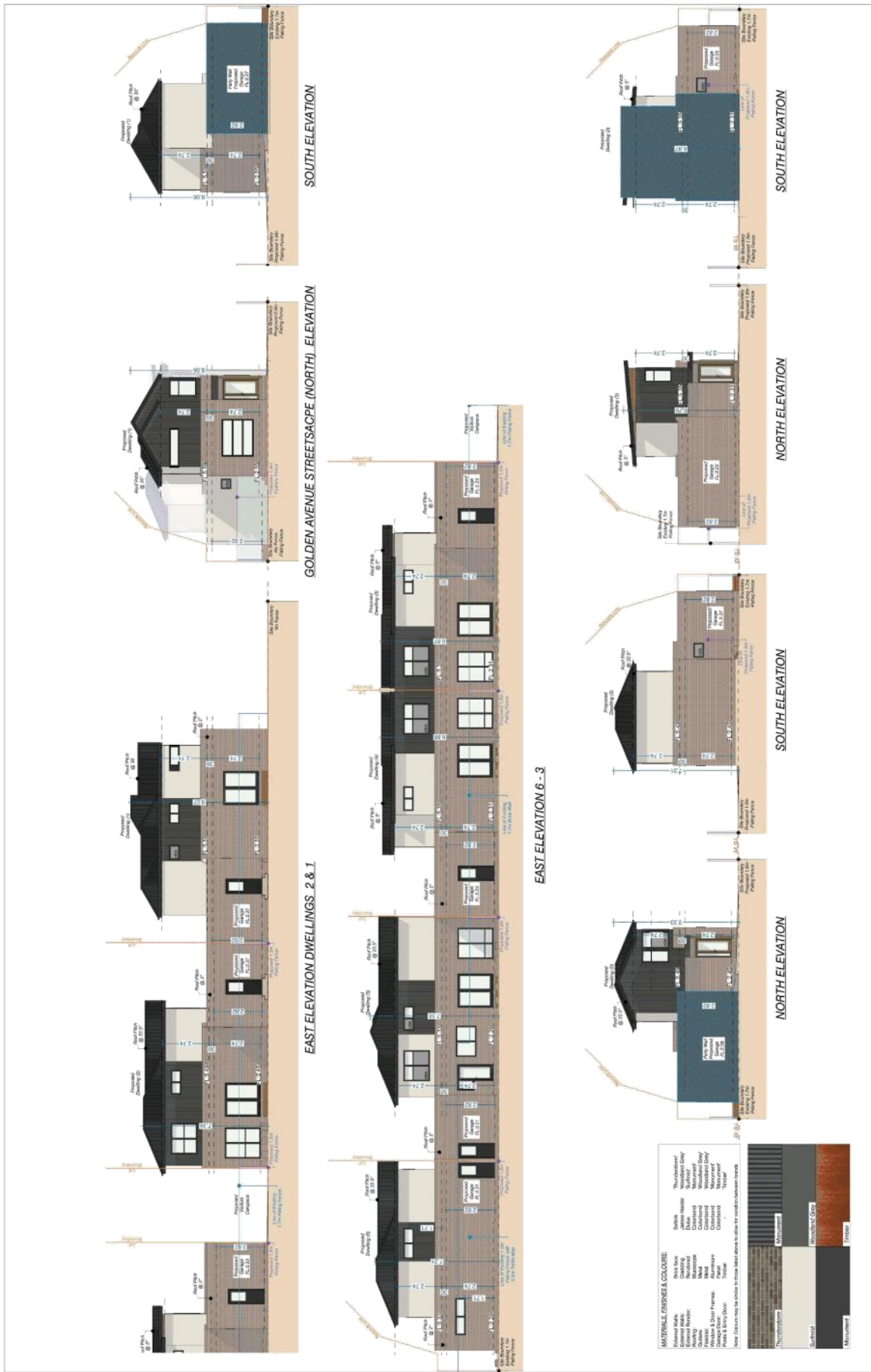
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M03 9729 2000 A035 0734 8911
www.millermerrigan.com.au
admin@millermerrigan.com.au



20/180500



Millar | Merrigan
Local Development Consultants

125/126 Esplanade
Lions Building
Lions Wharf
Geelong
VIC 3220
Phone: 03 5247 1234
Fax: 03 5247 1235
www.millar-merrigan.com.au

Building Elevations
PROPOSED DEVELOPMENT
66 Golden Avenue, Bonbeach
Kingsland City Council
24/803 PS
Version 01
Sheet 12 of 12

SUBJECT TO APPROVAL

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APPROVED BY: [Name]



20/180930



20180930

NEIGHBOURHOOD CHARACTER

The subject site is situated within a residential neighbourhood that is undergoing change with evidence of medium density development. The site is identified within a General Residential Zone - Schedule 3, which allows for increased housing opportunities provided the character of the neighbourhood is respected and maintained. The emerging character of the neighbourhood as follows:

- The site is situated within an area where multi-lot subdivisions are common, with a mix of detached and units. The proposal is consistent with the surrounding pattern of development, offering a density of 1:231, fpm². The site is located within a well serviced area with access to schools, shopping, open spaces, reserves and a range of public transport options.
- Most dwellings in the neighbourhood are constructed of brick, rendered detailing, with hipped tile or Colobard roofs and the proposed built form utilizes materials that are compatible with this character. The colours of the materials are muted grey tones, which will blend with the existing dwellings in the area. A total of 11 new dwellings are proposed, which will be set back from the street front setback, to enhance the overall neighbourhood setting, while the health and wellbeing of the existing trees in the neighbourhood properties and street reserve will be maintained.
- Trees in the neighbouring property to the west have been recently approved for removal under a separate planning permit. Six trees on the subject site require removal and all have been identified in the landscape design. The removal of these trees will not be detrimental to the landscape character of the area and will be offset through new landscaping. The proposal respects the green and leafy setting of the area through the inclusion of an attractive new landscape design including 11 canopy trees and understory vegetation.
- The Neighbourhood and Site description identified the risk of overlooking to neighbouring properties but the dwellings are set back from the street and the existing infrastructure will not be an issue. The location of the existing infrastructure was also identified as a constraint, but this has been accommodated in the rear garden. Any sheds that are located in the rear garden will be demountable to ensure easy access.

THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH CLAUSE 56.01/2 DESIGN RESPONSE OF THE PLANNING SCHEME.

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SUBJECT TO APPROVAL



64 Golden Avenue, Bonbeach

Proposed 66 Golden Avenue, Bonbeach

68 Golden Avenue, Bonbeach

PLANNING SCHEME REQUIREMENTS

The subject site is situated within the urban setting of a General Residential Zone, Schedule 3 (GRZ3). A planning submission has been prepared to demonstrate how the proposal is consistent with the Municipal Planning Strategy and Planning Policy Framework, including the objectives of ResCode. The following key considerations are detailed within the planning report:

- **Clause 55.02-5 - Integration with the street**
The view from the street will be improved with the removal of the trees on the subject site. The proposed development will be set back from the street. 5 of the 6 dwellings will be located to the rear, so will be minimally visible from the streetscape. A full landscape treatment to improve the amenity of the site is proposed, which will soften the appearance of the built form when viewed from the street. Appropriate vehicle and pedestrian links are available for safe transition from the street to each dwelling.
- **Clause 55.03-3 - Site Coverage & Clause 55.03-4 - Permeability**
The proposal provides a site coverage of 35% in accordance with the requirements of the clause. The proposed development will be set back from the street. 5 of the 6 dwellings will be located to the rear, so will be minimally visible from the streetscape. A full landscape treatment to improve the amenity of the site is proposed, which will soften the appearance of the built form when viewed from the street. Appropriate vehicle and pedestrian links are available for safe transition from the street to each dwelling.
- **Clause 55.04-1 - Side and rear setbacks**
The minimum side setback proposed for the development is 1 m at the ground floor and is 1.75m at the upper level of dwelling 6. The proposed minimum rear setback for the proposed development is 1.75m. The proposed development will be set back from the street. 5 of the 6 dwellings will be located to the rear, so will be minimally visible from the streetscape. A full landscape treatment to improve the amenity of the site is proposed, which will soften the appearance of the built form when viewed from the street. Appropriate vehicle and pedestrian links are available for safe transition from the street to each dwelling.
- **Clause 55.05-4 - Private open space**
Each dwelling is provided with ample space to meet the recreational needs of residents and in accordance with the requirements of this standard. Each dwelling has convenient access to the street. The proposed development will be set back from the street. 5 of the 6 dwellings will be located to the rear, so will be minimally visible from the streetscape. A full landscape treatment to improve the amenity of the site is proposed, which will soften the appearance of the built form when viewed from the street. Appropriate vehicle and pedestrian links are available for safe transition from the street to each dwelling.
- **Clause 55.05-5 - Solar access to open space**
Each dwelling is provided with either a main area of northeast or west facing open space, which are all well dimensioned to achieve excellent solar access.
- **Clause 55.06 - Car parking**
A single garage is proposed for each of the 2-bedroom homes in accordance with the objectives of this clause. The parking facilities are located in the rear garden and convenient. A visitor space is also provided between Lot 2 and 3.



DESIGN RESPONSE PLAN
PROPOSED DEVELOPMENT
66 Golden Avenue, Bonbeach
Anglican City Council
24803 P9
Version 01

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Design Intent

The landscape design aims to blend the development into the surrounding area and ensure that vegetation continues to dominate the built form. It also creates highly livable spaces and extensive screening around boundaries and between dwellings to ensure privacy.

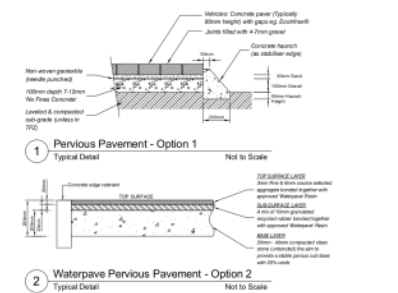
The proposed front garden has been planted with Eucalyptus, gumnucis, low plantings and shrubs to ensure the streetscape remains vegetation-dominated. Tall shrubs have been planted along the site boundary to allow for privacy.

The common property area has been fully planted with a mix of lifting grasses and low shrubs/groundcovers to create interest, minimise ongoing maintenance requirements and ensure an attractive entrance into the development. Three new *Tristramia laurina* and a single *Acacia implexa* are included in this area to provide canopy coverage and a leafy backdrop.

Landscaping around the proposed dwellings aims to soften the built form and provide usable attractive areas for residents to enjoy. Consideration has been given to views out from all habitable windows so that attention is drawn to the landscape and that screening vegetation is provided where necessary to prevent overlooking. Lots 1, 2, 4 and 5 have been proposed with *Acacia implexa*. Lots 3 and 6 have been proposed with *Wahlukeia forficata* 'Sweepers'. The proposed gravel pathways will ensure high permeability and water infiltration into the soil profile and plant root zones, whilst the proposed water tank will harvest rainwater to be used during plant establishment and extended dry periods.

Plants have been chosen for their variation in foliage colour, form, texture and attractive flower displays. They are easy to maintain, water-wise and contrast predominantly of plants indigenous to the area.

The development and associated landscaping will see a significant enhancement to the overall quality and amenity of the site. It is considered with the objectives of the Significant Landscape Overlay in that it provides for the regeneration of vegetation and maintains a dense vegetation canopy that contributes to the environmental significance of the area.



LEGEND

- Existing hatched to be retained
- Existing line to be removed
- Proposed indigenous tree
- Proposed shrub
- Proposed shrub leaf plants
- Proposed water tank
- Proposed storage area
- Proposed gravel pathway
- Building (as labelled)
- Proposed concrete driveway/footpath
- Proposed beam as labelled
- Proposed clothes line
- Letter box, bin
- Proposed 4 x 4 bin pavers
- Proposed feature fence (as labelled)
- Proposed paling fence (as labelled)
- Existing fence
- Site boundary
- Proposed spot level, existing spot level
- Existing services
- Contours at 400, 0.2m intervals

Planting Schedule

Item	Qty	Code	Botanical Name	Common Name	H x W (m)	Pot Size
TREES						
1	named	4x As	<i>Eucalyptus gomphocephala</i> *	Long-leaved Box	10.0 x 10.0	45L
2	named	2x My	<i>Acacia implexa</i> *	Lightwood	8.0 x 5.0	45L
3	named	1x Cr	<i>Wahlukeia forficata</i> 'Sweepers'	Sweeper	10.0 x 5.0	45L
4	named	1x Cr	<i>Tristramia laurina</i>	Kanooka	7.0 x 4.0	45L
SHRUBS						
27	Sa	4x Sa	<i>Syzygium australe</i> 'Pinnatifid'	Pinnatifid	5.0 x 1.0	150mm
5	As	1x As	<i>Acacia dealbata</i> *	Wattle	2.0 x 1.5	150mm
3	Sa	3x Sa	<i>Banksia laevifolia</i> *	Serotinal	2.5 x 1.2	150mm
6	Ph	6x Ph	<i>Prostanthera lasiantha</i> *	Victorian Christmas Bush	3.0 x 2.0	150mm
35	S	35x S	<i>Cornicola sibirica</i> *	Shearhulk	3.0 x 1.0	150mm
STRIPPY LEAF PLANTS & GROUNDCOVERS						
10	Ca	10x Ca	<i>Carex obovata</i> *	Tall Sedge	0.7 x 0.8	tube
12	Li	12x Li	<i>Acacia levelii</i> *	Line Light	1.0 x 1.0	tube
30	Li	30x Li	<i>Lomandra nymphaea</i> *	Nymphaea	0.9 x 0.9	tube
30	Ca	30x Ca	<i>Chromolaena amplexicaulis</i> *	Chambré everlasting	1.0 x 1.0	tube
45	Lf	45x Lf	<i>Lomandra fraxinifolia</i> *	Fraxinifolia	0.6 x 0.6	tube
50	Di	50x Di	<i>Dianella latifolia</i> *	Latifolia	0.4 x 0.4	tube
25	Di	25x Di	<i>Dianella palustris</i> *	Palustris	0.25 x 0.25	tube
25	My	25x My	<i>Myrsine yarrowii</i> *	Yarrowia	0.1 x 1.0	tube
CLIMBERS						
1	Cl	1x Cl	<i>Clematis aristata</i>	Austral Clematis	3.0 x var	tube

Note: Plants marked * are to be local provenance stock, purchased from a local indigenous nursery. Indigenous plant nurseries able to provide local provenance plant stock include:

Condemned Community Nursery: 5 Taylor Road, Mooroolbath Creek Hill & Taylor Road - Ph: 0468 871 888
 Operation Regeneration - Ph: 0428 192 148
 CRSP Indigenous Plant Nursery, 17 Greenwood Avenue Ringwood - Ph: 0879 39811
 Bushland Plants 110 Clapp Rd Mt Evelyn Vic 3799 (opp Little John Ave) - Ph: 4796 4304

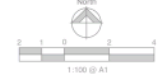
- ### Notes
- WARNING:** The location of underground services shown on this plan are design locations only. Engage a service location company preferably or contact the appropriate service authorities for as-built locations.
 - Plant Setup:** Plants indicated on the drawing are set out to scale.
 - Existing Vegetation:** The site doesn't contain any existing vegetation that will be retained.
 - Tree Protection Zones:** To ensure protection of trees to be retained.
 - The Tree Protection Zone (TPZ) should be as recommended in the Arboricultural Report by DE Horticulture PTV LTD dated 21/10/2019
 - The TPZ should be fenced and clearly marked at all times. A 100mm layer of organic mulch should be spread over the TPZ for the construction duration.
 - The fence should be a minimum of 1.8m high with 1.8m steel posts every 2.4 metres and single strand support wire top and bottom.
 - If temporary access is required through the TPZ this may be carried out using sheets of heavy plywood. The TPZ should be reinstated immediately afterwards.
 - Any underground service installations should be located within the TPZ.
 - Soil level should not be altered within the TPZ. This includes storage of excavated or imported soils.
 - No building materials should be stockpiled or stored within the TPZ.
 - No fuel, oil drums, chemicals, materials, equipment or temporary buildings shall be allowed in the TPZ and the servicing and re-fuelling of equipment and vehicles should be carried out away from the TPZ. Nothing whatsoever should be attached to the trees including temporary service wires, rails, screens or any other fixing device.
 - Supplementary watering should be provided to all trees through any drip system during and after the construction process.
 - Any pruning required must be carried out by a trained and competent Arborist to comply with AS 4373 - 2007 Pruning of Ornamental Trees.
 - All root excavation should be carried out by hand digging or with the use of Air Excavator's technique and roots should be severed by saw cutting or with a sharp axe and not with a chainsaw or any machinery or blunt instrument. Any root greater than 50mm in diameter must be severed. If possible excavate under roots to create bridging roots.
 - General Note on Soil:** Do not work soil when it is wet.
 - General bed preparation:** Spray area with a broad leaved plant glyphosate-based herbicide if weeds are present. Wait two weeks and re-spray if all weeds are not dead. Remove spent weeds off site. Remove any topsoil and stone. Ensure no subsoil gets mixed in with the material stored. If no topsoil present, remove ~75mm subsoil and outside subsoil to 100mm, making the ground at 1.0m high. Replace structural topsoil with gypsum also mixed in (1kg/gm). Grade soil ensuring drainage away from buildings. Final soil level should be 50mm above the normal (ground level) grade. Plant out garden beds using 5-10g Chloroxone or similar (slow-release form) - ensure the fertilizer used is the correct one for the plant species i.e. if there are indigenous plants ensure that the fertilizer used has the correct NPK ratio.
 - Garden edging:** Garden edging is to be installed between garden beds, gravel paths and lawn areas. Edging is to be a timber edge product or similar and is to be fixed in place with stakes. Where available use recycled and/or sustainable products.
 - Treeblock & Shrub Planting Procedure:** Ensure rootballs are moist before planting. Plant treeblock and shrubs as per detail. Place suitable slow release fertilizer in base of hole and mix thoroughly with broken up soil. Water well immediately after planting and ensure all ties, labels are attached to the plant are removed.
 - Tree Planting Procedure:** Ensure rootballs are moist before planting. Plant trees as per detail. Add 10-15g Tronoxone or equivalent slow-release fertilizer at the time of planting, again ensuring the correct fertilizer for the trees selected is used. Trees are to be watered in well immediately after planting. Imporing topsoil for tree planting is to be avoided. Ensure all ties, labels or any other item attached to the trees are removed prior to planting.
 - Mulch:** Mulch may be either a non-combustible such as pine bark or Eucalyptus or a non-combustible such as sustainably sourced pebbles, recycled bricks or similar. Timber mulch must conform with AS 4584:2002, and have 30% of particles in the size range 6-10mm in plan, and 5-10mm in thickness. No particles in to exceed 25mm in plan and avoid the use of saw timbers as mulch. Evenly spread 80mm (min) depth of approved mulch to all garden beds, and the watering bases after planting operations. Mulch to be kept away from tree trunks and plant stems to prevent collar rot. It is recommended that rock based mulch is to be used around the dwelling as it reduces the fire risk.
 - Lawn:** Loosen soil to minimum 150mm depth. Ensure no ponding and that drainage is away from dwellings/buildings. Top dress with 20mm sandy loam and sow seed (with added fertilizer) using a rotary row machine or hand sown (with added fertilizer). Recommended species include but are not restricted to *Panicum australiense*, *Tall Fescue*, *Poa pratensis*, *Kentucky Blue-grass*, *Dactylis glomerata*, *Queensland Blue-grass*, *Microstachya stipoides*, *Woollygrass* or *Dactyloctenium aegyptium*. Use environmentally friendly and sustainable products.
 - Fencing:** Proposed paling and feature fences are indicated between dwellings as labelled.
 - Screening:** With minimum hole sizes 25mm
 - Retaining walls:** Are proposed to be sustainably sourced sleepers or alternative products such as brick blocks.
 - Gravel pathways:** Are proposed using sustainably sourced materials.
 - Irrigation:** No irrigation is proposed - plants selected are water-wise. Additional watering may be required during initial planting and extended dry periods. The provision of water tanks will harvest and supply rainwater to be utilised for this purpose.
 - Maintenance:** Is required on all landscaping works for a period of 2 years. Maintenance includes but is not restricted to regular weeding, watering, pruning, re-planting and re-filling of topsoil, regular replacement of dead stock, edging and mowing of all grassed areas. Mulch is to be topped up as necessary. Trees are to be healthy, straight, well formed and structured. Disease free with a strong central leader.

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LANDSCAPE PLAN
 PROPOSED DEVELOPMENT
 66 Golden Avenue, Bonbeach
 Kingston City Council

24803 L01
 Version 1
 Sheet 1 of 2

SUBJECT TO APPROVAL



20/180930



M | M

3D REPRESENTATION

66 Golden Avenue, Bonbeach
 Kingston City Council
 24803P10_V01 Sheet 1 of 2

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20/180930



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3D REPRESENTATION

66 Golden Avenue, Bonbeach
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 24803P10_V01 Sheet 2 of 2

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Planning Report

66 GOLDEN AVENUE, BONBEACH



6 lot subdivision and development of 6 dwellings

Reference: 24803

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PREPARED BY MILLAR MERRIGAN ON BEHALF OF:

Dennis Milani

FORMAL LAND DESCRIPTION:

Lot 68 on Plan of Subdivision 005789

PROPOSAL:

6 lot subdivision and development of 6 dwellings

RESPONSIBLE AUTHORITY:

Kingston City Council

DOCUMENT STATUS:

Version: Date	Description	Prepared by	Checked by
No 1: August 2020	Planning Submission	D Gleeson	J Hermann

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EXECUTIVE SUMMARY

Millar Merrigan have been engaged to lodge this planning application for a **6 lot subdivision and development of 6 dwellings at 66 Golden Avenue, Bonbeach.**

The subject site is a long residential allotments developed with a single dwelling towards the street front. It is zoned *General Residential Zone, Schedule 3* and is contained within an established residential neighbourhood, proximate to local facilities and services.

The intention is to provide an attractive new development that takes advantage of the site's size, orientation, location and to offer a diverse range of affordable housing options on more compact allotments, thus catering for the changing needs of the population. The proposal to remove the existing dwelling and outbuildings and replace the entire site with six double storey dwellings is completely in accordance with the purpose of the zone, offering an moderate increase in density in a well serviced area, that respects the identified Neighbourhood Character Profile of Area 74.

Whilst the site is not burdened by any overlays, the Neighbourhood Character Profile for Area 74 presents some guidelines for development. Furthermore, the subject site is within an area of Aboriginal Cultural Heritage Sensitivity and consequently a Cultural Heritage Management Plan (CHMP) has been undertaken by Benchmark Heritage Management. The proposed development of the site with 6 new dwellings and according to the extensive testing of the site by Benchmark, *"No Aboriginal cultural heritage was identified in Test Pit 1 or Shovel Test Pits 1-7.... The Complex Assessment demonstrated that the Activity Area has limited potential to retain Aboriginal cultural deposits"*

The proposal has been referred to Council and written advice from James Leonard, senior planner at Kingston Council, was received in December 2019. Generally, his advice has been adopted in the final design. In view of the overall estimated build costs exceeding \$1.093m, a Metropolitan Planning Levy has been applied for and the receipt accompanies this submission.

The proposal has been designed to meet the objectives of *Clause 55: Two or more dwellings in a lot* and *Clause 56: Subdivision.*

This report seeks to demonstrate how the subdivision and development is appropriate in terms of achieving the Municipal Planning Strategy and Planning Policy Framework and, in particular, the Kingston City Council policies for *Settlement, Natural Resource Management, Built Environment and Heritage, Housing, Environmentally Sustainable Development, Public Open Space Contributions, Stormwater Management and Residential Development Policy.* Appropriate design responses have been provided in accordance with the *Kingston Neighbourhood Character Guidelines*, given that the subject site is located in *Kingston Neighbourhood Character Area 74.*

1 SITE DESCRIPTION

Size, shape and orientation –

The following two sections should be read in conjunction with the Neighbourhood and Site Description Plan (24803P1). The subject site is rectangular shaped allotment. The site is situated on the southern side of Golden Avenue and spans between Golden Avenue and Dodds Lane to the south (see Figure 1 below). It has a frontage to Golden Avenue of 15.24m, and a maximum depth of 91.01m, resulting in a total site area of 1,387sqm.



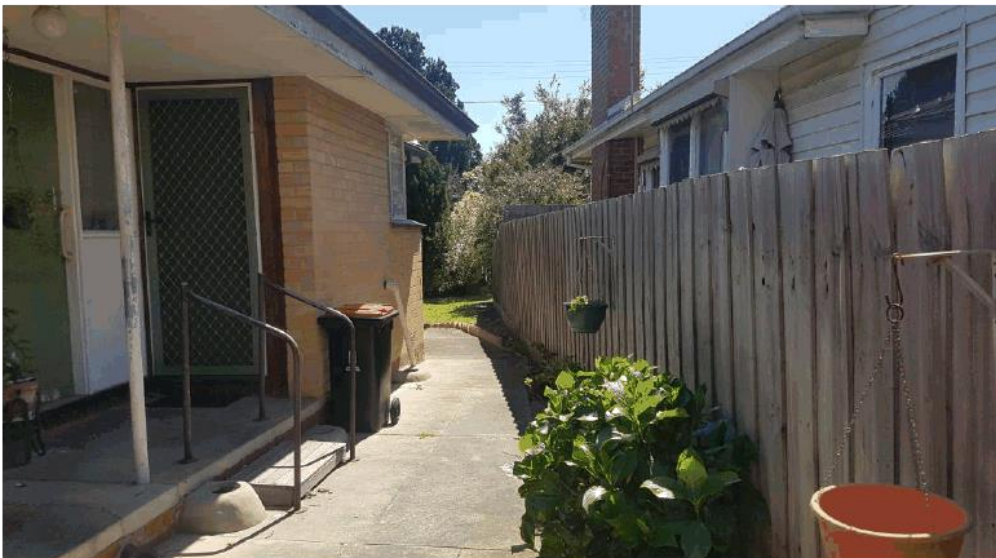
Figure 1: Aerial photograph of subject site

Built form –

A 1960s single storey, brick veneer dwelling, with a hipped tiled roof, positioned towards the front of the site. The gravel driveway extends along the south-western boundary, with a ramped entrance to the dwelling. A garage is located in the rear garden, along the south-western boundary. A double storey height, unattractive, cement sheet shed has been erected in the centre of the rear garden, with two roller doors and storage for vehicles inside. The rear of the dwelling has a small verandah where the back door is located, along the north-eastern boundary. The adjacent dwelling on 68 is located close to the joint boundary fence.



Photograph 1: View of the front of 66 Golden Avenue from within the driveway



Photograph 2: Rear small verandah at back door and proximity of adjacent dwelling at 68 Golden Avenue.

Setbacks and fencing –

The dwelling is setback 9.3m to the front boundary, there is an average setback to the eastern side boundary, and a generous western and rear setback available. The side and rear boundaries feature varying height paling fencing, with a section of the south-eastern boundary being a 1.7m high brick wall. A small section of the front garden is unfenced along the north-eastern boundary. The front boundary features a low brick wall.

Access and car parking –

Vehicular access to the site is gained via a concrete crossing located to the north-west of the site off Golden Avenue. A gravel and paved driveway extend south from the crossover directly to a

single brick garage, located in the rear garden. A gravelled path extends from the driveway across the front of the dwelling, providing mobility access to the dwelling via a ramp.



Photograph 3: Paved driveway provides access to the single, brick garage along the south-western boundary, and a large cement sheet shed is erected in the centre of the rear garden.

Vegetation –

The subject site has very little significant vegetation. The front garden is mostly laid to lawn with shrubs and roses around the perimeter. The rear garden again is mostly lawn, with some trees around the boundaries. A qualified arborist from DHBorticulture attended the site in October 2019 to assess the trees on the subject site and overhanging from neighbouring sites. A total of 18 trees were assessed, 6 of which are in the subject site. The trees in the neighbouring site to the west has recently received approval under planning permit PT-2019/552 for the removal of several trees along the joint boundary with the subject site. Tree 5, a Radiata Pine originally was refused removal under planning permit PT-2019/552, however was later granted under planning permit PT-2020/117.

Table 1: Trees on subject site

TREE #	COMMON NAME	HEIGHT X DBH	COMMENTS
13	Monterey Cypress	7m x 16cm	Low retention value
14	Monterey Cypress	7m x 15cm	Low retention value
15	Lime	5 m x 10cm	Low retention value
16	Lemon	5 m x 14cm	Low retention value
17	Grapefruit	4 m x 11cm	Low retention value
18	Tuscan Cypress	8 m x 18cm	Low retention value

These are indicated on the image below.

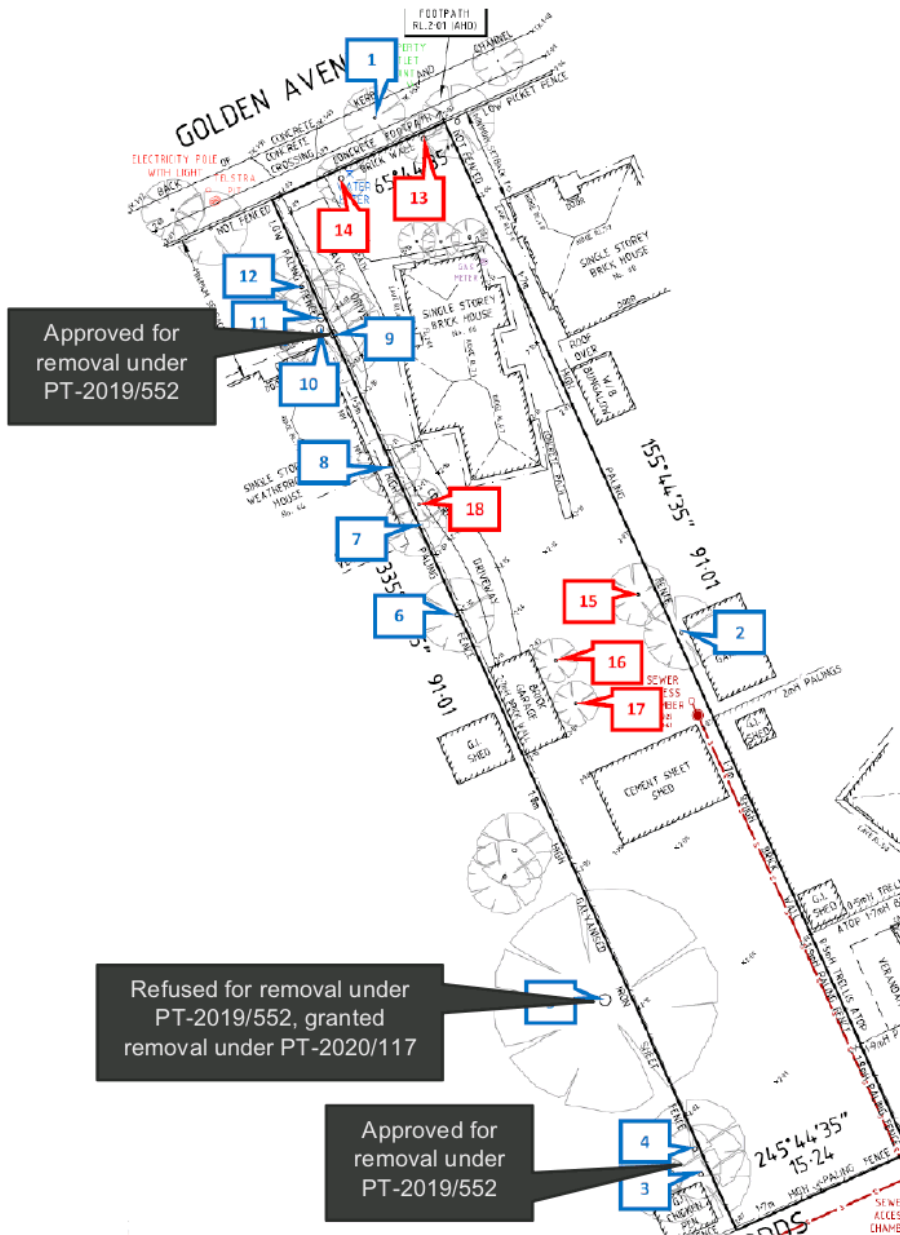


Figure 2: Site plan indicating trees for removal from subject site and neighbouring property

Topography, easements and services –

The site falls less than 0.1 metres and is therefore considered flat. A sewerage access chamber is located centrally along the eastern boundary and a sewerage easement exists along the rear of the property in Dodds Lane. All services are available to the site.

Views, noise and earthworks –

There is evidence of cut/fill present on the subject site. There are no known contaminated soil, significant odour or traffic noise evident. No views are available to or from the site.

2 NEIGHBOURHOOD DESCRIPTION

Land use and Subdivision pattern –

The subject site is situated in a General Residential neighbourhood where many examples of two and multi-lot subdivisions are present. Lots are varied, consisting of a mix of original lots generally rectangular in shape, and smaller subdivided lots, with no pattern warranting preservation. Figure 3 below indicates the nearby subdivisions and multi-dwelling developments, with the hatched sites currently under planning consideration.

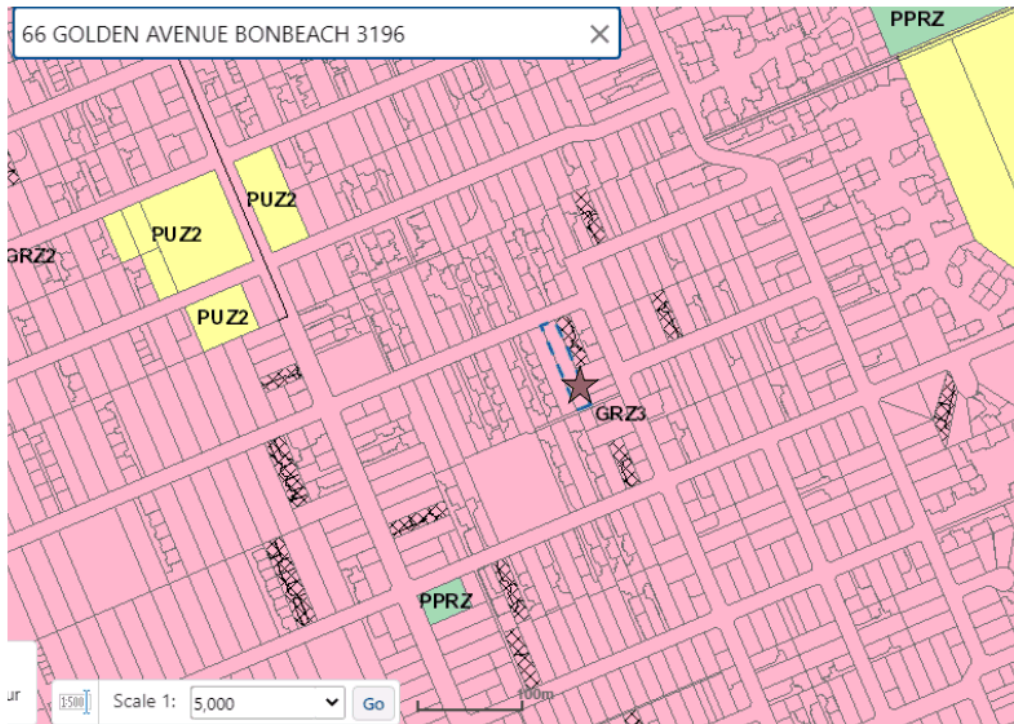


Figure 3: Surrounding subdivision and land use pattern (Hatched sites are those subject to planning applications at present).

Built form –

Original dwellings tend to date from the 1940's, with newer infill development from the 2000's onwards, and are a mix of single and double storey in nature. Dwellings are generally detached, although there are examples of semi-detached dwellings in the newer developments, and made of brick or weatherboard, with some render designs scattered throughout the newer dwellings. Roofs are generally pitched in tile or Colorbond.

Access and Car Parking Location –

Access is generally made to lots via a single concrete crossover, with some subdivided lots provided with two crossovers. Carports and garages tend to have a mix of locations; within rear yards, attached to the sides of dwellings, within the front setback or integrated under the roofline.

Streetscape and Character –

Front fencing is generally present and low, with a mix of designs including horizontal boards, pickets and brick walls. Front gardens are generally informal to semi-formal with lawn surrounded by garden beds and light to moderate canopy tree coverage.



Photograph 4: View opposite the site of the existing neighbourhood character, which is undergoing change with infill development occurring throughout

Topography and Street Layout –

Topography throughout the neighbourhood is flat. Streets are a combination of a modified grid pattern and include cul-de-sacs, all with bitumen surfaces and concrete kerb and channel. Footpaths are present along both sides of Golden Avenue.



Photograph 5: Examples of similar multi-lot development occurring in the surrounding area. Here: Recent development of 5 dwellings at 51 Golden Avenue and inset: 62 Golden Avenue with 6 dwellings)

2.1 LOCALITY TO EXISTING INFRASTRUCTURE

Plan Melbourne (2017-2050) is a strategic document that aims to guide the growth of metropolitan Melbourne. A key direction is to create a '20-minute neighbourhood', where housing, educational facilities, shops, public transport, recreational reserves and employment opportunities are concentrated around nominated activity centres.

The site is well located to make more efficient use of existing infrastructure as follows:

Shops

- *Bonbeach Neighbourhood Activity Centre (1.2km)*
- *Gladesville Shopping Centre in Patterson Lakes (4km)*

Pre/Primary Schools

- *Chelsea Primary School (400m);*
- *Chelsea World of Learning (500m);*
- *Saint Joseph's Primary School (700m)*
- *Bonbeach Primary (1.1km);*

Secondary Schools

- *Patterson River Secondary College 4.5km)*

Accessibility

- *Bonbeach Railway Station (1.2km);*
- *Bus services run along Fowler Street, with multiple bus services also available from Bonbeach Station.*

Recreation

- *Fowler Street Park (400m)*
- *Scotch Parade Reserve Playground (450m);*
- *Chelsea Pony Club (600m); and*
- *Mary Bell Park (450m).*

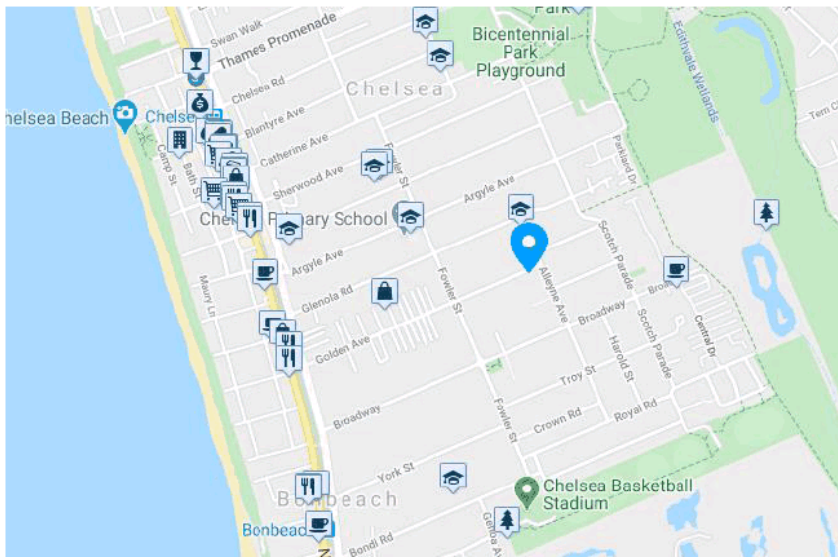


Figure 4: What's nearby? (source: walkscore.com)

3 SITE OPPORTUNITIES & CONSTRAINTS

An analysis of the site has been undertaken and identified the following site opportunities and constraints:

Opportunities

- *To take advantage of an underutilised site in a residentially zoned, established urban area;*
- *To provide increased residential density and provide a diversity of housing styles for a growing population;*
- *To reflect the subdivision/development pattern occurring throughout the area;*
- *To enhance the urban fabric through re-vegetation of native canopy vegetation; and*

Constraints

- *Location of existing sewerage infrastructure;*
- *Overlooking risks to neighbouring properties; and*
- *Location of existing mature trees on the neighbouring property.*

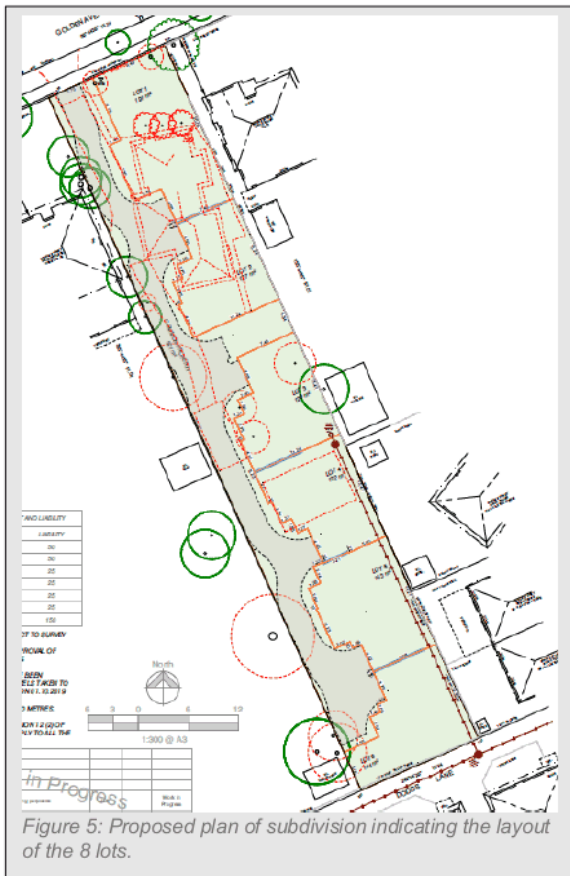
The proposal has been designed to respond accordingly to the site opportunities and constraints identified.

4 PROPOSAL

Given the particular site conditions, the existing building on site, the surrounding neighbourhood character and the applicable planning controls, it was considered appropriate to subdivide the land into six lots and construct a new dwelling on each. The existing dwelling, sheds, and other built form are to be removed. Please refer to the accompanying suite of plans provided for further details.

4.1 DEVELOPMENT / SUBDIVISION LAYOUT

The following is a summary of the lot sizes for the 6 lots. The dwelling layouts are similar, being double storey, two bedroom.



- **Proposed Lot 1** will consist of a total area of 191sqm, which will address Golden Avenue. 69sqm of POS and a further 45sqm of SPOS provided.
- **Proposed Lot 2** will consist of a total area of 127sqm, with 46sqm of SPOS provided.
- **Proposed Lot 3** will consist of a total area of 129sqm, with 47sqm of SPOS provided.
- **Proposed Lot 4** will consist of a total area of 132sqm, with 51sqm of SPOS provided.
- **Proposed Lot 5** will consist of a total area of 143sqm, with 58sqm of SPOS provided.
- **Proposed Lot 6** will consist of a total area of 144sqm, with 67sqm of SPOS provided.

As the layouts are similar, the following summary is provided:

Lots 1-4: Offer open plan living / dining and kitchen area and powder room on the ground floor with a European laundry in the attached single garage, with two bedrooms and a central bathroom on the first floor. In some cases a separate toilet is provided on the upper level, space permitting.

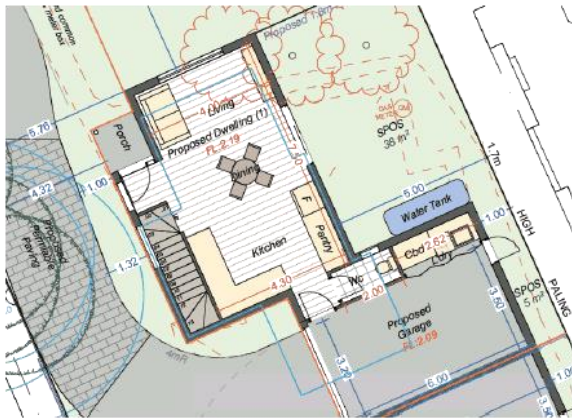


Figure 6: Example layout for dwellings 1-4, with laundry incorporated into the garage layout

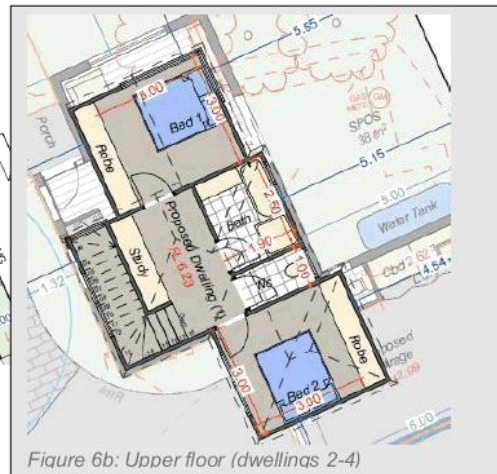


Figure 6b: Upper floor (dwellings 2-4)

Lots 5-6: These dwellings are slightly larger and provide an open plan living / dining and kitchen area and powder room, with a separate laundry on the ground floor. Upstairs are the two bedrooms, main bathroom and separate toilet.

Dwellings 1 and 5 also offer a study nook on the first floor.

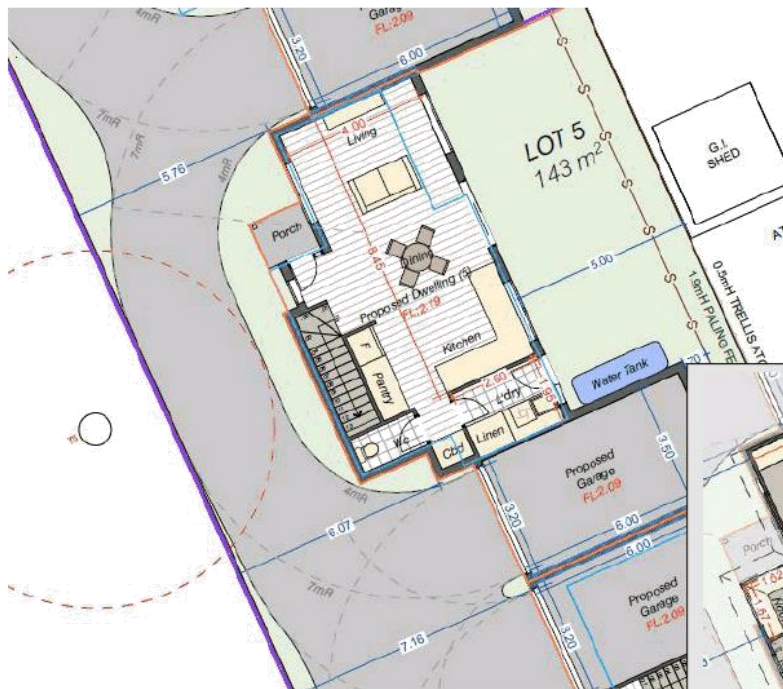


Figure 7: Example ground floor layout of the slightly larger homes on Lot 5/6

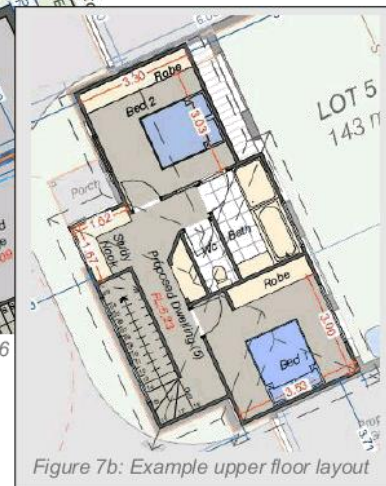


Figure 7b: Example upper floor layout

The outdoor areas at ground floor level are easily accessed via sliding doors on the ground floor. Each dwelling is provided with a landscaped rear garden, including a tree, where practicable, to provide amenity and a recreational space. All but one of the lots is provided with at least 40sqm of SPOS to the rear of the dwelling, with a single area of 5m in dimension offered for each, which in most cases is north-east facing. The exception is Lot 6, which is provided with an SPOS that is south-east facing. Lot 1 also has access to 69sqm of POS in the front garden to satisfy outdoor space requirements.

The proposed dwellings are to be constructed of a mixture of materials to add visual interest, which include brick and render, with Colorbond roofing, which varies between hipped and skillion in design to provide a break in the built form. The skillion roofs are on Lots 3 and 4, where they will not be highly visible from this street as this was raised as a potential issue during discussions with James Leonard of Kingston Council.

The new dwellings have each been provided with a water tank, clothesline and a 6m³ externally accessible storage space (either in the garden or in the garage).

4.2 ACCESS ARRANGEMENT & CARPARKING

The existing concrete crossover is to be removed and reinstated as nature strip. A new crossover is proposed slightly to the west of this, and this will provide access to all lots via a 3m wide common property driveway. Turning areas of a minimum radius of 4 metres have been provided to ensure vehicles can turn around and leave the site in a forward direction.

Each of the proposed dwellings has been provided with an attached single garage integrated under the roofline of its respective dwelling.

All accessways and parking facilities have been designed to be convenient for the dwelling they are intended for and are consistent with requirements. Ample space is available on both sides of the proposed driveway to offer landscaping to soften the appearance of hard surfaces. Sections of the driveway are to be constructed of above grade permeable paving to ensure the health of the neighbouring trees is not impinged.

A visitor parking space is provided between lots 2 and 3 to meet requirements for a development of 5 dwellings or more.

4.3 VEGETATION REMOVAL/RETENTION AND LANDSCAPING

All trees within the subject site and those previously approved for removal on the neighbouring site to the west are to be removed, as they unduly restrict the development potential of the site. It is noted that all these trees were rated with a low retention value by the consulted arborist and as such are suitable for removal. With no landscape overlays applicable to the site, no permits are triggered for their removal under the planning scheme. The removal of the trees will be compensated in part by the introduction of 11 canopy trees to the site, that over time will grow to a mature height of 7m or more and ensure that the appearance of the built form is softened by the treed backdrop. All remaining trees within the neighbouring properties, and the street reserve are to be retained, and will be provided with Tree Protection Zones (TPZ) to ensure their ongoing health and vitality. A small section of the driveway is to be permeable paving to ensure the ongoing health of the neighbouring trees, T7, T8 and T11

The proposed landscape plan will address the entire site and other than the 11 canopy trees will see an extensive underplanting to enhance the landscape values of the site. The landscape

treatment aims to ensure that the development complements the leafy character of the neighbourhood, whilst also reducing the visual impact of hardscape surfaces and built form when viewed from the street. A proposed 2 new canopy trees are to be planted within the front setback. Please refer to the attached Landscape Plan (24803L01 for more details).

4.4 INFRASTRUCTURE SERVICING

All services are available in the vicinity of the site and can be connected to each dwelling in accordance with Council requirements.

Three options have been provided by Council with regards to the legal point of discharge (LPD) for the site:

- **Option 1** – on-site infiltration system subject to soil conditions.
- **Option 2** – the kerb by gravity or through the pumped system;
- **Option 3** – the existing Council pit located in Dodds Lane. Please note, any disturbed sections of the laneway from works must be re-instated to the satisfaction of Council.

5 SUSTAINABLE DESIGN ASSESSMENT

A STORM assessment has been conducted and the resulting report accompanies this application and indicates that the proposed development can achieve a 61% STORM rating based on the use of 2,000L water tanks as advised by Council in a preliminary discussion.

Sustainable Design Assessment in the Planning Process (SDAPP) is a collaborative endeavour between numerous local governments in Victoria to provide a consistent method for assessing the environmental performance of developments that require town planning approval.

It incorporates 10 key sustainable design criteria as follows:

Criteria	Design response
1. Indoor Environment Quality (IEQ) Objectives: <i>To achieve a healthy indoor environment quality for the wellbeing of building occupants.</i>	<p>The proposed dwellings achieve healthy indoor environments through light filled windows, new landscaping outside windows to provide attractive external views and openable windows that are positioned to offer cross ventilation as far as practicable.</p>
2. Energy Efficiency Objectives: <i>To ensure the efficient use of energy, to reduce total operating greenhouse emissions and to reduce energy peak demand.</i>	<p>The dwellings have been designed to ensure the efficient use of energy and reduction in greenhouse gas. North-east facing living and/or private open space areas are provided for the new dwellings to achieve appropriate solar access.</p> <p>Eaves are utilised where possible, to aid in shading of windows.</p>
3. Water Efficiency Objectives: <i>To ensure the efficient use of water, to reduce total operating potable water and to encourage the appropriate use of alternative water sources.</i>	<p>The reliance on reticulated water is minimised through the provision of water tanks on each of the proposed dwellings that can capture roof run off and can be connected to toilet and laundry facilities if so desired. No irrigation is proposed or required as part of the landscape design and plants chosen are water-wise.</p>
4. Storm Water Management Objectives: <i>To reduce the impact of stormwater run-off, to improve the water quality of stormwater run-off, to achieve best practice stormwater quality outcomes and to incorporate the use of water sensitive urban design, including stormwater re-use.</i>	<p>The proposal aims to reduce the impact of storm water runoff through large permeable spaces including front and rear yards, together with the capture of roof run off into water tanks, permeable paving and an underground detention system.</p>
5. Building Materials Objectives: <i>To minimise the environmental impacts of materials used by encouraging the use of</i>	<p>The proposed dwellings are to be constructed of brick and render with hipped and skillion Colorbond roofs. All of</p>

<i>materials with favourable lifecycle assessment.</i>	these materials offer a good lifespan and can be recycled.
6. Transport Objectives: <i>To minimise car dependency and to ensure that the built environment is designed to promote the use of public transport, walking and cycling.</i>	The site is well located in Bonbeach, where local facilities and services are available within proximity. The site has good access to public transport which can reduce car dependency and encourage walking to daily activities. Space for residents' bikes is available in individual garages or rear yards.
7. Waste Management Objectives: <i>To ensure waste avoidance, and reuse and recycling during construction and operation stages of development.</i>	Waste during construction will be appropriately managed and minimised where possible.
8. Urban Ecology Objectives: <i>To protect and enhance biodiversity and to encourage the planting of indigenous vegetation.</i>	The provision of an attractive new landscape design that incorporates indigenous plantings will protect and enhance the biodiversity of the site and surrounding area. Street trees and significant neighbouring trees that overhang the site have been retained and will be protected to ensure their ongoing health and vitality.
9. Innovation Objectives: <i>To encourage innovative technology, design and processes in all development, so as to positively influence the sustainability of buildings.</i>	In accordance with the building regulations, each dwelling will offer a high energy rating, which may be achieved through a series of construction methods including insulation, double glazing etc. These items are outside the scope of the planning scheme and will be detailed at building permit stage.
10. Construction and Building Management Objectives: <i>To encourage a holistic and integrated design and construction process and ongoing high performance.</i>	These items are outside the scope of the planning scheme and will be detailed at building permit stage.

6 PLANNING POLICY FRAMEWORK

The following is an outline of the planning policy framework relevant to the site. A comprehensive analysis of the proposal against this matrix of applicable policy is provided below.

Zoning

Clause 32.08 General Residential Zone – Schedule 3

Overlays

None applicable

Planning Policy Framework (PPF)

SPPF

Clause 11 Settlement
 Clause 12 Environmental and Landscape Values
 Clause 14 Natural Resource Management
 Clause 15 Built Environment and Heritage
 Clause 16 Housing

MSS

Clause 21.04 Settlement
 Clause 21.03 Environment and Landscape Values
 Clause 21.05 Natural Resource Management
 Clause 21.06 Built Environment and Heritage
 Clause 21.07 Housing

LPP

Clause 22.06 Residential Development
 Clause 22.11 Public Open Space Contributions
 Clause 22.12 Stormwater Management
 Clause 22.13 Environmentally Sustainable Development

Particular Planning Provisions

Clause 52.06 Car Parking
 Clause 53.01 Public Open Space Contribution and Subdivision
 Clause 55 Two or more dwellings on a lot and Residential Buildings
 Clause 56 Residential Subdivision
 Clause 65 Decision Guidelines

6.1 PERMIT TRIGGERS

The following table outlines the permit triggers that apply to the proposal:

Planning Control	Permit Trigger
Clause 32.08 – GRZ3	<ul style="list-style-type: none"> Construct of two or more dwellings on a lot. Subdivide land.

6.2 ZONING

Pursuant to the Kingston Planning Scheme, the property is contained within the *General Residential Zone, Schedule 3 (Clause 32.08)*. The proposal is in accordance with the relevant purposes of the zone, which alongside implementing the Municipal Planning Strategy and Planning Policy Framework are:

- To encourage development that respects the neighbourhood character of the area.
- To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.

Pursuant to *Clause 32.08-3* a permit is required for subdivision. An application to subdivide land must meet the requirements of *Clause 56*.

Pursuant to *Clause 32.08-4* an application to construct or extend a dwelling or residential building must provide a minimum garden area as set out in the following table:

Lot size	Minimum percentage of a lot set aside as garden area
400 - 500 sqm	25%
Above 500 - 650 sqm	30%
Above 650 sqm	35%

Pursuant to *Clause 32.08-6* a permit is required to construct two or more dwellings on a lot. A development must meet the requirements of *Clause 55*.

Pursuant to *Clause 32.08-10* a building must not be constructed for use as a dwelling or residential building that: exceeds the maximum building height specified in a schedule to this Zone or 11m, or more than 3 storeys at any point.

Schedule 3 nominates the site within a **General Residential Areas B**, and offers two variations to standard res codes under Clause 55, being the site coverage (50%) and POS (a minimum area of 40 square metres, a minimum dimension of 5 metres and convenient access from a living room).

The maximum height under the schedule is 9m.

Response – GRZ3:

The proposed development and subdivision are appropriate for the site given its location within the GRZ3 and its proximity to local facilities and services. The proposal will increase housing density and diversity within the area and will provide for six modest, double storey, two-bedroom homes.

The dwellings are double storey in nature and reach a maximum height of 7.74m (Dwelling 1 on the south elevation), which is below the maximum height allowed within the schedule to the zone.

The site is well located with bus services running along Fowler Street (350m from the site) that service the area, and Bonbeach main activity centre is located 1.2km to the south-west of the site.

The proposal provides a garden area of 35.1% or 488m², which satisfies the requirements of Clause 32.08-4. Refer to 24803P8 Garden Plan for details.

A full response to Clause 55 & Clause 56 is provided below.

6.3 OVERLAYS

None applicable.

6.4 PLANNING POLICY FRAMEWORK

The PPF seeks to ensure that:

- *the objectives of Planning in Victoria are fostered through appropriate land use and development planning policies and practices which investigate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development.*

The Planning Policy Framework is structured around the following themes; those relevant to this application are discussed below.

SETTLEMENT (CLAUSE 11)

Planning is to facilitate sustainable development that takes full advantage of existing settlement patterns, and investment in transport and communication, water and sewerage and social facilities.

Settlement (21.02)

The proposal is located in Bonbeach and the following objectives are relevant to this application:

- *To direct the location of new urban growth and development to deliver sustainable urban form.*
- *To consolidate urban form.*
- *To require appropriate and equitable public open space contributions at the time of subdivision*

Response – Settlement:

The proposed development is compatible with the policy for settlement, the site is in an existing urban area and the land is appropriately zoned for residential purposes. Infill development and urban consolidation, such as this proposal, helps facilitate growth, which is promoted and encouraged by the planning scheme to support the continuing growing population of Melbourne. It is within proximity to local shopping facilities and the site is well suited to access public transport networks with connecting bus and train services nearby, providing access to a greater range of shopping centres, services, recreation and education facilities.

The proposal promotes good design and a high-quality level of amenity which helps to enhance the individual character within Bonbeach, allowing provisions for site specifically designed dwellings. The proposal provides additional 2 bedroom housing that is conveniently located in proximity to local facilities, shops and services, making it an attractive addition to the neighbourhood.

It is not known whether an open space contribution has yet been made by the client, but it is noted that one will be applicable should a permit be issued.

ENVIRONMENT AND LANDSCAPE**Environmental and Landscape Values (Clause 12)**

Aims to protect the health and viability of ecological systems, and to conserve areas that are identified with environmental and landscape values. The policy aims to ensure that environmentally sensitive areas are protected and conserved.

Environment and Landscape Values (21.03)

The following key issue is relevant to this application:

- *The active management of the tree canopy within the existing urban setting remains important as a consequence of increased urbanisation*

Response – Environment & Landscape:

The subject site is not in an area that is identified as a significant landscape and there are no substantial trees on the subject site worthy of retention. The street trees and overhanging neighbouring trees will be protected throughout the development with TPZ's to prevent any detriment to their health. A landscape design is proposed across the entire site to reintroduce canopy trees and enhance the ecological qualities of the site.

NATURAL RESOURCE MANAGEMENT (CLAUSE 14)

This policy aims to ensure that development is environmentally sustainable, to ensure that the conservation of natural resources is maximised. The policy also aims to protect agricultural land, water bodies and the earth quality.

Natural Resource Management (21.05)

The following objectives are relevant to this application:

- *To improve water quality within the municipality's waterways and Port Phillip Bay.*
- *To conserve and reuse water.*

Response – Natural Resource Management:

The site is neither agricultural land, nor possesses any water bodies, however the proposal still considers natural resource management and is designed to maximise energy efficiency. The proposal makes appropriate provisions for the management of natural resources by ensuring an environmentally sustainable outcome.

The proposal seeks to remove the existing dwelling and introduce six dwellings to the site on a more compact allotments. The proposal seeks to make best use of land which is suitably located for medium density housing.

The proposed development has been designed to maximise energy efficiency, using eaves to aid in shading and through the implementation of a water tank on each lot. The proposed water tanks allow for the minimisation of urban run-off, and the water source is able to be used for non-water sensitive uses such as watering gardens and flushing toilets. The water tanks can also help with the filtration of water reducing sediments into the wider catchment.

BUILT ENVIRONMENT AND HERITAGE

Built Environment and Heritage (Clause 15) and (21.06) and Residential Development Policy (Clause 22.06)

Aims to ensure that new development is appropriately integrated into its surrounding area. It should factor in the surrounding character, built form and cultural context of an area. Additionally, the policy aims to protect heritage areas, and to foster healthy neighbourhoods for communities.

The proposal involves the construction of six new dwellings which have been designed to respond to the provisions of Clause 21.05. In particular, the following objectives and strategies have been considered:

Urban Environment

- *To project a positive image of the City through a high standard of urban design.*
- *To achieve high standards of amenity both within new development, and with adjoining development.*
- *To promote environmentally sustainable development.*

Neighbourhood Character

- *To ensure new residential development respects neighbourhood character and is site responsive.*

The purpose of Clause 22.06 Residential Development Policy is to identify those locations where increased housing diversity, incremental housing change, minimal housing change and residential renewal will be encouraged and provide policy guidance on how development design should respond to meet the desired objectives. This policy is based on the principles outlined in the *Kingston Residential Strategy – September 2000* and the *Kingston Neighbourhood Character Guidelines – August 2007*.

Pursuant to the *Kingston Neighbourhood Character Guidelines* the subject site is located in *Kingston Neighbourhood Character Area 74*, and following characteristics need to be considered when making a site analysis and design response:

- *Perceived lot pattern*
- *Building placement*
- *Building footprint*
- *Type and height of development*
- *Roof shape*
- *Materials*
- *Window shapes*
- *Front boundary and garden treatments*
- *Other building features commonly found in this area (porches)*
- *Rear garden*

Response – Built Environment, Heritage and Residential Development Policies:

Ethos Urban and Kingston City Council undertook engagement with the community regarding the Draft Housing Strategy and Neighbourhood Character Study. The engagement period was between 6 May and 2 August 2019. The results of this survey have yet to be formalised in a new Neighbourhood Character Policy, however the concerns raised have been given due consideration in the responses below.

The site falls within Character Area 74, which has the following characteristics:

	Characteristics	Design Response
Perceived lot pattern	<i>Depth: 35-40m, Frontage: 15-20m</i>	The original lot size is 15.24 x 91.01m, the subdivided pattern is very common in the area, with several examples of similar 5 and 6 lot developments on similar sized lots as the subject site.
Building Placement	<i>Narrow side setback: 0-2m Front setback: 5-12m Wider side setback: 3-5m Garages are mostly set back from the frontage of the dwelling</i>	The minimum side setback is 1m to the eastern boundary and 4m to the western boundary. The front setback is 7.5m. The garages are all located to the rear of the dwelling on Lot 1.
Building Footprint	<i>When viewed from the street, the footprint of most houses in this area are varied</i>	The footprint presents as a single dwelling fronting the street, with the other 5 located behind and not highly visible from the street. Similar designs can be seen at 60 and 62.
Type and height of development	<i>Most houses are one storey high, orientated towards the street and detached</i>	Although the dwellings proposed are double storey, they are setback a reasonable distance from the street and the landscaping in the front garden will help soften the appearance of the bulk form. There are several examples of similar double storey multi-lot developments in the area .
Roof shape	<i>Most roofs are hipped, and have an angle of 15-20°</i>	The proposed roof designs vary for the proposed dwellings, with most adopting a hipped Colorbond roof, with a 30° pitch. The dwellings on Lots 3 and 4 have a skillion roof to add variation in form, whilst not being highly visible from the street and hence not detrimentally impacting on the neighbourhood character.
Materials	<i>Most roofs are tiled and walls are clad with white weatherboard</i>	The proposed materials are Colorbond roofing, with a mix of render and weatherboard walls to add variation and visual interest. The colour scheme is grey tones to blend with the surrounding neighbourhood designs.
Window shapes	<i>Most windows are simple, large, with varied heights</i>	The proposed windows are large and simple in design, with

	<i>between the eaves and the windows</i>	varying heights between the windows and the eaves.
Front boundary and garden treatments	<i>Most front boundaries have a low wall or fence with landscaping</i>	The low wall will be retained along the front boundary.
Other building features commonly found in this area	<i>Porches and verandahs are common</i>	A porch per dwelling is proposed to provide a sense of address and ensure entrances are highly recognisable.
Rear garden	<i>Garden size and vegetation must be included in the consideration of the neighbourhood character.</i>	The proposed rear gardens satisfy dimensions according to the GRZ3 requirements, whilst proposed landscaping will see at least one canopy tree per SPOS, with understorey planting to provide a pleasant outdoor area for future residents.

HOUSING (CLAUSE 16)

This policy aims to provide housing diversity, and to ensure that housing is well located to facilitate housing sustainability. It seeks to ensure that new housing is appropriately sited to include sufficient access to services, walkability to activity centres, public transport, schools and open space.

Housing (21.07)

The following objectives are relevant to this application:

- *To provide a range of housing types across the municipality taking account of the differential capacity of local areas to accommodate different types and rates of housing change.*
- *To ensure new residential development respects neighbourhood character and is site responsive, and that medium density dwellings are of the highest design quality.*
- *To promote more environmentally sustainable forms of residential development.*
- *To ensure residential development does not exceed known physical infrastructure capacities.*

Response – Housing:

The proposal has been designed to provide an appropriate response to the objectives for housing location, density and diversity.

It is noted that the site is identified as a ‘incremental housing change area’ which supports residential growth and increased residential densities as long as they respect the existing neighbourhood character. This proposal seeks to provide additional housing in a designated infill area.

The proposed density of 1:231.16sqm is consistent with the neighbourhood character. It allows for the development of six new dwellings, on more compact allotments. The proposal will increase the amount of more affordable housing available within the area to meet the growing needs of the population, whilst providing to a range of buyers.

The subject site is close to existing services and infrastructure that can be utilised by future residents. Both Bombeach and Chelsea Town Centres offer a selection of shops, services, schools and recreational facilities and are located within proximity of the site, ensuring that the proposed development is appropriately located.

ABORIGINAL CULTURAL HERITAGE (15.03-2S)

This policy aims to ensure area of significant Aboriginal Cultural Heritage are protected and conserved. The site falls within such an area.

Response – Aboriginal Cultural Heritage:

The site falls within an area recognised for its Aboriginal Cultural Heritage significance and as such a CHMP has been conducted by Benchmark Heritage Management. Their initial desktop analysis indicated that there are 11 registered ACHPs within the geographic region comprising 16 components, including artefact scatter, shell middens and Aboriginal Historic places. Further analysis was therefore required. A Complex Assessment was undertaken using a test pit of 1x1m and seven 50x50cm shovel test pits. It was noted that there had been some land disturbance over time and that this may be attributed to:

- *Vegetation clearance in either the 19th Century for agriculture or in the late-20th Century would have contributed to soil erosion and the movement of any Aboriginal cultural material that may have existed on the ground surface; thus, the removal of topsoils and the destruction of any surface or near surface Aboriginal cultural materials. Vegetation clearance is not considered to be significant ground disturbance.*
- *Construction of the house and existing infrastructure.*

No Aboriginal Cultural Heritage artefacts were found in any of the test sites and the report concludes: *The Complex Assessment demonstrated that the Activity Area has limited potential to retain Aboriginal cultural deposits.*

Please refer to the Benchmark CHMP for more information.

STORMWATER MANAGEMENT (22.12) & ENVIRONMENTALLY SUSTAINABLE DEVELOPMENT (22.13)

The Objectives of Clause 22.12 are as follows:

- *To improve the water quality of stormwater run-off.*
- *To reduce the impact of stormwater run-off.*
- *To incorporate the use of WSUD in development including stormwater reuse.*
- *To ensure that developments designed to meet the best practice performance objectives for suspended solids, total phosphorus and total nitrogen, as set out in the Urban Stormwater – Best Practice Environmental Management Guidelines, (Victoria Stormwater Committee 1999) as amended..*

Clause 22.13 policy aims to integrate environmental sustainability principles into land-use planning, new developments and redevelopment of existing infrastructure:

- *The overarching objective is that development should achieve best practice in environmentally sustainable development from the design stage through to construction and operation.*

- *Consideration should be given to:*
 - *Energy performance*
 - *Water resources*
 - *Indoor environment quality*
 - *Stormwater management*
 - *Transport*
 - *Waste Management*
 - *Urban ecology*

Response – Sustainability:

A full response to the SDAPP has been provided in Section 5. A STORM report has also been provided which states that the design is capable of achieving 61% STORM rating based on the use of 2,000L capacity tanks, as per advice received from Council in preliminary discussions.

6.5 PARTICULAR PROVISIONS

Carparking (Clause 52.06)

This Clause seeks:

- *To ensure that car parking is provided in accordance with the Municipal Planning Strategy and Planning Policy Framework;*
- *To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality;*
- *To support sustainable transport alternatives to the motor car;*
- *To promote the efficient use of car parking spaces through the consolidation of car parking facilities;*
- *To ensure that car parking does not adversely affect the amenity of the locality; and*
- *To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.*

Pursuant to Clause 52.06-5, a dwelling with three or more bedrooms is to be provided with 2 car spaces whilst a dwelling with up to two bedrooms is to be provided with a single car space.

This Clause also outlines design standards which cover accessways, car parking spaces, gradients, urban design, safety and landscaping.

Response – Carparking:

Each of the dwellings offers two bedrooms and hence each is provided with a single garage accordingly.

Design and dimensions of all car spaces meet the requirements set out in the clause.

A visitor parking space is offered between Lot 2 and 3 to lessen the impact of on-street parking.

Public Open Space Contribution (Clauses 22.11 and 53.01)

Relevant objectives include:

- To identify when and where land contributions for public open space may be sought in preference to financial contributions and vice versa.

Cash contributions over land contributions are preferred for the Bonbeach area, as identified by the map below:

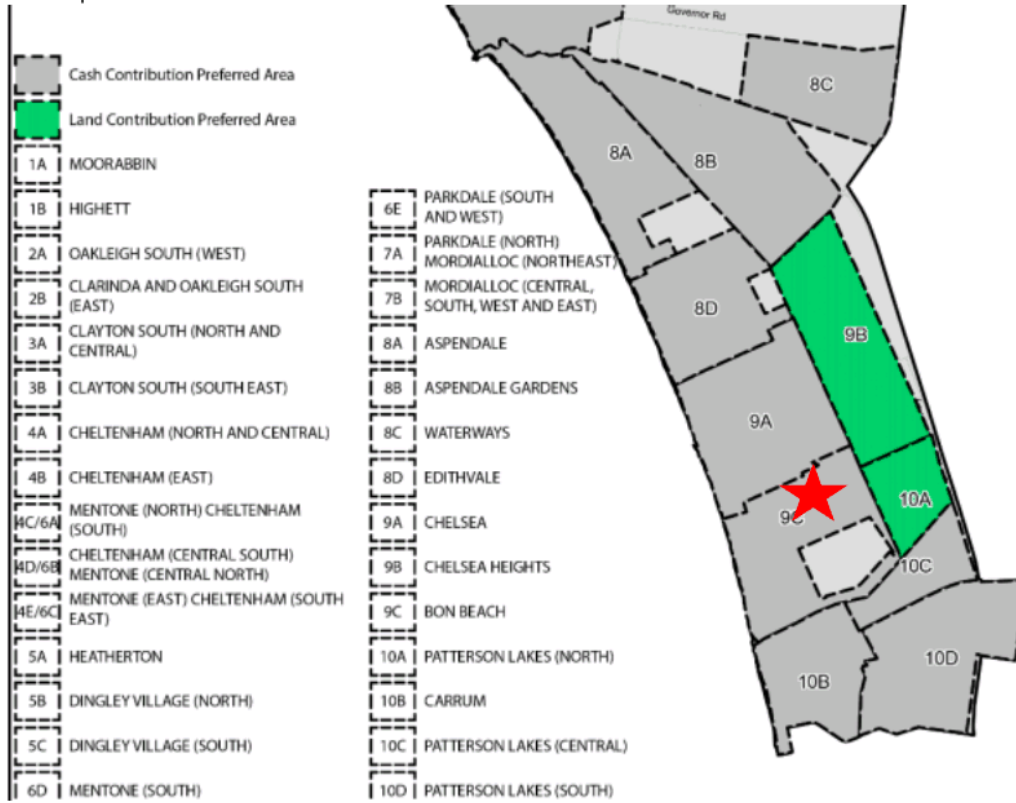


Figure 8: Map 1 Kingston Open Space Strategy 2012, Sub-precincts

Pursuant to Clause 53.01:

A person who proposes to subdivide land must make a contribution to the council for public open space in an amount specified in the schedule to this clause (being a percentage of the land intended to be used for residential, industrial or commercial purposes, or a percentage of the site value of such land, or a combination of both). If no amount is specified, a contribution for public open space may still be required under section 18 of the Subdivision Act 1988.

Response – Public Open Space Contribution:

It is not known whether an open space contribution as yet been made by the client, but it is noted that one will be applicable should a permit be issued.

7 CLAUSE 55 - TWO OR MORE DWELLINGS ON A LOT & RESIDENTIAL BUILDINGS

Alongside implementing the Municipal Planning Strategy and the Planning Policy Framework, the purposes of *Clause 55: Two or More Dwellings on a Lot and Residential Buildings* relevant to this application are:

- *To achieve residential development that respects the existing neighbourhood character, or which contributes to a preferred neighbourhood character.*
- *To encourage residential development that provides reasonable standards of amenity for existing and new residents.*
- *To encourage residential development that is responsive to the site and the neighbourhood.*

Pursuant to this Clause, an application to subdivide land:

- *must meet all of the objectives included in the Clauses specified in the zone and*
- *should meet all of the standards included in the Clauses specified in the zone.*

Clause 55 – TWO OR MORE DWELLINGS ON A LOT & RESIDENTIAL BUILDINGS

STANDARD B1: Neighbourhood character

Objectives:

- *To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.*
- *To ensure that development responds to the features of the site and the surrounding area.*

Response:

The proposal respects the existing neighbourhood character and responds to the features of the site. It offers an increase in density whilst maintaining appropriate setbacks and sufficient space for landscaping. The proposed density is 1:231.16m². The proposed dwellings are to be constructed of materials and colours that complement the neighbouring area.

STANDARD B2: Residential policy

Objectives:

- *To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.*
- *To support medium densities in areas where development can take advantage of public transport and community infrastructure and services.*

Response:

The proposal supports medium density development by providing six new dwellings on an underutilised site, that can take advantage of public transport, with nearby bus routes within a short walking distance from the site. The Bonbeach town centre and train station are located within 1.2km of the site, ensuring the site has good access to a number of services and community infrastructure.

STANDARD B4: Infrastructure

Objectives:

- *To ensure development is provided with appropriate utility services and infrastructure.*
- *To ensure development does not unreasonably overload the capacity of utility services and infrastructure.*

Response:

All services are currently available to the subject site and can be utilised for the proposed dwellings.

STANDARD B5: Integration with the street**Objective:**

- *To integrate the layout of development with the street.*

Response:

The view from the street will be improved with the removal of the dated dwelling and the provision of a new, architecturally designed development to front the street. 5 of the 6 dwellings will be located to the rear, so will be minimally visible from the streetscape. Of the 11 canopy trees proposed across the entire site in the landscape design, 2 of them are proposed within the front setback, these along with low scale shrubs and ground covers and the retention of the existing street trees will soften the impact of built form and hardscape surfaces, whilst enhancing the overall amenity of the streetscape. Appropriate vehicle and pedestrian links are available for safe transition from the street to each dwelling.

STANDARD B6: Street setback**Objective:**

- *To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.*

Response:

The front setback is 7.5m which accords with the setback of the dwelling at 68 Golden Avenue, which is 7.6m. The street presents a variety of setbacks, with no pattern that warrants preservation, ranging from 6.9m to over 19.1m. It is submitted that the proposed setback is in keeping with the existing neighbourhood character of the area.

STANDARD B7: Building height**Objective:**

- *To ensure that the height of buildings respects the existing or preferred neighbourhood character.*

Response:

The maximum height proposed is 7.74m, which is under the permitted height allowance under the Zone.

STANDARD B8: Site coverage**Objective:**

- *To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.*

Response:

Site coverage is 35% which is less than the 60% permitted and in accordance with the decision guidelines under the GRZ3.

STANDARD B9: Permeability

Objective:

- *To reduce the impact of increased stormwater run-off on the drainage system.*
- *To facilitate on-site stormwater infiltration.*
- *To encourage stormwater management that maximises the retention and reuse of stormwater.*

Response:

The overall permeable area is 39% which exceeds the minimum 20%. Sections of the common property driveway and the gardens offer large areas to be permeable and allow for water infiltration into the soil and root zones of trees. Water tanks have been proposed on each lot to allow for the retention of stormwater run-off, with the water source able to be used for non-water quality sensitive uses such as watering gardens and flushing toilets.

STANDARD B10: Energy efficiency

Objective:

- *To achieve and protect energy efficient dwellings and residential buildings.*
- *To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.*

Response:

The energy efficiency of existing dwellings adjacent to the proposed dwellings will not be adversely affected. The proposed dwellings have been appropriately positioned to make efficient use of solar energy, with maximised north-east facing windows and SPOS areas where possible.

STANDARD B11: Open space

Objective:

- *To integrate the layout of development with any public and communal open space provided in or adjacent to the development.*

Response:

N/A. The subject site does not abut any public open space areas.

STANDARD B12: Safety

Objective:

- *To ensure the layout of development provides for the safety and security of residents and property.*

Response:

The layout of the development provides for the safety and security of residents and property. Private open space areas will be securely fenced in all yards, preventing public

access. The dwelling on lot 1 will front Golden Avenue, with the proposed dwellings lots 2 to 6 to front and cast surveillance over the internal driveway.

STANDARD B13: Landscaping

Objective:

- *To encourage development that respects the landscape character of the neighbourhood.*
- *To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance. To provide appropriate landscaping.*
- *To encourage the retention of mature vegetation on the site.*

Response:

An extensive new landscape design has been proposed, including 11 canopy trees exceeding 7m in height at maturity and various shrubs and groundcovers for the site to ensure that the development blends in with and improves the existing character of the area.

STANDARD B14: Access

Objective:

- *To ensure the number and design of vehicle crossovers respects the neighbourhood character.*

Response:

The existing crossovers are to be removed and reinstated as nature strip. A new crossover is proposed in a similar location that will provide access to the proposed dwellings, via a common property driveway. The driveway will be constructed with a minimum width of 3m and will have areas with a turning radius of 4 metres, ensuring all cars can turn around and leave the site in a forward direction.

STANDARD B15: Parking location

Objective:

- *To provide convenient parking for resident and visitor vehicles.*
- *To protect residents from vehicular noise within developments.*

Response:

The parking areas provided are secure and convenient to the dwelling for which they are intended, accessible from the common property driveway.

All habitable windows have been located at least 1m from the driveway, with a window sill 1.4m above NGL or at least 1.5m from the driveway, as required.

A visitor's space is provided between Lots 2 and 3. Please refer to [Clause 52.06](#) for further details on Car Parking.

STANDARD B17: Side and rear setbacks

Objective:

- *To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.*

Response:

The minimum side setback proposed for the development is 1m at the ground floor on the eastern boundary and a minimum of 4m on the western boundary (dwelling 1).

In accordance with requirements for the upper storey: *A new building should be setback from the side boundary a minimum of 1 or 3 metres as required above, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.* All dwellings but Dwelling 6 achieve a side setback in excess of 3.5m at the upper level, whereas the minimum setback at the upper storey of Dwelling 6 is 1.75m. At this point, the wall of Dwelling 6 is 5.78m high, suggesting a minimum setback requirement of 1.65m, thus the proposal meets the Standard.

The minimum rear setback for the proposed development is 1.2m at ground level and at the upper level is 3.15m (Dwelling 6). The proposal is consistent with the dwelling spacing in the surrounding area and provides ample space for canopy tree plantings.

Articulation has been provided between the ground and upper floor on dwellings and between pairs of buildings, to reduce perceived bulk of the built form and create visual interest.

STANDARD B18: Walls on boundaries**Objective:**

- *To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.*

Response:

No walls are proposed on boundaries.

STANDARD B19: Daylight to existing windows**Objective:**

- *To allow adequate daylight into existing habitable room windows.*

Response: Appropriate setbacks are provided to ensure that ample daylight is available to existing windows.

STANDARD B20: North-facing windows**Objective:**

- *To allow adequate solar access to existing north-facing habitable room windows.*

Response:

There are no north-facing windows within 3m of the site's boundaries. Dodds Lane runs along the rear of the site providing ample separation from the nearest north facing windows.

STANDARD B21: Overshadowing open space

Objective:

- *To ensure buildings do not significantly overshadow existing secluded private open space.*

Response:

The proposed dwellings are designed to avoid overshadowing to neighbouring properties with appropriate boundary setbacks provided. Some minor overshadowing occurs to the neighbouring property at 64 Golden Avenue in the early morning, but this will be over by lunchtime and will not cause a significant loss of amenity. Please refer to the Shadow Diagrams, ref: 24803P6 for more details.

STANDARD B22: Overlooking**Objective:**

- *To limit views into existing secluded private open space and habitable room windows.*

Response: The proposed dwellings have been designed to overlook their own private open space and the internal driveway and avoid overlooking into neighbouring properties. Appropriate measures are proposed to ensure no overlooking to neighbouring properties, such as obscure glazing and highlight windows proposed at the upper level of the proposed dwellings and further landscaping along fence lines to ensure overlooking will not be of concern.

STANDARD B23: Internal views**Objective:**

- *To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.*

Response:

The proposed development does not generate significant overlooking of any internal private open space or habitable room windows. Party walls and 1.8m high paling fence on the internal boundary between the properties ensures internal views are of no concern.

STANDARD B24: Noise impacts**Objective:**

- *To contain noise sources in developments that may affect existing dwellings.*
- *To protect residents from external noise.*

Response:

No significant noise sources are present. All new plant and equipment during development stages will be located away from the living areas of existing dwellings as far as practicable.

STANDARD B25: Accessibility**Objective:**

- *To encourage the consideration of the needs of people with limited mobility in the design of developments.*

Response:

The entrance and ground floor to the proposed dwellings could easily be made accessible for people with limited mobility, however, the stairs to the upper floor would need to be replaced by a lift if necessary, to provide access for people of all abilities to the upper level.

STANDARD B26: Dwelling entry

Objective:

- *To provide each dwelling or residential building with its own sense of identity.*

Response:

The entrances to the proposed dwellings are highly visible, easily identifiable, and each provides a porch for shelter and a transitional space.

STANDARD B27: Daylight to new windows

Objective:

- *To allow adequate daylight into new habitable room windows.*

Response:

Adequate daylight is available to all proposed habitable windows.

STANDARD B28: Private open space

Objective:

- *To provide adequate private open space for the reasonable recreation and service needs of residents.*

Response:

Each dwelling is provided with ample areas of private open space to meet the recreational needs of residents and is in accordance with the requirements of this standard. In all cases the main area of SPOS is easily accessible through sliding doors from the main living area:

- Lot 1 = 40sqm of SPOS, plus additional 5sqm to rear of garage
Additional open space of 69sqm is also available within the front setback
- Lot 2 = 41sqm of SPOS, plus additional 5sqm to rear of garage
- Lot 3 = 42sqm of SPOS plus additional 5sqm to rear of garage
- Lot 4 = 42sqm of SPOS, plus additional 9sqm to rear of garage
- Lot 5 = 52sqm of SPOS, plus additional 6sqm to rear of garage
- Lot 6 = 40sqm of SPOS, plus additional 27sqm around the sides of the dwelling

STANDARD B29: Solar access to open space

Objective:

- *To allow solar access into the secluded private open space of new dwellings and residential buildings.*

Response:

Each of the dwellings has been provided with an area of SPOS to the north-east or south-east side of the respective dwelling, that is well dimensioned and achieves good levels of solar access.

STANDARD B30: Storage

Objective:

- *To provide adequate storage facilities for each dwelling.*

Response:

Each lot has been provided with a 6 cubic metre storage area as required.

STANDARD B31: Detailed design

Objective:

- *To encourage design detail that respects the existing or preferred neighbourhood character.*

Response:

Particular attention has been given to the architecture to ensure that the development complements the character of the neighbourhood in Area 74. Proposed materials, colours and finishes are muted grey tones that result in an attractive contemporary development, that integrates the prevailing architectural character of the area, whilst adding a contemporary feel that is not imposing on the street view. (see the attached development plans and 3D images for further details). The buildings are well articulated to lessen the bulk form and provide visual interest when viewed from the street.

STANDARD B32: Front fences

Objective:

- *To encourage front fence design that respects the existing or preferred neighbourhood character.*

Response:

The existing low brick wall is to be retained

STANDARD B33: Common property

Objective:

- *To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.*
- *To avoid future management difficulties in areas of common ownership.*

Response:

A common area of 521sqm is proposed and mainly contains the proposed driveway and visitor parking space, which will be easy to maintain. Each lot will have equal entitlement over this area.

STANDARD B34: Site services

Objective:

- *To ensure that site services can be installed and easily maintained.*
- *To ensure that site facilities are accessible, adequate and attractive.*

Response:

The development is provided with meter and mailboxes adjacent to the driveway and ample space is available within the private open spaces for bin storage.

8 CLAUSE 56 - RESIDENTIAL SUBDIVISION

Alongside implementing the Municipal Planning Strategy and the Planning Policy Framework, the purposes of *Clause 56: Residential Subdivision* relevant to this application are:

- *To create livable and sustainable neighbourhoods and urban places with character and identity;*
- *To achieve residential subdivision outcomes that appropriately respond to the site and its context for:*
 - *Metropolitan Melbourne growth areas;*
 - *Infill sites within established residential areas; and*
 - *Regional cities and towns.*
 - *To ensure residential subdivision design appropriately provides for:*
 - *Policy implementation;*
 - *Livable and sustainable communities;*
 - *Residential lot design;*
 - *Urban landscape;*
 - *Access and mobility management;*
 - *Integrated water management;*
 - *Site management; and*
 - *Utilities.*

Pursuant to this clause, an application to subdivide land must meet all of the objectives included in the clauses specified in the zone and should meet all of the standards included in the clauses specified in the zone.

CLAUSE 56 ASSESSMENT - 3-15 LOTS

STANDARD C6: Neighbourhood Character

Objective:

- *To design subdivisions that respond to neighbourhood character.*

Response:

The proposal respects the existing neighbourhood character whilst responding to the features of the site as discussed above.

STANDARD C7: Lot diversity and distribution

Objectives:

- *To achieve housing densities that support compact and walkable neighbourhoods and the efficient provision of public transport services.*
- *To provide higher housing densities within walking distance of activity centres.*
- *To achieve increased housing densities in designated growth areas.*
- *To provide a range of lot sizes to suit a variety of dwelling and household types.*

Response:

The site is well located, within walking distance to the centre of Bonbeach. The proposal provides six two bedroom homes in an area that is dominated by three and four bedroom homes, that will cater for the changing needs of the population. A density of 1:231.16m² is consistent with the emerging lot density within the area.

STANDARD C8: Lot Area and Building Envelopes

Objective:

- *To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features.*

Response:

The proposed lots range from 127sqm to 191sqm and can easily accommodate the proposed dwellings. The density of 1:231.16sqm is appropriate for this neighbourhood.

STANDARD C9: Solar Orientation of Lots

Objective:

- *To provide good solar orientation of lots and solar access for future dwellings.*

Response:

Each lot is provided with good levels of solar orientation, given the restrictions of the site.

STANDARD C10: Street Orientation

Objective:

- *To provide a lot layout that contributes to community social interaction, personal safety and property security.*

Response:

Lot 1 is designed to front the street, providing surveillance over the public domain contributing to community social interaction, personal safety and property security. All other lots front the internal driveway and cast surveillance over the common property area.

STANDARD C11: Common Area

Objective:

- *To identify common areas and the purpose for which the area is commonly held. To ensure the provision of common area is appropriate and that necessary management arrangements are in place. To maintain direct public access throughout the neighbourhood street network.*

Response:

A total area of 521sqm of common property has been proposed that mostly consists of the shared access way and visitor parking space. Each lot will have equal entitlement over this area with the area being easy to maintain.

STANDARD C12: Integrated Urban Landscape

Objective:

- *To provide attractive and continuous landscaping in streets and public open spaces that contribute to the character and identity of new neighbourhoods and urban places or to existing or preferred neighbourhood character in existing urban areas.*
- *To incorporate natural and cultural features in the design of streets and public open space where appropriate.*
- *To protect and enhance native habitat and discourage the planting and spread of noxious weeds.*
- *To provide for integrated water management systems and contribute to drinking water conservation.*

Response:

No streets or public open spaces have been proposed as part of this subdivision.

STANDARD C15: Walking and cycling network

Objective:

- *To contribute to community health and wellbeing by encouraging walking and cycling as part of the daily lives of residents, employees and visitors.*
- *To provide safe and direct movement through and between neighbourhoods by pedestrians and cyclists.*
- *To reduce car use, greenhouse gas emissions and air pollution*

Response:

The site is located within reasonable distance to a number of facilities and services with a local bus service also located within proximity of the site, which helps reduce car use, greenhouse gas emissions and air pollution

STANDARD C17: Neighbourhood Street network

Objective:

- *To provide for direct, safe and easy movement through and between neighbourhoods for pedestrians, cyclists, public transport and other motor vehicles using the neighbourhood street network.*

Response:

No streets have been proposed as part of this application.

STANDARD C18: Walking and cycling network detail

Objective:

- *To design and construct footpaths, shared path and cycle path networks that are safe, comfortable, well constructed and accessible for people with disabilities.*
- *To design footpaths to accommodate wheelchairs, prams, scooters and other footpath bound vehicles.*

Response:

No walking or cycling paths have been proposed as part of this application.

STANDARD C21: Lot Access

Objective:

- *To provide for safe vehicle access between roads and lots.*

Response:

A new crossover is proposed in a similar location to the existing crossover and this will provide access to the site, via a common driveway that will lead directly to the parking facilities of each dwelling.

STANDARD C20: Neighbourhood Street network detail

Objective:

- *To design and construct street carriageways and verges so that the street geometry and traffic speeds provide an accessible and safe neighbourhood street system for all users.*

Response:

As mentioned above no streets have been proposed within this application.

STANDARD C22: Drinking Water Supply

Objectives:

- *To reduce the use of drinking water.*
- *To provide an adequate, cost-effective supply of drinking water.*

Response:

Reticulated water is currently available to the site and can be utilised to service the new lots, making more efficient use of existing infrastructure.

STANDARD C23: Reused and Recycled Water

Objective:

- *To provide for the substitution of drinking water for non-drinking purposes with reused and recycled water.*

Response:

The proposed lots will be provided with a water tank for the use of recycled water for irrigation and to reduce dependency on potable water.

STANDARD C24: Waste Water Management

Objective:

- *To provide a waste water system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner.*

Response:

The subject site has reticulated sewer available and will be connected to each lot.

STANDARD C25: Urban Run-Off Management

Objectives:

- *To minimise damage to properties and inconvenience to residents from stormwater.*
- *To ensure that the street operates adequately during major storm events and provides for public safety.*
- *To minimise increases in stormwater and protect the environmental values and physical characteristics of receiving waters from degradation by stormwater.*
- *To encourage stormwater management that maximises the retention and reuse of stormwater.*
- *To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.*

Response:

All minor drainage will be designed and installed to Council's standards, with a selection of options suggested:

- Option 1 – on-site infiltration system subject to soil conditions.
- Option 2 – the kerb by gravity or through the pumped system;
- Option 3 – the existing Council pit located in Dodds Lane. Any disturbed sections of the laneway from works will be re-instated to the satisfaction of Council

STANDARD C26: Site Management

Objectives:

- *To protect drainage infrastructure and receiving waters from sedimentation and contamination.*
- *To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works.*
- *To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable.*

Response:

The site will be managed to the satisfaction of the responsible authority prior to and during any construction works.

STANDARD C27: Shared Trenching

Objectives:

- *To maximise the opportunities for shared trenching.*
- *To minimise constraints on landscaping within street reserves.*

Response:

Any new servicing will utilise shared trenching where possible.

STANDARD C28: Electricity, Telecommunications and Gas

Objectives:

- *To provide public utilities to each lot in a timely, efficient and cost-effective manner.*
- *To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.*

Response:

Services that are available to the site will be supplied to each lot in accordance with the requirements of the relevant authorities.

STANDARD C29: Fire Hydrants

Objectives:

- *To provide fire hydrants and fire plugs in positions that enable fire fighters to access water safely, effectively and efficiently.*

Response:

A fire hydrant can be provided if considered necessary.

STANDARD C30: Public Lighting

Objectives:

- *To provide public lighting to ensure the safety of pedestrians, cyclists and vehicles.*
- *To provide pedestrians with a sense of personal safety at night.*
- *To contribute to reducing greenhouse gas emissions and to saving energy.*

Response:

Public lighting can be provided if considered necessary.

NB: Some matters covered by the objectives and standards can occur after a permit for the subdivision has been issued, through a condition of permit.

Considering some matters at a later date allows planning assessment to occur at an appropriate time in the design and construction process and can provide for faster, more cost-effective decision making.

9 CLAUSE 65 - DECISION GUIDELINES

Before deciding on an application or approval of a plan, the responsible authority must consider a series of matters and these seek to ensure good decision making. In addition to consideration of applicable policies and strategies as outlined in this report, the responsible authority must make a judgement on whether a proposal presents an appropriate outcome with respect to amenity, land use conflicts, environmental aspects and the orderly planning of the wider area.

It is submitted that this proposal responds to policy requirements and specific opportunities and constraints to offer an outcome that will make a positive contribution to the municipality and offer a much needed solution to provide additional housing in a well serviced area. There are no fundamental shortfalls in the matters to be considered and as such we consider approval of this application to be an example of good decision making.

10 CONCLUSION

For the reasons detailed in the body of this report, we submit that the proposed subdivision and development is appropriate for the following reasons:

- The proposal is consistent with the General Residential Zone – Schedule 3 (GRZ3) in that it provides a moderate increase in housing density and diversity a, whilst respecting the emerging pattern of development in the area;
- The site is within an area that is deemed of significant Aboriginal Cultural Heritage and as such a CHMP has been provided by Benchmark. No artifacts were found in the inspection pits and therefore Benchmark conclude *The Complex Assessment demonstrated that the Activity Area has limited potential to retain Aboriginal cultural deposits*
- The proposal meets most of the standards and meets all the objectives of Clause 55: Two or More Dwellings on a Lot and Residential Buildings and Clause 56: Subdivision; and
- The proposal is consistent and complies with the decision guidelines stated within Clause 65: Decision Guidelines.

Millar | Merrigan

ARBORICULTURAL ASSESSMENT REPORT

66 GOLDEN AVENUE, BONBEACH

REPORT PREPARED FOR: MILLAR MERRIGAN

REPORT PREPARED BY: DAMIEN BURGESS
CONSULTING ARBORIST - DB HORTICULTURE PTY LTD.

21/10/2019

Millar | Merrigan

Land Development Consultants



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1. Brief

Millar Merrigan has requested an Arboricultural Assessment Report containing details of species, age, size, health, suitability, amenity value, Tree Protection Zones (TPZ) and retention value for specified trees within and near to the property at 66 Golden Avenue, Bonbeach.

2. Overview

The site contains a single dwelling. Subdivision is proposed.

3. Methodology

A visual site inspection of the trees took place on Monday October 21st, 2019. The trees were not climbed nor was any soil excavation or diagnosis of the internal or below ground components of the trees undertaken.

The trees were photographed on site using an iphone 8. Height and Spread of trees was recorded via visual estimation. Diameter at Breast Height (DBH) was estimated also.

A Retention Value for each tree has been determined using tree condition factors and values as listed on Page 9 of this report.

4. Tree Protection Zones (TPZ's)

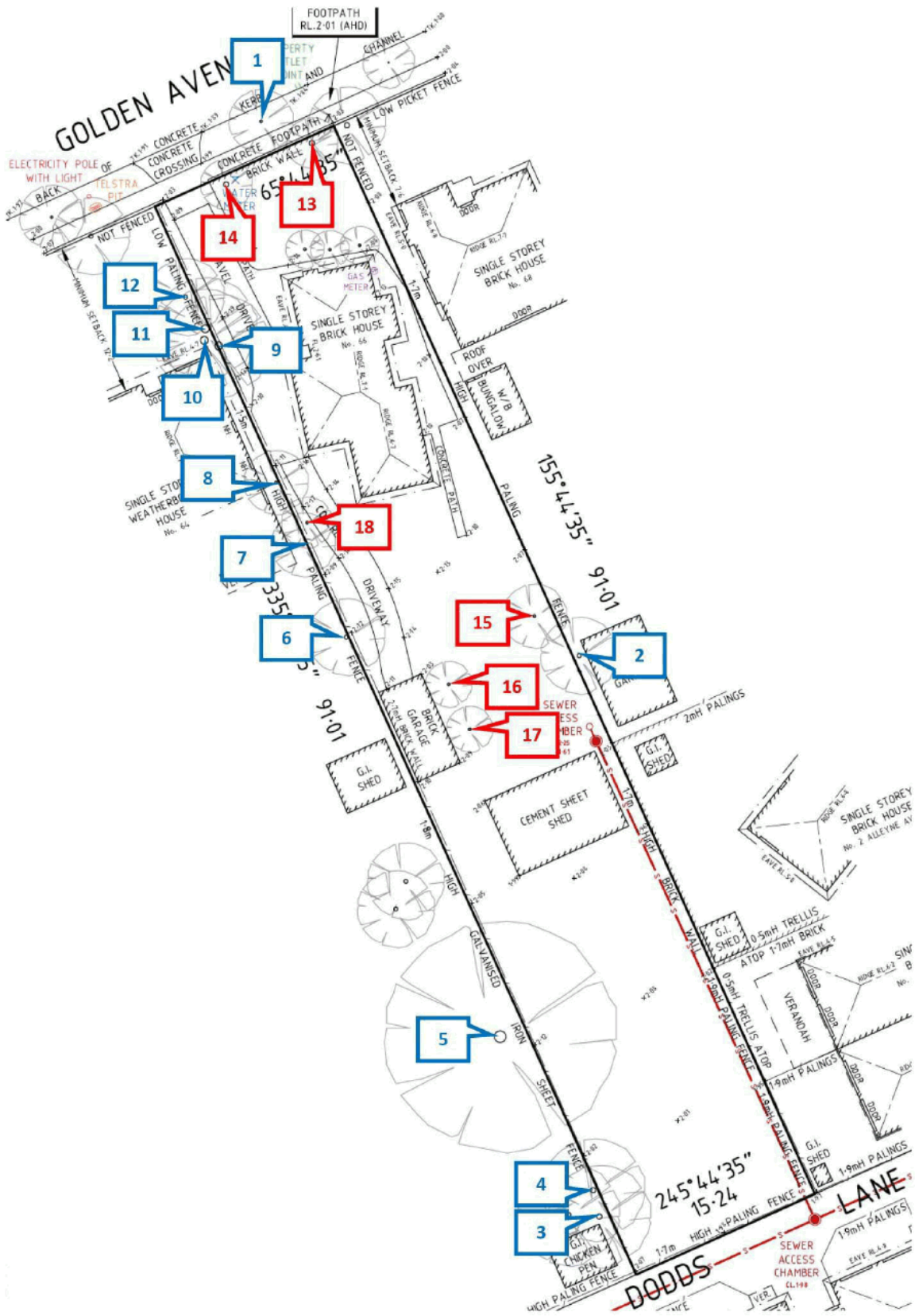
Where appropriate, Tree Protection Zones and Structural Root Zones have been applied as per AS4970-2009, 'Protection of Trees on Development Sites'.

Tree Protection Zones are determined by multiplying the Trunk Diameter @ Breast Height (DBH) x 12. TPZ's are measured from the centre of the trunk.

Structural Root Zones are the area required for tree stability and are only necessary where major encroachment into the TPZ is to occur. The SRZ radius = $(\text{Diameter} \times 50)^{0.42} \times 0.64$.

20/180930

5. Site Plan



20/180930

6. Tree Assessment Table

#	Species	Common name	Native/ Exotic	Height (m)	Spread (m)	DBH (cm)	TPZ (m)	SRZ (m)	SULE	Age	Condition	Structure	Form	Amenity value	Retention value	Comments
STREET TREES																
1.	<i>Agonis flexuosa</i>	Weeping Willow Myrtle	N	6 3 22		2.6	2.0		L	SM	G	G	G	G	H	
TREES WITHIN NEIGHBOURING PROPERTIES																
2	<i>Melaleuca sp.</i>	Paperbark	N	6 6 35		4.2	2.3		M	M	F	F	F	F	M	
3	<i>Corymbia ficifolia</i>	Red-flowering Gum	N	13 7 45		5.4	2.5		M	M	P	P	P	F	M	
4	<i>Populus sp.</i>	Poplar	E	9 6 30/30		5.0	2.5		M	SM	G	F	F	P	L	
5	<i>Pinus radiata</i>	Radiata Pine	E	17 10 100		12.0	3.6		S	OM	P	P	F	P	L	
6	<i>Melaleuca sp.</i>	Paperbark	N	8 7 35/45		6.8	2.8		M	M	G	F	F	F	M	
7	<i>Coprosma repens</i>	Mirror Bush	E	4 4 12/12/12		2.5	2.0		R	M	G	F	F	P	L	
8	<i>Ficus carica</i>	Common Fig	E	5 5 30		3.6	2.3		M	M	F	F	P	P	L	
9	<i>Phoenix canariensis</i>	Canary Island Palm	E	5 6		4.0			L	SM	F	F	F	P	L	
10	<i>Phoenix canariensis</i>	Canary Island Palm	E	5 5		3.5			L	SM	F	F	F	P	L	
11	<i>Phoenix canariensis</i>	Canary Island Palm	E	5 5		3.5			L	SM	F	F	F	P	L	
12	<i>Cotoneaster glaucophyllus</i>	Cotoneaster	E	5 5 10/10/10		2.0	2.0		R	M	F	F	F	P	L	
TREES WITHIN SUBJECT PROPERTY																
13	<i>Cupressus sempervirens</i>	Monterey Cypress	E	7 3 12/16		2.4	2.1		M	SM	G	P	G	P	L	
14	<i>Cupressus sempervirens</i>	Monterey Cypress	E	7 3 14/15/14		3.0	2.3		M	SM	G	P	G	P	L	
15	<i>Citrus x aurantiifolia</i>	Lime	E	5 5 10/10/10		2.0	1.9		R	M	P	P	P	P	L	
16	<i>Citrus x limon</i>	Lemon	E	5 4 14/12		2.2	1.8		M	SM	F	F	F	P	L	
17	<i>Citrus x paradisi</i>	Grapefruit	E	4 4 10/11		2.0	1.7		M	SM	F	F	F	P	L	
18	<i>Cupressus sempervirens</i>	Tuscan Cypress	E	8 2 18/16		2.9	2.3		M	M	G	F	G	F	L	

*Trees shown in red are considered appropriate for removal *Dimensions listed for trees in neighbouring properties are estimates

20/180930



Trees 1, 13 & 14



Trees 2 & 15



Trees 3 & 4

20/180930



Trees 5, 16 & 17



Tree 6



Tree 18



Trees 8 & 18

20/180930



Trees 9 - 12

8. Discussion / Recommendations

Street Trees

Tree 1 is an *Agonis* located centrally on the naturestrip. If the existing driveway crossing remains in-situ, this tree will not be affected.

Trees within Neighbouring Properties

Tree 2 is a Paperbark located within the neighbouring property to the east. Trees 3 to 12 are located within the neighbouring property to the west. Tree types include Canary Islands Date Palms, Red-flowering Gum, Poplar, Mirror Bush, Paperbark, Radiata Pine and Cotoneaster. Any encroachment into the TPZ of these trees should not exceed 10%.

Trees within Subject Property

Trees 13 to 18 are located within the subject site. Tree types include Monterey Cypress, Tuscan Cypress and Citrus varieties. All of these trees are small and insignificant. All are rated as Low Retention value and considered suitable for removal to accommodate the proposed development.

Damien Burgess

Consulting Arborist/Director
DB Horticulture Pty Ltd.

Grad. Cert. Arboriculture (AQF 8) Cert. Horticulture ISA TRAQ

October 21st, 2019.

Retention value should be considered in the context of a tree being worthy of being a material constraint on the site. Low retention value trees are by definition not worthy of being a material constraint, however, Low Retention value trees should not necessarily always be removed in all cases. Trees of Moderate Retention Value should be considered for retention where they are not a material constraint on the site. Where they conflict with plans for the site, either retention or removal are considered as appropriate options. High Retention Value trees should be retained and designed around.

20/180930

9. Tree Descriptors

Age

Y	Young	Tree is juvenile or recently planted
SM	Semi-mature	Tree is established and actively growing
M	Mature	Tree has reached expected maximum size
OM	Over Mature	Tree is over mature and in decline

Condition

G	Good	Full crown, free of disease, good colour, good extension growth of twigs, no dieback
F	Fair	Tree shows one or more of the following: <25% deadwood, dieback, unbalanced canopy, minor pathogens
P	Poor	Tree shows one or more of the following: >25% deadwood, major pathogen presence, structural faults
D	Dead	Tree is dead

Structure

G	Good	Good branch attachments and no structural defects present, no co-dominant stems, good branch and trunk taper, good buttressing at base of trunk
F	Fair	Some minor structural defects or cavities may be present
P	Poor	Major defects to trunk, branches or roots, poor attachment points, missing bark, likely points of failure
H	Hazardous	Tree poses immediate danger and should be removed

Form

G	Good	Full and balanced canopy
F	Fair	Minor asymmetry in canopy shape
P	Poor	Major asymmetry, unbalanced appearance

Amenity Value

G	Good	Attractive tree which contributes significantly to the surrounding landscape and public realm, may provide good screening and shade qualities
F	Fair	Tree contributes to its immediate surroundings, may be one of a group of trees and/or provide moderate screening and shading qualities
P	Poor	Tree does not make a positive contribution to the landscape and could be considered for removal

Safe Useful Life Expectancy (SULE)

L	Long	Tree appears retainable for 40+ years
M	Medium	Tree appears retainable for 15 – 40 years
S	Short	Tree appears retainable for 5 – 15 years
R	Removal	Tree should be removed within next 5 years
MO	Move or Replaced	Trees which can be readily moved or replaced

Retention Value

L	Low	An assessment rating which incorporates all the above criteria
M	Moderate	
H	High	

10. References

- Barrell, J. (2001), SULE: *Its use and status into the new millennium*, NAAA Conference proceedings
- Clark, J.R. & Matheny N.P. (1998), *Trees and Development: A Technical guide to preservation of trees during land development*, ISA Publishing
- Standards Australia (2009), *AS4970-2009 Protection of Trees on Development Sites*, Standards Australia

Disclaimer: The views expressed in this report are those of the author only. All due care and skill has been used to provide this information to the extent permitted by law that you agree that DB Horticulture is not liable for any loss or liability; or alleged loss or liability caused either directly or indirectly by any person(s) using this information.

Unless expressed otherwise; the information contained in this report covers only those items that were covered in the project brief or that were examined during the assessment and reflect the condition of those items at the time of inspection; and the inspection undertaken as part of the preparation of this report was limited to visual examination of accessible components of any tree without climbing the tree or removal of any part of the tree or any dissection, excavation or probing unless otherwise stipulated.

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20/180930



STORM Rating Report

TransactionID: 1007558
 Municipality: KINGSTON
 Rainfall Station: KINGSTON
 Address: 66 Golden Avenue

Bonbeach
 VIC 3196

Assessor: Aaron Smith
 Development Type: Residential - Subdivision
 Allotment Site (m2): 1,387.00
 STORM Rating %: 61

Description	Impervious Area (m2)	Treatment Type	Treatment Area/Volume (m2 or L)	Occupants / Number Of Bedrooms	Treatment %
Unit 1 Roof Treated	58.00	Rainwater Tank	2,000.00	2	143.50
Unit 1 Roof Untreated	23.00	None	0.00	0	0.00
Unit 2 Roof Treated	55.00	Rainwater Tank	2,000.00	2	154.00
Unit 2 Roof Untreated	34.00	None	0.00	0	0.00
Unit 3 Roof Treated	90.00	Rainwater Tank	2,000.00	2	109.20
Unit 4 Roof Treated	89.00	Rainwater Tank	2,000.00	2	109.60
Unit 5 Roof Treated	53.00	Rainwater Tank	2,000.00	2	154.00
Unit 5 Roof Untreated	39.00	None	0.00	0	0.00
Unit 6 Roof Treated	80.00	Rainwater Tank	2,000.00	2	116.20
Driveway	357.00	None	0.00	0	0.00

Date Generated: 13-Aug-2020

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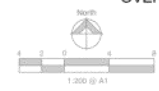
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Work in Progress		Author	
NO	Proposed by	Checked	
NO	Checked	Drawn	
NO	Drawn	Checked	
NO	Checked	Drawn	

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OVERALL SITE LAYOUT PLAN
PROPOSED DEVELOPMENT
66 Golden Avenue, Bonbeach
Kingston City Council
24803 P2
Version 02

SUBJECT TO APPROVAL

27 January 2021

Agenda Item No: 8.5

VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL PROCESS FOR MEDIATED OUTCOMES

Contact Officer: Alfred Carnovale, Planning Appeals Advocate

Purpose of Report

The purpose of this report is to establish a new process for dealing with Victorian Civil and Administrative Tribunal (VCAT) mediated outcomes for planning applications/decisions that are listed as applications that must be decided by the Council in the Planning Delegations Policy.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That Council:

1. Adopt the new process for managing VCAT mediated outcomes where Officers are not otherwise delegated, as per the process outlined under Option 1 of this report.
2. Support the new process being formalised in Council's Planning Delegation Policy.

1. Executive Summary

An important part of the VCAT process is the ability to resolve planning appeals through a form of alternative dispute resolution, rather than an appeal being determined at or following a VCAT Hearing.

To assist Officers in effectively participating in VCAT to mediate outcomes, Council established a process that enabled Officers to seek a Council position without the need to wait for a formal Council Meeting. This process was relevant when Council had three wards, each comprising three ward members.

In the lead up to the 2020 Council elections, Officers had identified that this process would be made redundant when Council moved to a single member ward structure. As such Officers sought Council approval to establish a temporary process for the caretaker period.

Now that the new Council is established, Officers are seeking Council's approval for a new procedure for responding to VCAT mediated outcomes that takes into account the current single member ward structure.

This report has had regard to the feedback provided to Officers at the Councillor Information Session held Monday 18th January 2021.

2. Background

The previous process for dealing with VCAT mediated outcomes was established on 25 March 2013 through a resolved Notice of Motion (No.10/2013). This Notice of Motion was as follows:

That Council adopt a position for mediation of a development application only with the support of either:

1. *all three ward Councillors, or*
2. *a majority of all Councillors.*

The resolution of this Notice of Motion created a process where all three ward Councillors were informed via email when a mediated outcome had been reached. The process required unanimous consent from the three ward Councillors (or a majority of all Councillors in the event a response was not received) in order for Officers to confirm Council's consent to the agreement. There were no examples in the past Council term that required all ward Councillors to be consulted.

The previous Notice of Motion was established so that Officers had an ability to seek Council approval of a mediated outcome before the VCAT in a timely manner for planning applications that are delegated to Council. For convenience and information only, the current Planning Delegations Policy is an appendix to this report. It outlines the planning applications that would currently be decided by Council if Officers are recommending approval.

Without a process that avoids having to present a mediated outcome at a formal Council Meeting, Officers would be restricted when participating in negotiations; in particular at VCAT Compulsory Conferences. This is due to the often short timeframes between a Compulsory Conference and a Merits Hearing which do not allow time for a Council report to be prepared and presented to Council.

VCAT is continually placing greater emphasis on resolving matters through alternative dispute resolution. The most common form of this for VCAT planning matters is a Compulsory Conference. This is an informal meeting that includes all parties to a proceeding. The meeting is conducted in a without-prejudice and confidential forum so that all parties can negotiate openly. For an agreement to be reached all parties must agree to the negotiated outcome. This means that there can never be a scenario where a mediated outcome is reached without all parties (including objector parties) agreeing. The benefit of a mediated outcome is that all parties have shaped the outcome as opposed to a decision being made, one way or the other, by a VCAT member at a Merits Hearing.

It is noted that only objectors who submit a statement of grounds form and elect to be a party to the proceeding on that form will participate in mediating an outcome. As such, original objectors who do not decide to become a party to the proceeding will not actively partake in any part of the VCAT proceeding.

In 2020 Council received 26 VCAT decisions relating to planning permit applications and of these 11 (or 42.3%) were resolved through a mediated outcome. With such a large proportion of applications being resolved in this way, it is important that Council continues to provide Officers with an ability to obtain a Council position, without the need to attend a formal Council Meeting when officers are not delegated. Without this ability Council will be out of step with other municipalities and VCAT expectations, delay the processing of mediated outcomes and weaken its ability to create negotiated outcomes with the permit applicant at a Compulsory Conference, which is the instant or imminent offer of a planning

approval. The data above illustrates that alternative dispute resolution has been highly effective in resolving matters to the satisfaction of participants involved in VCAT matters and will at times, lead to an enhanced outcome for the participants when compared to the outcome achieved at a Merits Hearing.

At the Council Meeting of 21 September 2020, Officers identified that the existing process (implemented by Notice of Motion No. 10/2013) would be made redundant once Council moved to a single member ward structure.

The suggested approach was that Council authorise the applicable Officers to exercise their delegation, provided in the Instrument of Sub-delegation by the Chief Executive Officer until such time as Officers present a report to the new Council with an updated procedure reflective of the single member ward structure.

This temporary measure has enabled Officers to continue to perform the required VCAT duties while Council was in its caretaker period. As the new Council has now been established, Officers seek Council's approval for a replacement process when dealing with VCAT mediated outcomes.

The preferred process outlined below is similar, but an alternative to the previous process, that better reflects the new single member ward structure. This option has had regard to the discussion at the Councillor Information Session on Monday 18th January 2021.

3. Discussion

Option 1 - Delegation to settle is supported by the Ward Councillor and Mayor

Under this option when a VCAT proceeding reaches an in-principle agreement from the participant parties an email to the Ward Councillor and Mayor explaining the proposed settlement will be sent seeking their confirmation to proceed to settle the matter. This process would largely follow the manner in which this has been historically managed, however with the new ward structure it is recommended that the Mayor also be included. If the Mayor is also the Ward Councillor a response will be sought from the Mayor and the Deputy Mayor.

If the public notification of the application included properties across multiple wards, then the Councillors involved in the decision-making process will be the respective ward Councillors and the Mayor. In these circumstances, if the Mayor is also the ward Councillor, there is no need to involve an additional member of Council as there would be a minimum of two Councillors involved.

The Officer's email will request a response within a specified timeframe (no less than one {1} week) from the Councillors involved regarding the settlement position. If requested the Officer would also be able to meet with the Councillor involved and take them through the compromises made to the proposal that have been agreed between the parties.

The benefit of this option is that it maintains involvement of the Ward Councillor/s and Mayor in the proceeding on the basis a resolution between the parties can be achieved without the proceeding needing to go to a disputed merits hearing. No significant negatives are associated with this option on the basis the Ward Councillor/s and Mayor can work within the timeframes imposed by the VCAT required to ensure a settlement position can be determined. This approach worked successfully under the former Council.

Similar to the previous process a unanimous position between the Mayor and the Ward Councillor/s will need to be established in order for the settlement to be supported. In the

event that the Councillor/s have not responded in the set timeframe then the responsibility to inform Officers will rest with the Mayor.

Option 2 - Officers have full delegation to settle matters

Under this option, if an agreement is reached during a VCAT proceeding, Officers would have full delegation to settle all matters that are before the VCAT on behalf of Council on the basis all participants (objectors and applicants) in the VCAT process were agreeable to the outcomes negotiated. The benefit of this option is that it would allow Officers to exercise a delegation to immediately settle matters when parties to the proceeding were satisfied. The disadvantage is that Officers are unable to confirm the agreed settlement position with the Ward Councillor/s and Mayor as envisaged in the proposed alternate option presented above. Unlike Option 1, no members of Council will have the opportunity to see what compromises have been made by all parties, including what grounds of refusal have been addressed versus negotiated.

Officers' Preferred Option

Of the options presented above, Officers recommend that Council support Option 1.

Option 1 is similar to the previous process that maintains the involvement of the Ward Councillor/s and Mayor (new) over the outcome, whilst allowing for a timely decision-making process that enables Officers to participate in productive discussions towards a mediation.

To appropriately formalise the chosen option, Officers will update the Current Planning Delegation Policy to include the new process/level of delegation for VCAT mediated outcomes. The Planning Delegation Policy will further detail the chosen option to provide Officers and Council clear direction for VCAT mediated outcomes.

4. Conclusion

Officers have identified the above process to effectively participate in and enable VCAT mediated outcomes.

Appendices

Appendix 1 - Planning Delegation Policy (Ref 20/298954) 

Author/s: Alfred Carnovale, Planning Appeals Advocate
Reviewed and Approved By: Jaclyn Murdoch, Manager City Development
Paul Marsden, A/General Manager Planning and Development

8.5

VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL PROCESS FOR MEDIATED OUTCOMES

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Planning Delegation Policy

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6	Delegation Authority and Decision Guidelines	2
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1 Document Information

The electronic version of this document is the controlled version. Printed copies are considered uncontrolled. Before using a printed copy, verify that it is the current version.

RESPONSIBLE GENERAL MANAGER	General Manager Planning and Development
RESPONSIBLE MANAGER (Policy Owner)	Manager City Development
ADOPTED BY	Council
APPROVAL DATE	25 May 2020
EFFECTIVE DATE (If different from approval date)	25 May 2020
REVIEW DATE	22/02/2021
CM REF AND VERSION	08/98033[v4]
VERSION HISTORY	This Policy replaces 08/98033[v3] adopted on 22/02/2016

2 Purpose

The purpose of the policy is to specify the delegation for determining applications for a planning permit.

The intention of the policy is to specify the applications that can be determined by Council, the CEO, or their nominated delegate(s) to provide clarity and transparency in the decision-making process.

3 Definitions

CEO	Chief Executive Officer
CIS	Councillor Information Session

4 Scope

This policy is relevant to Council staff receiving and processing applications for planning permits under the *Planning and Environment Act 1987* and the Kingston Planning Scheme. This policy applies to all applications for planning permits except for applications decided under VicSmart.

5 Policy Details

The following types of planning permit applications (where officers are recommending approval) must be decided by the Council:

- applications for five (5) or more dwellings that incorporates one or more double storey dwelling(s) to the rear of the site, with 3 or more objections
- applications of major significance
- one or more Councillor(s) 'call in' the application, by requesting this in writing (email accepted) to the City Development Department
- applications located in the Green Wedge and the cost of the development exceeds \$20,000
- any application for a planning permit seeking approval to remove ten or more trees as required by the Kingston Planning Scheme
- any application for a planning permit for the use and/or development of land, where the removal of ten or more trees forms part of the application (where not specifically required by the Kingston Planning Scheme) in the following circumstances:
 - i. A tree with a trunk circumference greater than 110 centimetres measured at its base; or
 - ii. A multi-stemmed tree where the circumference of its exterior stems measured at its base is greater than 110 centimetres; or
 - iii. A tree planted as required by a replanting condition of a permit issued for the removal of a protected tree, excluding species which are environmental weeds or noxious weeds.

All other applications can be determined by the CEO, or their nominated delegate(s).

All applications for 2-storeys in the backyard with at least one objection in the General Residential 3 Zone to be listed and provided to Councillors prior to the Planning CIS agenda.

6 Delegation Authority and Decision Guidelines

This Policy is applicable to all applications for planning permits.

6.1 Delegations/Authorisations

- Instrument of Delegation to Members of Council Staff

6.2 Exemptions

There are no exemptions to this Policy.

6.3 Human Rights Charter

This policy has been reviewed against and complies with the Charter of Human Rights and Responsibilities Act 2006.

7 Related Documents and Resources

Legislation

- *Planning and Environment Act 1987*
- *Subdivision Act 1988*
- *Marine and Coastal Act 2018*
- *Aboriginal Heritage Act 2006*
- *Local Government Act 2020*

9. Community Sustainability Reports

27 January 2021

Agenda Item No: 9.1

POLICY AMENDMENT - ENVIRONMENTALLY SUSTAINABLE DESIGN FOR COMMUNITY BUILDINGS

Contact Officer: Juli Stickler, Acting Senior Facilities Development and Planning Coordinator

Susannah Kenny, Principal Environment Officer

Purpose of Report

To inform the rationale behind the timing and content of amendments to the existing Environmentally Sustainable Design (ESD) Policy for Community Buildings, ahead of its scheduled December 2021 update.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That Council:

1. Endorse the 2020 revision of the ESD (Environmentally Sustainable Design) Policy for Community Buildings.
2. Acknowledge that revision of the ESD Policy for Community Buildings is an essential element of organisation wide response to the declared Climate and Ecological Emergency.

1. Executive Summary

In January 2020, Kingston City Council joined 85 local government areas across Australia through the declaration of a Climate and Ecological Emergency. Acknowledgement of global warming is an organisation wide call-to-action, requiring immediate identification and application of evidence-based practice in effort to mitigate the impact of climate change.

Additionally, the introduction of the 2020 Local Government Act and the requirement that climate change mitigation is integrated within all levels of decision making has further prompted review of the existing ESD Policy for Community Buildings, to ensure best practice principles are consistently applied to building project delivery. Articulation of relevant ESD benchmarks act to support the commitment made by Council for timely and effective change in practice as a direct response to the declared emergency.

2. Background

Initially developed in 2014, the most recent revision of Environmentally Sustainable Design for Community Buildings policy was adopted in August 2018 with the intention of defining and applying a consistent set of ESD principles and quality standards to the design, construction, maintenance and (eventual) demolition of Council buildings.

Subsequent to the 2018 revision, a number of interrelated strategic documents have been updated and/or adopted, such as the Urban Cooling Strategy (2020) and the Local Government Act (2020). The stance taken by Council in January 2020, with the declaration of a Climate and Ecological Emergency, acted as further incentive to bring forward the scheduled review of the ESD policy, to ensure that objectives were reviewed and redefined to reflect the need for immediate action and acknowledge that 'business as usual' is no longer acceptable.

This report should be read in conjunction with *Kingston Climate & Ecological Emergency Response Plan* discussion paper (October 2020). The ESD Policy for Community Buildings is noted as an essential element of the organisational response, providing opportunity for Council leadership within the community and construction industry through championing the benefits of sustainable design.

The key amendments to the *ESD in Community Buildings Policy* are as follows:

- Acknowledgement of the declared climate & ecological emergency
- Updated Relevant Documents section
- Updated Definitions
- Confirming the intention to achieve a zero-carbon building stock
- Confirming the intention to transition from gas, as practicable
- Inclusion of the requirement for heat mitigation through urban cooling design methods
- Including Brief Ezy as a reference tool
- Updated Appendix to reference performance targets relevant to modular building projects

3. Discussion

3.1 Council Plan Alignment

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

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

Inclusion of environmentally sustainable principles as a core element in the design of community buildings reflects and demonstrates the organisational commitment and practical application of climate change mitigation strategies.

3.2 Consultation/Internal Review

Review of the (2018) *ESD for Community Buildings Policy* was undertaken by a number of officers within Community Buildings and Environment Planning teams

to ensure the changes made were reflective of best practice and directly aligned with the requirement to respond with urgency and clarity to the declared Climate and Ecological Emergency.

An independent ESD consultant has reviewed the amended documents, with relevant comment and contribution to the specified performance targets for Modular Construction.

3.3 Operation and Strategic Issues

3.3.1 Implementation

Following adoption of the revised policy, performance targets will be integrated into existing project management procedures, with associated project budget adjustment to support successful integration of necessary changes in practice.

3.3.2 Monitoring and review

This policy is due for a comprehensive review December 2021. Adoption of the proposed amendments ahead of this scheduled date ensure that the document remains relevant and responsive, supporting organisational accountability in response to the climate emergency.

Prior to this review, internal and/or independent assessment of measurable ESD performance outcomes may be undertaken (eg. level of compliance with performance targets).

4. Conclusion

Acknowledgement and endorsement of the proposed ESD Policy amendments aligns with the vision articulated within the Kingston Climate & Ecological Emergency Response Plan discussion paper and the organisational requirement to take significant and immediate action to reduce emissions through implementation of specific interventions. The updated policy will continue to provide clear methodology for the application of consistent ESD principles and quality standards to guide the management of all community buildings throughout the asset lifecycle.

4.1 Environmental Implications

Delaying the amendments to the ESD Policy has the potential to slow the urgency of response to the Climate and Ecological Emergency and opportunities for enhanced design may be overlooked or minimised, which is in direct conflict with the call to action demanded of the declared emergency.

4.2 Social Implications

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

4.3 Resource Implications


Implementation of the performance measures outlined in the amended policy will require occasional engagement of a specialist ESD consultant, either as part of the project design team on larger projects, or to give periodic advice on routine building maintenance and procedural activities. Independent assessment of building performance offers the opportunity to quantify energy and water savings, and thereby financial cost/benefit of ESD design integration

Any design response to the ESD policy will be considered within the context of total project budget, with consideration of relevant medium-long term energy and/or maintenance savings and the underpinning commitment to sustainable practice.

4.4 Legal / Risk Implications

Delay of relevant amendments to the policy and thereby any lost opportunity for reduced emissions is contrary to the declared Climate and Ecological Emergency and carries a reputational risk that the organisation may be seen as lacking in accountability through a failure to implement measurable change in building related emissions.

Appendices

Appendix 1 - DRAFT - Environmentally Sustainable Design for Community Buildings Policy (Ref 20/279037) 

Author/s: Juli Stickler, Acting Senior Facilities Development and Planning Coordinator
Susannah Kenny, Principal Environment Officer

Reviewed and Approved By: Steve Lewis, Manager Community Buildings
Mauro Bolin, General Manager Community Sustainability

9.1

POLICY AMENDMENT - ENVIRONMENTALLY SUSTAINABLE DESIGN FOR COMMUNITY BUILDINGS

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ESD (Environmentally Sustainable Design) Policy for Community Buildings

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APPROVAL	pending
VERSION NO:	1
TRIM REF:	pending
REVIEW	31 st December 2021
RESPONSIBLE EXECUTIVE	General Manager - Community Sustainability
POLICY OWNER	Manager - Community Buildings

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1. Purpose of the Policy

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

2. Background

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

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

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

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

In January 2020, Kingston City Council declared a Climate and Ecological Emergency and in doing so recognised that urgent action is required.

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

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

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

This policy will assist Council in achieving the goals outlined in the Council Plan 2017-2021 as well as commitments set out in the Kingston City Council Biodiversity Strategy (2018 – 2023); Kingston City Council Integrated Water Cycle Strategy (2012), Kingston City Council Climate Change Strategy (2018-2025) and Kingston City Council Urban Cooling Strategy (2020). Leadership in sustainability also aligns with climate change adaptation planning including the management of risks to Council's assets

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

3. Vision

That the construction or major refurbishment of Council buildings minimises adverse environmental impacts in the areas such as energy use, water use and waste generation during

both the construction and operational phases of a building's life and mitigates their contribution to urban heat with the intention of developing a zero-carbon building stock.

4. Objectives

The objectives of this policy are to:

- Acknowledge design as a critical element in mitigating and adapting to climate change and recognise the net gains that may be achieved through considered application of ESD principles
- Demonstrate leadership to the community, improve internal comfort and amenity, and reduce operational costs of buildings
- Reduce peak energy demand, increase energy efficiency
- Increase use of renewable energy and reduce greenhouse gas emissions associated with buildings, with an objective of zero carbon.
- Reduce consumption of mains potable water, increase water efficiency and achieve best practice stormwater management outcomes.
- Reduce waste sent to landfill, increase the reuse and recycling of construction waste, and increase reusability of materials in buildings.
- Reduce the environment impact of materials by prioritising materials with a favorable lifecycle assessment
- Reduce the thermal impact on the surrounding area by using cool materials, and including green infrastructure (where feasible)
- Incorporate passive solar design features to enhance natural ventilation, heating, cooling and lighting and improve thermal performance
- Design for ease of maintenance and long life across the lifecycle of a building
- Provide a rationale for application of the maintenance hierarchy so investment is targeted throughout the asset lifecycle
- Support a transition away from gas towards renewable sources of energy including solar power on Council buildings (where feasible)
- Create a healthy indoor environment by using materials that are not harmful to the health, safety and wellbeing of building occupants
- Provide access to efficient and cleaner transport options to the building, by encouraging use of public transport, walking and cycling
- Guide efficiencies and flexibility of design through considered project scope and range, in acknowledgement of both future constraints and demands
- Manage the building efficiently once occupied by increasing utilisation through multi-user tenancy. This will reduce operational impacts on the environment by consolidating and minimizing waste production, energy consumption and maintenance demand
- Give due consideration to the future effects of climate change

5. Scope

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

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

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

6. Definitions

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

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

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

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

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

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

Cool materials: Materials with high albedo and/or high emissivity which stay cooler than conventional materials under solar radiation.

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

Environmentally Sustainable Design (ESD): Development that meets the needs of the present without compromising the ability of future generations to meet their own needs. At Kingston this results in community buildings that are:

- durable: built to have a long life
- accessible: to people of all abilities, and by a range of transport modes
- adaptable: for a range of uses, and designed for easy access to those components that need to be replaced more frequently
- efficient: minimising the use of resources such as energy, water and materials
- clean: minimising and carefully managing waste and pollution of air and water
- responsible: made from building materials that have been sustainably sourced and ethically, for example materials with environmental accreditations
- healthy: with good lighting, air quality, and temperature for occupants
- zero carbon: electricity is preferred over gas, energy is sourced from renewable sources, buildings are shaded, air tight and adequately insulated

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

Green Star: Is a voluntary sustainability rating system for buildings in Australia, managed

by the Green Building Council of Australia. It assesses the sustainability of buildings at the design, construction and operational stages.

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

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

Sustainable Design Assessment in the Planning Process (SDAPP): Kingston City Council's planning permit application process includes Environmentally Sustainable Design (ESD) Considerations. In December 2009 Council endorsed the implementation of Sustainable Design Assessment in the Planning Process (SDAPP).

It is expected that new and major refurbishment Council building projects will meet Councils SDAPP requirements.

Urban Cooling: Strategies to mitigate urban heat island effect (areas where heat has accumulated, causing temperatures to rise above a regional average)

Zero Carbon: Causing or resulting in no net release of carbon dioxide into the atmosphere

7. Responsible Executive

General Manager Community Sustainability

8. Policy owner

Manager Community Buildings

9. Related Documents

Internal policies & documents:

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

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

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

Kingston City Council (2018), *Biodiversity Strategy 2018-2023*

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

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

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

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

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

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

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

Kingston City Council (2020), *Urban Cooling Strategy*

Federal and State Legislation:

Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)

Victorian State Government Climate Change Act 2017 provides the framework that

outlines the role and responsibility of councils in response to climate change
The Local Government Act (2020) provides the framework for the establishment and operation of councils, who's primary objectives include ensuring the social, economic and environmental viability and sustainability of the municipality
The Planning and Environment Act 1987 provides the framework for planning the use, development and protection of land in the interest of the community both now and in the long-term
The National Construction Code identifies the minimum requirements (including energy and water measures) for the design, construction and performance of buildings

Other documents:

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

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

- Kingston City Council Community Buildings Design Guidelines
- Kingston City Council Community Buildings Project Brief and associated design review checklist as relevant to specific project
- Building User Guide (BUG) as relevant to a specific project
- [Brief Ezy](#) – a tool which produces ESD requirements for inclusion in architectural tender / quotation documentation

10. Delegation Authority

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

11. Policy Statement

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

12. Policy Details

It is Council policy that:

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

13. Implementation

This policy is to be implemented as follows:

- Determine the relevant project classification, by referring to Appendix A to this policy.
- Determine the relevant Sustainable design targets by referring to Appendix B to this policy.

- Integrate ESD principles in the design and construction of Council's Community Buildings at all stages of project procurement, as outlined in *Table 3*, in Appendix B to this policy
- Document decision making using *Table 4*, in Appendix C to this policy

14. Monitoring

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

Key performance indicators include:

- Percentage (%) of projects meeting the requirements in the ESD Policy

15. measurement of total efficiency improvements [Decision Guidelines](#)

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

16. Review

Policy to be reviewed by **31st December 2021**

Appendix A

Project Category

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

Table 1 Project Category

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

*Modular Projects may exist as wholly modular or as a component within a Category A/B/C/D project. In this instance project targets are to be taken from each relevant Category.

Appendix B

Sustainable Design Targets

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

This document outlines minimum sustainability standards, however, where possible, higher efficiency targets should be applied. Table 2 provides zero carbon council building targets.

Table 2 Zero Carbon Council Building Targets

Area	Target
Energy source	100% renewable energy (eg. on-site solar or off-site GreenPower purchase)
Shading	External shading for east and west windows
Insulation	Roof: minimum R5 Walls: Minimum R2.5
Glazing	Minimum R0.3 and U value 3.3 windows & doors
Airtightness	Achieve a building envelop airtightness value of less than 5ACH at 50pa of pressure under tests conditions
Air ventilation	Achieve an air ventilation rate of 1ACH every 2 hours (under natural air exchange conditions). Including the recovery of heat to 90% in exchanged air and filtering of air to M5 / G4
On-site as built verification and certification	Three onsite inspections: Pre insulation Pre plaster Post occupancy

Where defined sustainability benchmarks cannot be achieved, written justification is to be provided.

Stakeholder Involvement

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

Table 3 - Sustainable Design Targets, Procedures and Stakeholder Involvement

The table below outlines the minimum sustainable design targets, procedures and involvement of key sustainability stakeholders for each project phase.

Appendix B
Table 3 - Sustainable Design Targets, Procedures and Stakeholder Involvement
Category A - Building Project Type - Major New >\$2m

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

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Appendix B
Table 3 - Sustainable Design Targets, Procedures and Stakeholder Involvement continued
Category B - Building Project Type - Major New <\$2m

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

Appendix B
Table 3 - Sustainable Design Targets, Procedures and Stakeholder Involvement continued
Category C - Building Project Type - Major Refurbishment.

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

Appendix B
Table 3 - Sustainable Design Targets, Procedures and Stakeholder Involvement continued
Category D - Building Project Type - Minor Refurbishment

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

Appendix B
Table 3 - Sustainable Design Targets, Procedures and Stakeholder Involvement continued
Category E - Building Project Type - Modular

Sustainable Design Target	Define		Plan		Implement		Close	
	Scoping	Project Brief	Concept Design Design Development	Documentation	Construction Project Handover	Monitoring Evaluation	Procedures	Stakeholders
<p>New appliances within one Energy Star of best available</p> <p>New water fixtures and fittings within one WELS star of best available</p> <p>Materials selection to comply with the ESD requirements of the project brief</p> <p>Minimum target for reuse and recycling of construction waste 90%</p> <p>All materials /products will be manufactured under any of the following: o Ecospecifier Green Tag</p> <ul style="list-style-type: none"> o Green Rate V3.1; o Good Environmental Choice (GECA); and / or o The Institute for Market Transformation to Sustainability (MTS) Sustainable Materials Rating Technology standard Version 4.0 - Smart 4.0. <p>Alternatively, materials and products must be durable, include some eco-preferred content, be modular and / or come from a manufacturer with product stewardship programs and ISO 14001 certification</p>	<p>Scoping</p> <p>Scoping workshop</p> <ul style="list-style-type: none"> o to determine site specific constraints and opportunities and project methodology o Passive design o ESD budget o Existing buildings on site <p>Stakeholders</p> <ul style="list-style-type: none"> o Project Manager o Environmental Planning Officer / Internal ESD advisor 	<p>Procedures</p> <ul style="list-style-type: none"> - Brief to include requirement for significantly reduced material use and waste - Material chain of custody documentation - Protection of materials and completed modules for waste minimisation <p>Contractor brief to articulate targets</p> <p>Stakeholders</p> <ul style="list-style-type: none"> o Project Manager o Environmental Planning Officer / Internal ESD Advisor 	<p>Procedures</p> <ul style="list-style-type: none"> o To consider (as relevant): o Passive design e.g. orientation/natural ventilation o Existing building fabric - environmental performance o Air tightness o Feasibility of active technology o Feasibility of converting energy sources for improved performance <p>Stakeholders</p> <ul style="list-style-type: none"> o Project Manager Consultant o Architect o End Users 	<p>Procedures</p> <ul style="list-style-type: none"> o Project schedule to include hold points for 3rd party inspections and auditing <p>Stakeholders</p> <ul style="list-style-type: none"> o Project Manager o Internal ESD advisor 	<p>Procedures</p> <ul style="list-style-type: none"> o Contractor to comply with brief requirements. o Inclusion of hold points relevant to scope of project prior to release of modules for installation. <p>Stakeholders</p> <ul style="list-style-type: none"> o Project Manager 	<p>Procedures</p> <ul style="list-style-type: none"> o Rectification if required o Information obtained through the POE process is to be considered at scoping stage of future projects of a similar type and scale. <p>Stakeholders</p> <ul style="list-style-type: none"> o Project Manager o Internal ESD advisor 		

Table 3 - Sustainable Design Targets, Procedures and Stakeholder Involvement continued Category F and G - Building Project Type - Maintenance and Demolition

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

Appendix C
Table 4 - Sustainable Design checklist (Guidance for Project Manager)

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

Appendix C
Table 3 - Sustainable Design checklist (Guidance for Project Manager)

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

Appendix C
Table 4 - Sustainable Design checklist (Guidance for Project Manager)

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

Agenda Item No: 9.2

COMMUNITY GRANTS POLICY REVIEW

Contact Officer: Dominic McCann, Coordinator Community Wellbeing

Purpose of Report

To present for approval the draft Community Grants Policy 2021-2025.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That Council:

1. Note the important role of the Community Grants Program in promoting and maintaining a strong and socially connected community.
2. Approve the draft Community Grants Policy 2021-2025.

1. Executive Summary

The draft Community Grants Policy 2021-2025 (Appendix 1) is a strategic document that provides direction for Council's work in managing and allocating funding to community groups and residents across the municipality. The development of the draft policy involved a review of the current policy and cross Council consultation. The review does not propose major changes to the overall Grant scheme, but merely tightening up and clarifying the current criteria. The revised policy provides an opportunity to remove ambiguities and duplication, strengthen and clarify definitions in the current policy.

Background

Council provides a range of community services, activities and events to its residents. In addition to its role in direct service delivery, Council encourages and supports the work of local community organisations involved in community development and service provision.

Council's Community Grants Program and grants from other funding bodies provide for major community capacity building in the Kingston community. Grants from Council enables established and emerging community groups to meet and conduct their programs and activities while promoting community wellbeing and social inclusion.

The Program provides an opportunity for Council to understand and identify community needs and to work collaboratively with local non-profit organisations by supporting the delivery of services that address these needs.

In the 2020-2021 financial year the budget allocated to all categories in the Community Grants Program was \$1,624,826 with 183 community groups receiving Partnership and Annual Grant funding.

These funds, coupled with the contribution of staff time, facilities, equipment and other capital resources provided by Council represent a major investment in the health and social wellbeing of the Kingston community.

As a result of this investment, significant social outcomes have been achieved; serving to support greater participation in community life. As such, the Grants program has been identified as a key strategic initiative of Council.

The current policy is now due for review and the draft Community Grants Policy 2020-2025 has been developed to affirm Kingston Council's commitment to supporting community groups in their delivery of services, programs and activities that benefit their members and the broader Kingston community.

Aims of the Community Grants Program

The aims of the Community Grants Program are to:

- Provide equitable opportunity for the community to seek funding assistance from Council;
- Address demonstrated needs within the community;
- Facilitate support for initiatives that strengthen the community through opportunities for participation, development, inclusion and sustainability;
- Foster community involvement and participation across a range of pursuits and interest areas including health and welfare, community support, arts and culture, sports and recreation, environment and access and equity;
- Assist Council to deliver identified objectives, priorities and strategies;
- Enable not-for-profit organisations to deliver services, programs, special events and other activities to the community, which would not otherwise be provided;
- Enable the community to participate in a broader range of activities than those directly funded by Council, through full or partial funding of costs; and overall
- Improve the quality of life of the Kingston community.

Council currently has seven funding streams, of which six are supported through the Community Grants Program:

1. Partnership Grants;
2. Annual Grants;
3. Irregular Grants;
4. Individual Development Grants;
5. School Award Grants;
6. Arts Grants; and
7. Children's Week Grants.

Operating separately from Council's Community Grants Program is the Kingston Charitable Trust, the Cultural Diversity Grants; and the Quick Response Grants, which are not subject to this review

This report will only focus on the six key grant areas as follows: Partnership Grants, Annual Grants, irregular Grants, Individual Development Grants, School Award Grants and Arts Grants.

A summary of each of these grant streams follows:

1. Partnership Grants	<p>This grant category is available to community organisations that provide continuous and significant service to the community and where their programs align with Council priorities and build community capacity and social inclusion.</p> <p>Funding in this category is provided on a recurrent partnership three-year fixed term basis to ensure the ongoing operations of the organisation.</p> <p>Partnership Grants are provided for community centres, neighbourhood houses, emergency services, community information services and advice centres, benevolent societies, events, and key organisations that provide important social and welfare services to Kingston residents.</p> <p>The Partnership Grants are also provided to a range of seniors and multicultural groups that provide social, recreational and cultural activities to their members on an ongoing, regular basis.</p> <p>In accordance with the Community Grants Policy adopted by Council on 23 February 2015, all community groups that have been receiving annual funding consecutively over a three-year period will proceed through to the Partnership Grants program.</p> <p>Transferring these groups to Partnership Agreements provides greater certainty for community groups in planning activities and will reduce the administrative burden of having to apply each year for grants for activities that they deliver on a regular basis.</p> <p>The activities provided are predominantly related to multicultural and seniors' groups and their communities.</p> <p>The programs and activities delivered by these groups have been successfully and consistently delivered over a three-year period and are considered a valuable contribution to the wellbeing of their communities.</p> <p>An adjustment to accommodate CPI increases is made to the Partnership Grants budget each year.</p>
2. Annual Grants	<p>Annual Grants are provided to community groups and organisations for the delivery for one-off activities that reach a large part of the Kingston municipality and have significant municipal outcomes and benefits.</p> <p>Annual Grants are provided for:</p> <ul style="list-style-type: none"> - projects; - activities; - equipment; - minor capital works. <p>An open application process for eligible organisations will be offered once per financial year. Funding is contestable, and applications are assessed and on their individual merits.</p>

	<p>The maximum funding available for the delivery of programs and other activities in this category is \$10,000. A maximum limit of \$2,000 per application is available for the purchase of equipment; and a maximum of \$5,000 per application is available for minor capital works. For minor capital works, groups are required to match funds provided.</p> <p>Organisations can apply for funding for activities that align with the Council Plan and individual department Strategic Plans in the following areas:</p> <ul style="list-style-type: none"> • Arts and culture; • Community health and wellbeing; • Environment; • Festivals and events; • Community Safety; • Special interest; • History and heritage; and • Sports and recreation.
<p>3. Irregular Grants</p>	<p>These grants are provided to community groups and individuals that have not accessed other Council grants programs, which apply outside the normal grants process or that, do not strictly meet the Grants Guidelines. They are designed to be flexible and responsive to a group or individual's particular needs.</p> <ul style="list-style-type: none"> ➤ Groups must meet all of the eligibility requirements of applicants to the annual grants program i.e. be incorporated, have current public liability insurance, operate within the City of Kingston or have 50% of its members from Kingston; ➤ Individuals must be residents of the City of Kingston. <p>This grant stream is designed as a small pool of funds that provides Council with the flexibility to support the community outside the normal community grants round.</p> <p>These grants are provided to not-for-profit community groups that have not accessed other Council Grant programs, that apply outside the normal grants process or that do not strictly meet the Grants Guidelines. They are designed to be flexible and responsive to a group's particular needs.</p> <p>A maximum of \$1,000 is available to applicants in this category and a report is prepared on each application for Council consideration and approval.</p> <p>Groups must meet all of the eligibility requirements of applicants to the Annual Grants program</p>
<p>4. Individual Development Grants</p>	<p>The Individual Grants program aims to support individual development and pursuit in sports, the arts and humanitarian goals. It supports individuals in their pursuit of high level performance and development by recognising the commitments and efforts that people make to reach goals.</p> <p>The stream also assists in developing local leaders and role models and builds a positive image of Kingston Council and its communities. These grants are open all year round.</p>

5. School Award Grants	<p>Student achievement will be recognised through this category, with equal amounts of funding issued annually to all primary, secondary and special development schools based within the geographic boundaries of Kingston.</p> <p>These grants are designed to recognise individual student achievement and/or contribution to the community. Primary, secondary and special development schools directly located on the Kingston’s municipal boundary with at least 40% of their student population drawn from Kingston will also be invited to accept funding through this category.</p> <p>No formal application process is required for this grant category. Funding will automatically be distributed to each school in September of each year</p>
6. Arts Grants	<p>Council’s Arts Grants program is designed to stimulate creative programs across the local community and position Kingston as a thriving cultural hub with a vibrant creative sector. Individual artists, not-for-profit art groups and organisations can apply for an Arts Grant across three categories:</p> <ul style="list-style-type: none"> • Arts Projects for professional and emerging artists; • Community based arts projects; and • Mentorships and Residencies.

2. Discussion

2.1. Council Plan Alignment

Community Grants enable the provision of funds to enhance opportunities for groups and individuals to provide strong, cohesive and engaged communities under Goal 3: *Our connected, inclusive, healthy and learning community*; and in particular Key Directions and Objectives:

- 3.4 *Promote an active, healthy and involved community life;*
 - 3.4.1 *Provide festivals and events that encourage community connections and local participation;*
 - 3.4.3 *Strengthen community participation and connections by supporting community groups and networks; and*
 - 3.4.4 *Celebrate and encourage social, cultural and spiritual diversity.*

2.2. Consultation/Internal Review

Consultations have occurred across Council Departments and with Council’s Grants Assessment Panel. Officers have had discussions with other Councils on their grants programs.

Table 1 provides an outline of the proposed key changes to the Grants Policy and the rationale for those changes.

Table 1: Details of proposed policy changes

Current Grants Policy	Proposed Changes to Policy	Rationale
Consistent with the Council’s Plan 2017-2021, the Community Grants Program provides Council	Consistent with the Council Plan, Policies and Procedures, the Community Grants Program provides	Strengthens climate change requirements in line with Council’s

**City of Kingston
Council Meeting**

Agenda

27 January 2021

Current Grants Policy	Proposed Changes to Policy	Rationale
with the opportunity to establish and build relationships with the community; encourage participation; support innovation; promote access, inclusion and acceptance of diversity;	Council with the opportunity to establish and build relationships with the community; encourage participation; support innovation; lower greenhouse gas emissions; promote access, inclusion and acceptance of diversity	declaration of a Climate Change Emergency
Foster support across a range of pursuits and interest areas including health and welfare, community support, arts and culture, sports and recreation, youth, ageing, environment and access and equity;	Foster support across a range of pursuits and interest areas including health and welfare, community safety, community support, prevention of family violence, arts and culture, sports and recreation, youth, ageing, environment and access and equity;	Strengthens alignment with key Council Strategic Plans particularly Prevention of Family Violence Action Plan and Safe and Secure Action Plan
	Where organisations hold lease agreements with Council, delivery of the grant funding agreement will form part of lease obligations.	New clause to strengthen accountability and compliance
Have adequate public liability insurance and appropriate health and safety policies in accordance with the funding agreement;	Have adequate public liability insurance (minimum cover of \$20million) appropriate health and safety policies and comply with child safety standards in accordance with the funding agreement;	Strengthening compliance with legal obligations
	For sporting activities, applicants must be selected individually, or as part of a team been selected through a competitive process for the right to compete at State, National or International level competition.	New clause clarifying eligibility criteria for Individual Development Grants
	Council will not provide community grants, funding, sponsorship, publicity or promotion for community groups/organisations that undertake or promote gambling, unless there is significant community benefit demonstrated.	New clause on ineligibility to align with Council's Gambling Policy
	Please note that all grant recipients must comply with all relevant State Government and Federal Government legislation and standards including, but not limited to: <ul style="list-style-type: none"> • Anti-discrimination legislation; • Equal Opportunity Legislation; • Privacy Act; • Occupational Health and Safety legislation; • Racial Discrimination Act; • Disability Discrimination Act; • Gender Equality Act; and • Child Safe Standards. 	New section outlining relevant legislation that all groups must comply with
The contents of this policy relate to the following Council documents: <ul style="list-style-type: none"> • Guidelines & Application Form - 	Please note that all grant recipients must comply with all relevant Council regulations and: <ul style="list-style-type: none"> • Relevant Council Plans and 	New clause advising of Child Safe Standards adopted by Council

Current Grants Policy	Proposed Changes to Policy	Rationale
<p>Annual Grants</p> <ul style="list-style-type: none"> • Guidelines & Application Form - Individual Development Grants. <p>The contents of this policy relate to the following Council policies:</p> <ul style="list-style-type: none"> • Corporate Sponsorship Policy. 	<p>Policies;</p> <ul style="list-style-type: none"> • Organisations and Individuals that provide services, activities or facilities for children must comply with the compulsory Child Safe Standards including the implementation of a child safe policy, code of conduct, reporting procedure and other policies and practices as required. 	

2.3. Operation and Strategic Issues

The draft Community Grants Policy does not propose major changes but is an opportunity to remove ambiguities and duplication and to strengthen and clarify definitions; and to consolidate alignment with Council’s Vision and its strategic directions and plans.

3. Implementation

The draft Community Grants Policy provides the framework for the more effective management of Council funding to community groups and organisations.

4. Options

- 4.1. Option 1 - That Council approves the draft Community Grants Policy 2021-2025
- 4.2. Option 2 – That Council not approves the draft Community Grants Policy 2021-2025

5. Conclusion

5.1 Environmental Implications

The provision of funds to community groups undertaking environmental projects will result in direct improvements to the environment. Appropriate grant applications would need to consider environmental impacts and seek environmentally friendly ways of delivering programs and services before approval is granted.

And under Council’s Climate and Ecological Emergency declaration groups will be encouraged to deliver activities, use equipment and resources that have minimal environmental impact and net zero emissions.

5.2 Social Implications

The Community Grants Program has a positive impact on the social health and the civic participation of the Kingston community. Strengthening the Community Grants Policy would further expand these benefits and increase Council’s capacity to support community needs and deliver Council priorities.


5.3 Resource Implications

Council presently invests just over \$1.62million in its annual Community Grants Program. The draft Community Grants Policy better aligns this investment and Council's priorities more closely with identified community needs and improves the delivery of the program.

5.4 Legal / Risk Implications

Strengthening the Community Grants Policy enables the more effective management of the grants program and delivery of funding to the community and reduces reputational risk to Council.

Appendices

Appendix 1 - Community Grants Program - Draft Community Grants Policy 2021-2025
(Ref 20/172420) 

Author/s: Dominic McCann, Coordinator Community Wellbeing
Reviewed and Approved By: Ray Tiernan, Coordinator Community Engagement
Mauro Bolin, General Manager Community Sustainability

9.2

COMMUNITY GRANTS POLICY REVIEW

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Community Grants Program Policy

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1 Document Information

The electronic version of this document is the controlled version. Printed copies are considered uncontrolled. Before using a printed copy, verify that it is the current version.

RESPONSIBLE GENERAL MANAGER	General Manager Community Sustainability
RESPONSIBLE MANAGER (Policy Owner)	Manager Libraries and Social Development
APPROVED BY	Council

SIGNATURE	
APPROVAL DATE	TBC
EFFECTIVE DATE (If different from approval date)	TBC
REVIEW DATE	
CM REF AND VERSION	20/12426
VERSION HISTORY	This Policy Replaces 18/1217

2 Purpose

The Community Grants Program provides an important role in assisting Council to achieve its objectives as identified in the Council Plan in enhancing the quality of life and diversity of experiences for all residents in the City of Kingston. This Policy sets out the framework for the distribution of grants from Council to the community through the Community Grants Program.

3 Definitions

Grant	Sum of money given to organisations or individuals with an expectation that the money will be used for an agreed and specified purpose
Auspice	An agreement where one organisation agrees to apply for and manage a grant on behalf of another organisation. The auspice is responsible for financial and acquittal requirements.
Acquittal	Information provided by a grant recipient that ensures that funds have been administered responsibly and in line with conditions of the grant program.
Community Organisation	An entity that carries out activities for a public purpose or an entity whose primary object is not directed at making a profit for distribution to shareholders or members.
Incorporated	Incorporated under the Associations Incorporations Act 1981 or other relevant legislation.
Not-for-profit organisations	An organisation that does not operate for the profit or gain of its individual members.

4 Scope

This policy applies to all Council staff processing applications for funding through the Community Grants Program and applies in particular to the following Grants categories;

1. Partnership Grants
2. Annual grants
3. Individual Development Grants;
4. Student Awards Grants
5. Arts Grants
6. Children's Week Grants
7. Irregular Grants

5 Policy Details

Every year the City of Kingston provides funds to community groups, organisations and individuals through its Community Grants Program.

The Community Grants Program provides an important role in assisting Council to achieve its objectives for the future as identified in the Council Plan in enhancing the quality of life and diversity of experiences for all residents, in the City of Kingston.

This Policy sets out the framework for the distribution of grants from Council to the community through the Community Grants Program.

The Policy is available in a variety of formats including hard copy, electronic, and large print from Council's website and Community Grants & Networks Officer - 1800 635 356. For translation services please call TIS on 131 450.

6 About the Kingston Community Grants Program

Consistent with the Council Plan, Policies and Procedures, the Community Grants Program provides Council with the opportunity to establish and build relationships with the community; encourage participation; support innovation; lower greenhouse gas emissions; promote access, inclusion and acceptance of diversity; and build... *'a diverse, dynamic community where we all share a sustainable, safe, attractive environment and a thriving economy'*. The Community Grants Program focuses on funding initiatives that promote:

- Our well-planned, liveable city supported by infrastructure to meet future needs;
- Our sustainable green environment with accessible open spaces;
- Our connected, inclusive, healthy and learning community;
- Our free-moving, safe, prosperous and dynamic city;
- Our well-governed and responsive organisation.

7 Aims of Community Grants Program

Kingston's Community Grants Program aims to:

- Support not-for-profit community groups and organisations to provide a range of services and experiences for residents;
- Provide equitable opportunity for the community to seek funding assistance from Council;
- Strengthen communities with local responses to identified community needs;
- Facilitate support for initiatives that strengthen the community through opportunities for participation, development, inclusion and sustainability;
- Foster support across a range of pursuits and interest areas including health and welfare, community safety, community support, prevention of family violence, arts and culture, sports and recreation, youth, ageing, environment and access and equity;

- Assist Council to deliver identified objectives, priorities and strategies and align with the Council Plan; and
- Support eligible individuals to compete, perform or represent the City of Kingston at a high level in their chosen field.

8 Program Priorities

Priority will be given to applications that respond to identified community needs and align with Council's Plan, corporate objectives, priorities and strategies.

Kingston's Community Grants Program prioritises support where the:

- Applicant's service meeting place, or place of residence, is within the City of Kingston boundaries;
- Applicant's service meeting place is outside the City of Kingston boundaries, but its activities involve a significant number of Kingston residents;
- Applicant has limited financial means to access other sources of funding;
- Applicant has sought funding and/or in-kind support from other sources where the applicant is in a position to do so;
- Applicant is not already in receipt of substantial funding and/or in-kind support from Council. (Except for those in receipt of a Partnership Grant);
- Applicant is not in receipt of or seeking duplicate grants from Council for the same program or activity;
- Applicant is providing a proposed activity that is innovative or unique for the City of Kingston;
- Proposed activity incorporates collaboration/partnerships with other groups;
- Proposed activity maximises community benefit;
- Proposed service or activity meets any specifically identified Council priorities that may be nominated from year to year and responds to emerging community needs; and
- Proposed activity demonstrates sustainability.

9 Grant Categories

Kingston Community Grants Program will provide funding to the community through seven categories of grants consisting of:

- 1 Partnership Grants
- 2 Annual grants
- 3 Individual Development Grants;
- 4 Student Awards Grants
- 5 Arts Grants
- 7 Children's Week Grants
- 8 Irregular Grants

Table 1: Grants Categories

Category	Characteristics
Partnership Grants	<p>Council acknowledges that many local agencies and organisations have significant specialist expertise to deliver social services or other services to the community.</p> <p>This grant category is available to not-for-profit community organisations that provide continuous and significant service to the community and where their programs align with Council priorities and build community capacity and social inclusion.</p> <p>These organisations include but are not limited to:</p> <ul style="list-style-type: none"> • Community Centres • Neighbourhood Houses • Social Welfare Organisations • Seniors Groups • Multicultural Groups • Citizens' Advice Bureau • Volunteer emergency service organisations. <p>Funding in this category will be provided on a recurrent triennial fixed term basis for ensuring ongoing operations of the organisation.</p> <p>The funding will be offered, and key milestones negotiated through a Triennial Service Agreement with the following annual reporting requirements:</p> <ol style="list-style-type: none"> 1. Key milestones to be reported to Kingston 2. Acknowledgement of Kingston Council 3. Adherence to acquittal requirements. <p>Where organisations hold lease agreements with Council, delivery of the grant funding agreement will form part of lease obligations.</p> <p>All Partnership Grants allocations are subject to Council approval.</p> <p>Funding Agreements and the level of reporting requirements will be commensurate with the level of funding received.</p> <p>Partnership Grants are subject to an annual CPI adjustment in accordance with Council's annual budget planning process.</p> <p>Council aims to work in partnership with successful organisations and groups to meet identified needs in the community as determined by Council. This is based on the benefits that the service provides to the residents of Kingston.</p> <p>Groups not receiving Partnership Grants may be invited by Council to apply for a Partnership Grant after successfully receiving an Annual</p>

	Grant and meeting each milestone in three consecutive years and demonstrating significant benefits to the community.
Annual Grants	<p>Annual Grants will be provided to not-for-profit organisations to deliver programs, projects and activities that benefit the residents of the City of Kingston and align with Council priorities and strategic directions.</p> <p>They can include:</p> <ul style="list-style-type: none"> • Purchase of equipment • Cultural activities • Environmental initiatives • Minor capital works • Community safety initiatives • Public health and wellbeing activities • Prevention of family violence initiatives • Access and equity activities <p>Funding will be provided on an annual fixed term (non-recurrent) basis to community groups and organisations for activities that contribute to the social, economic and health and wellbeing of the residents of Kingston or to environmental improvement.</p> <p>An open application process for eligible organisations will be offered once per financial year. Funding is contestable, may be allocated proportionate to the request and is not guaranteed on application.</p>
Individual Development Grants	<p>Individual Development Grants are designed to support individuals to compete, perform or represent the City of Kingston at a high level in their chosen field. This category of grant is only available to permanent residents of Kingston and is designed to assist individuals who are selected to participate in a recognised, significant:</p> <ul style="list-style-type: none"> • Sporting event that would benefit the Kingston community • Leadership activity that would benefit the Kingston community • Environmental endeavour that would benefit the Kingston community • Humanitarian endeavour that would benefit the Kingston community • Arts and/or cultural event that would benefit the Kingston community. <p>An open application process for all eligible individuals will be offered and considered on an ongoing basis throughout the financial year.</p>
Student Award Grants	<p>Student achievement will be recognised through this category, with equal amounts of funding issued annually to all primary, secondary and special development schools based within the geographic boundaries of Kingston.</p>

	<p>These grants are designed to recognise individual student achievement and/or contribution to the community.</p> <p>Primary, secondary and special development schools directly located on the Kingston's municipal boundary with at least 40% of their student population drawn from Kingston will also be invited to accept funding through this category.</p> <p>No formal application process is required for this grant category. Funding will automatically be distributed to each school in September of each year.</p>
<p>Arts Grants</p>	<p>Council's Arts Grants program is designed to stimulate creative programs across the local community and position Kingston as a thriving cultural hub with a vibrant creative sector. Individual artists, not-for-profit art groups and organisations can apply for an Arts Grant across three categories:</p> <ul style="list-style-type: none"> • Arts Projects for professional and emerging artists; • Community based arts projects; and • Mentorships and Residencies.
<p>Children's Week Grants</p>	<p>The annual Children's Week Grants program is aimed at creating a stronger and more connected community by providing families and children with opportunities to participate in a range of activities in their local community.</p> <p>Children's Week is a national event that advocates for the rights of children to enjoy childhood, whilst creating an awareness of the rights, needs and accomplishments of children in Australia within the context of the family and the broader community.</p> <p>Funding up to \$1,000 will be provided on an annual fixed term (non-recurrent) basis to not-for-profit community groups and organisations that deliver events and one-off activities that celebrate Children's Week in October of each year</p>
<p>Irregular Grants</p>	<p>These grants are provided to not-for-profit community groups that have not accessed other Council Grant programs, which apply outside the normal grants process or that do not strictly meet the Grants Guidelines. They are designed to be flexible and responsive to a group's particular needs.</p> <ul style="list-style-type: none"> • Groups must meet all the eligibility requirements of applicants to the annual grants program i.e. be incorporated, have current public liability insurance, operate within the City of Kingston or have 50% of its members from Kingston.

10 Program Budget

Council allocates an annual funding pool for distribution across the nominated grant categories in accordance with Council's annual budget planning process.

Council will reserve the right to target funding to areas that align with its strategic objectives and priorities. The community will be notified of such preferences through the annually published Guidelines for the relevant grant category.

The application process, assessment, payments and acquittal processes will align with the July to June financial year.

A review of the Community Grants Program and allocated budgets to determine appropriate funding levels will be conducted as required.

10.1 How much is available?

The maximum amounts of funding available per annum for each of the categories of grants are provided in Table 2 below:

Table 2: Funding available

Grant Category	Total maximum level of funding	Minor capital works (These are subject to an equal dollar contribution from the applicant)	Equipment
Partnership Grants	To be determined by Council	N/A	N/A
Annual Grants	\$10,000 for programs and activities	\$5,000	\$2,000
Individual Development Grants	\$500	N/A	N/A
Arts Grants	Arts Projects for professional and emerging artists up to \$5,000	N/A	N/A
	Community based arts projects up to \$5,000	N/A	N/A
	Mentorships and Residencies up to \$1,000	N/A	N/A
Children's Week Grants	\$1,000	N/A	N/A
Irregular Grants	Per applicant \$1,000	\$1,000	\$1,000
Student Awards Grants	\$193.20 + GST	N/A	N/A

11 Eligibility

11.1 Annual Grants - Community Groups and Organisations

Community groups and organisations seeking to apply for funds through an applicable category of the Community Grants Program must meet the following eligibility criteria:

- Be not-for-profit and managed by a volunteer board/committee of management who have complied with all Consumer Affairs Victoria obligations;
- Be incorporated or auspiced by another incorporated organisation that will accept legal and financial responsibility for the project or activity;
- Be physically located within the City of Kingston municipal boundaries. Consideration may be given to other groups and organisations where 50% or more of members are Kingston residents and activity provides a significant benefit to Kingston residents;
- Have adequate public liability insurance (minimum cover of \$20million) appropriate health and safety policies and comply with child safety standards in accordance with the funding agreement;
- If a Council tenant, must comply with all requirements within the tenant's agreement;
- Have no outstanding grant acquittals
- Have no outstanding debts owing to Council;
- Propose an activity which is of substantial benefit to the Kingston community and is consistent with Council priorities;
- Propose an activity that does not seek to influence a person's political or religious ideology (this does not include community celebrations or cultural festivals).
- Propose an activity which is not primarily for fundraising purposes;
- Be able to supply financial information requested; and
- Be able to meet conditions associated with receiving a grant.
- Must update and advise Council of significant changes within their operations, including but not limited to: change in Committee of Management membership, paid staff changes, operational issues that may impact or have potential to impact Kingston community.
- Agree to meet with Council officers on a regular basis or as required to discuss and review operations.
- Received approval from landlord for capital works prior to application if premises not owned by organisation.
- Require Approval in Principle for funding being sought to undertake any capital works to Council facility.
- Community groups and organisations, including those in receipt of a Partnership Grant, can only make one application per year for an Annual Grant.

11.2 Individual Development Grants - Individuals

Individuals seeking funds from Council may only apply to the Individual Development Grants category if they meet the following criteria:

- Be a permanent resident of the City of Kingston;
- Demonstrate a record of achievement and experience in their area of pursuit;
- Seek support for an activity that is in the spirit of individual development within the areas of pursuit supported by Council;
- Seek support for an activity at State, National or International level only;
- Have no outstanding grant acquittals or debts owing to Council;
- Be able to supply financial information requested;
- For sporting activities, applicants must be selected individually, or as part of a team been selected through a competitive process for the right to compete at State, National or International level competition.
- Be able to meet conditions associated with receiving a grant, i.e. provide authorised evidence of the activity, acknowledge Kingston in any promotional material, and report back on the completion of the activity.

11.3 Partnerships Grants

Eligibility for Partnership Grants will be based on Council approval process

11.4 Arts Grants

Please refer to the operational Guidelines specific to this grant category. Eligibility for these grants is determined by the individual department responsible for managing the grants category.

11.5 Children's Week Grants

Please refer to the operational Guidelines specific to this grant category. Eligibility for these grants is determined by the individual department responsible for managing the grants category.

11.6 Irregular Grants

Please refer to the operational Guidelines specific to this grant category. Eligibility for these grants is determined by the individual department responsible for managing the grants category.

12 Ineligibility

12.1 Annual Grants

The following will not be considered for funding for an Annual Grant:

- For-profit applicants, or applicants operating to support for-profit activity; for example, seeking and paying grant writers.
- Activities/programs that replace or substitute State or Commonwealth funding.
- Schools for curriculum-based activities or where the activity outcome is confined to the school. This extends to groups and organisations proposing to work with schools;

- Religious and political organisations for core operating and administration costs;
- Groups and organisations considered the responsibility of other levels of government or non- government organisations;
- Groups and organisations experiencing financial hardship because of inappropriate financial management practices including debt repayment activities;
- Groups and organisations that have the capacity to deliver the project from their own resources;
- Council will not provide community grants, funding, sponsorship, publicity or promotion for community groups/organisations that undertake or promote gambling, unless there is significant community benefit demonstrated.
- Recurrent or ongoing salaries and on-costs;
- Recurrent or ongoing equipment or building maintenance costs;
- Insurance, such as (but not limited to) Public Liability insurance;
- Maintenance of websites;
- Fireworks;
- Funding requests above the published amount available;
- Capital improvements and infrastructure requests for assets that are of a commercial nature or outside the geographical boundaries of Kingston;
- Permanent public art installations;
- Hire of venues that are of a commercial nature;
- Hire of venues not located in the City of Kingston;
- Multiple applications to one or more categories from any one group or individual in any one financial year (Partnership Grant and Children's Week Grant recipients excepted);
- Applicants applying to another grant category for a grant for the same activity;
- Applicants with outstanding grant acquittals
- Community Groups with debts owing to Council;
- Retrospective funding i.e. funds for activities or expenditure that has already occurred;
- Applications not made through the official Council application process;
- Late or incomplete applications unless Council approval has been given; and
- Groups that lobby or canvas support from Councillors or Council officers.

12.2 Individual Development Grants

The following will **not** be considered for funding for an Individual Development Grant:

- Individuals applying for an Individual Development Grant who are not permanent residents of the City of Kingston;
- Applications from individuals who have already received an Individual Development Grant in the same financial year;

- Individuals applying for a sporting activity or event that is not accredited by the Australia Sports Commission;
- Sporting events that are organised by for-profit event management organisations;
- Individuals who have not been selected in a sporting activity through recognised competitive trials or selection processes;
- Individuals who as part of a club or group, are invited to take part in a sporting activity and have not been selected through recognised competitive trials or selection processes;
- Fees and associated costs for educational courses
- Retrospective funding i.e. funds for expenditure that has already occurred;
- Applications not made through the official Council application process.

12.3 Arts Grants

Please refer to the operational Guidelines specific to this grant category. Ineligibility for these grants is determined by the individual department responsible for managing the grants category.

12.4 Children's Week Grants

Please refer to the operational Guidelines specific to this grant category. Ineligibility for these grants is determined by the individual department responsible for managing the grants category.

12.5 Irregular Grants

Please refer to the operational Guidelines specific to this grant category. Ineligibility for these grants is determined by the individual department responsible for managing the grants category.

13 Assessment

13.1 Annual Grants - Community Groups and Organisations

Grants will be assessed if received within the application period. Late applications will not be considered unless Council approval has been granted.

On closure of the application period all applications will be reviewed to ensure that they are eligible for consideration and all required documentation has been provided.

All applications will be reviewed and assessed by a panel of Council Officers.

All applications to the Partnership Grants and Annual Grants categories will be considered against the following criteria:

13.1.1 Council and Community Outcomes

- Increases participation opportunities for Kingston residents;
- Helps to build skills in the Kingston community;
- Connects with other groups and organisations;
- Encourages a diversity of activities and opportunities available to the Kingston community; and
- Targets Kingston's disadvantaged communities (e.g. people with disabilities, CALD groups, disadvantaged members of the community) or improves access for these groups.

13.1.2 Link to Planning

- States clear aims for the activity;
- Shows evidence of planning e.g. resources, safety, permits, etc.;
- Addresses a genuine and identified community need;
- Aligns with Council's Vision, corporate objectives, priorities and strategies; and
- Demonstrates innovation or new initiatives.

13.1.3 Resourcing

- Demonstrates capacity to deliver on the activity and meets the conditions of funding;
- Seeks, where possible, other sources of financial/in-kind contribution;
- Has limited financial capacity and/or means to attract other sources of financial/in-kind support;
- Has low current or previous financial/in-kind support from Council; and
- Demonstrates good use of Council (public) funds.

As part of assessment, the grants panel may if required seek further information from applicants, for example through a presentation, site visit, or by email or phone discussion.

The grants panels will develop recommendations for funding by vote or consensus. These recommendations will be presented to Council for determination. Decisions will then be communicated to applicants and may be used in Council publications.

13.2 Individual Development Grants

Applications to the Individual Development Grants will be assessed and approved by Council officers.

Assessment will be based on the following criteria:

- meets the standard eligibility requirements;
- level and location of the activity;
- record of achievement and development potential;
- level of assistance from other sources; and
- evidence of financial hardship.

Any application for an Individual Development Grant submitted by an employee of Kingston, or a family member of an employee of Kingston; which may give rise to a conflict of interest; will be presented to Council for consideration and approval.

Applications can be submitted at any time throughout the year. There is a limited budget for the Individual Development Grants category and once the annual funding pool has been expended no further applications will be accepted, assessed or approved.

13.3 Irregular Grants

Irregular Grant applications will be assessed by Council officers and a report presented to Council for determination.

13.4 Arts Grants, Children's Week Grants

These grants will all be assessed in accordance with their own specific Policies and Guidelines. Please refer to specific Guidelines for these grant categories.

14 Funding Conditions – Annual Grants

Applications will only be considered for funding if the following requirements are met:

- Applications are to be submitted through the official application process developed by Council. Other application methods will not be accepted;
- Applications need to be completed in full. All supporting documentation requested must be provided including evidence of incorporation, public liability insurance, financial statements, quotes etc. If relevant, these must be submitted at the time of the application. Applications that do not include all the required information will not be accepted;
- Successful applicants will be required to enter into a Funding Agreement with Council, which outlines the responsibilities of the grant recipient and Council and will link funding to the agreed outcomes;
- Successful applicants will be required to report on the spending of funding received (grant acquittal) by 30 June of the financial year in which the funding was received. Acquittal reports must provide evidence that the grant was expended in line with the funding agreements;
- Successful applicants will be required to notify Council of any substantial changes to their funded activity throughout the funding period;
- Successful applicants must provide detailed reports outlining evidence to demonstrate benefit to Kingston residents. This includes but is not exclusive to – records of postcodes accessing services, number of service recipients living in Kingston.
- Successful applicants will need to return to Council any unspent or contractually uncommitted funds by the completion of the financial year for which the grant was given, where such funds equal 5% or more of the original grant provided and total \$50 or more. Unexpended or uncommitted funds of less than \$50 will be foregone by Council. Unexpended or uncommitted funds will not be reallocated to new activities unrelated to the original purpose of the grant in the same funding period, or into the subsequent financial year without prior Council approval; and
- Applicants should note that receipt of a previous grant in any one year does not guarantee funding in future years.

15 Grievance Procedure

Council's funding decisions are final. However, where an applicant chooses to contact Council to appeal a funding decision, this request will be dealt with in accordance with Council's complaint management procedures.

16 Late Applications

Council will not consider requests for funding received outside of the advertised program period. In such cases, the application will be returned with an invitation to apply to the next available funding round. Late applications will not be considered unless Council approval has been granted.

17 Relationship to Other Funding Programs

17.1 Kingston Charitable Fund

Established in 2006, the Kingston Charitable Fund operates as a not-for-profit independent organisation from Council. Its purpose is to raise and distribute funds to community organisations with Deductible Gift Recipient status i.e. charitable organisations.

The Kingston Charitable Fund is responsible for setting its own guidelines regarding its funding priorities, application methods, assessment and approval processes, and final distribution of funds. While Council is represented on the Charitable Fund Committee and plays an integral supporting role, it does not have direct management over the use and distribution of the funding pool.

17.2 Other Funding Sources

In addition to providing the Community Grants Program and supporting the Kingston Charitable Fund, Council at its discretion directly provides several other funding opportunities.

There is no direct relationship between the Community Grants Program and other Council based grant programs available to the community. However, Council will:

- Where appropriate, delegate a funding request to another Council program for consideration;
- In assessing a request for any Council funding, Council will consider other funding or support that applicants already receive through Council or the Kingston Charitable Fund;
- Not accept duplicated allocation and expenditure of Council funds to the same cause or activity in any one year;
- Actively promote the range of funding opportunities available through Council and the Kingston Charitable Fund to the community; and
- Where appropriate, consider which entity is primarily responsible - within or outside of Council for a particular organisation that is seeking funding from Council.

18 Grants promotion

All grants, other than Partnership Grants, and Individual Development Grants will be advertised at the same time of the year as part of an annual funding round.

19 Delegations/Authorisations

- Teal Leader Social Development
- Co-ordinator Community Wellbeing
- Community Grants and Networks Officer

20 Exemptions

21 Human Rights Charter

This policy has been reviewed against and complies with the Charter of Human Rights and Responsibilities Act 2006.

22 Related Documents and Resources

The contents of this policy relate to the following Council documents:

- Guidelines & Application Forms:
 - Annual Grants;
 - Individual Development Grants;
 - Children's Week Grants;
 - Arts Grants; and
 - Irregular Grants
- Funding Agreements;
- Acquittal documents;
- Corporate Sponsorship Policy.

23 Legislation

Please note that all grant recipients must comply with all relevant State Government and Federal Government legislation and standards including, but not limited to:

- Anti-discrimination legislation;
- Equal Opportunity Legislation;
- Privacy Act;
- Occupational Health and Safety legislation;
- Racial Discrimination Act;
- Disability Discrimination Act;
- Gender Equality Act; and
- Child Safe Standards.

24 City of Kingston Documents

Please note that all grant recipients must comply with all relevant Council regulations and:

- Relevant Council Plans and Policies;
- Organisations and Individuals that provide services, activities or facilities for children must comply with the compulsory Child Safe Standards including the implementation of a child safe policy, code of conduct, reporting procedure and other policies and practices as required.

25 Resources / External Documents

For information on all grant categories, policies and guidelines, please refer to Kingston's website: <https://www.kingston.vic.gov.au/Community/Community-Grants>

27 January 2021

Agenda Item No: 9.3

CON-20/115 CHADWICK RESERVE PAVILION - AWARD OF CONTRACT

Contact Officer: Fiona Baxter, Team Leader Capital Projects

Purpose of Report

The purpose of this report is to seek Council approval to award Contract CON-20/115 Chadwick Reserve Pavilion construction project to the recommended tenderer from the tender submissions received.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That Council:

1. Receive the information and note the outcome of the tender assessment process for Contract 20/115 Chadwick Reserve Pavilion construction, as set out in the confidential Appendix A of this report.
2. Delegate authority to the CEO to award Contract 20/115 – Chadwick Reserve Pavilion construction for the final adjusted fixed lump sum price of \$3,195,602.00 (excl. of GST) to 2Construct Pty Ltd.
3. Approve the allocation of a separate contingency allocation, as set out in the attached confidential Appendix B and delegate authority to the CEO, or her nominee, to expend this allowance to ensure the successful completion of the project.

1. Executive Summary

Tenders have been sought for the redevelopment of the Chadwick Reserve Pavilion via open tender procedure. Evaluation of submitted tenders includes the application of weighing against the relevant scoring criteria identified within Council's tender documentation and referenced below at s.3.3.1 of this report. The report outlines the tenders received and the outcome of the tender evaluation process followed to arrive at the recommendations proposed in the report.

This report is seeking Council's approval to award Contract 20/115 Chadwick Reserve Pavilion construction project to 2Construct Pty Ltd for an adjusted lump sum price of \$3,195,602.00 (ex GST), in order to develop the pavilion which will support a range of sporting activities at Chadwick Reserve, Dingley.

2. Background

At the Ordinary Council Meeting of 27 April 2020, Council endorsed the concept for the proposed new Chadwick Pavilion and provided associated approval for officers to proceed to detailed design and tender in relation to this project. Accordingly, the design has been finalised and tenders sought via an open tender procedure for the construction of the proposed new facility.

Tenders have now been evaluated and officers are seeking approval to award Con 20/115 to the contractor considered by the Tender Evaluation Panel to offer best value to Council. Contractors who have submitted tenders have undergone a series of assessments in relation to insurances, experience, organisational capacity, financial status, OHS systems compliance & referee checks.

3. Discussion

3.1 Council Plan Alignment

Goal 2 - Our sustainable green environment with accessible open spaces
Direction 2.4 - Review and implement the open space strategy to ensure high quality and increased capacity of the open space network

The proposed construction of the new Chadwick Reserve Pavilion is in direct response to the age and condition of the existing facility which no longer meets community need and expectation. The proposed new pavilion will complement the recently redeveloped playing fields at this site.

3.2 Consultation/Internal Review

As documented in the report to Council dated 27 April 2020, extensive consultation has been undertaken with a wide range of internal and external stakeholders, who have provided feedback in relation to a range of works taking place across the broader site and specifically in relation to the development and use of the proposed pavilion.

Subject to approval by Council, officers will provide further information to the public on the project and its implementation programme.

3.3 Operation and Strategic Issues

3.3.1 Tender Evaluation

Tenders closed at 2.00pm on 10 December 2020, at which point four (4) tender submissions were received from the following contractors:

<i>Tenders Submission Received at Close of Tender Period (in alphabetical order)</i>
2Construct Pty Ltd
Ausbuilt Constructions Pty Ltd
C.A Property Group Pty Ltd
More Building Group Pty Ltd

Tender Offers Received at Close of Tender Period (excl. GST) (in lowest to highest order)	
	\$3,023,375.00
	\$3,077,602.00
	\$3,265,446.00
	\$3,393,500.00

The Tender Evaluation Panel (TEP) comprised the following officers:

- Steve Lewis – Manager, Community Buildings
- Fiona Baxter – Team Leader, Capital Projects
- Moya Hutchison – Project Manager, Community Buildings
- Mark Stockton – Acting Manager, Active Kingston
- Philip Culpan - Architect (Technical advisor)

The evaluation criteria used to evaluate all tenders under Con 20/115 (listed in order of importance) were as follows:

(i) PASS/FAIL Criteria

- Compliance with OHS, Environmental and Insurance requirements
- Financial Capacity

(ii) Weighted Scored Criteria

- Price / Financial Benefit to Council
- Previous relevant experience in projects of similar scale and scope
- Ability to meet time constraints
- Methodology
- Resources

Following close of tenders, and based on the application of the above criteria, the TEP undertook interviews with three (3) shortlisted tenderers to identify any errors and/or omissions made within their initial tender submissions and to clarify any issues.

As a result of the above assessment and review process, the following final adjusted lump prices for the short-listed contractors is outlined below:

Final Adjusted Tender Lump Sum – inclusive of all corrections of any stated errors/omissions by tenderers (excl. GST)	
	\$3,062,309.00
	\$3,195,602.00
	\$3,330,146.00

3.1.1 Programme of Works

Subject to Council approval, the redevelopment of the Chadwick Reserve Pavilion is expected to commence during March 2021 and is anticipated to be completed by November 2021.

Following the above process, the Tender Evaluation Panel have completed their evaluation of submitted tender submissions and recommend that Council agree to award Contract 20/115 – Chadwick Reserve Pavilion construction for the final adjusted fixed lump sum price of \$3,195,602.00 (excl. of GST) to 2Construct Pty Ltd. This is set out within the attached confidential appendix to this report (Appendix A).

4. Conclusion

4.1 Environmental Implications

Relevant due diligence / site investigations including soil assessment have been undertaken at the outset of the design process for this project. In addition, the design of the proposed new building has been developed in accordance with Council's adopted Environmental Sustainable Design Policy 2018, which guides the environmental design standards for such Council buildings.

4.2 Social Implications

The new sporting pavilion will provide modern, fit for purpose accommodation for the clubs operating from the site in order to support their training and social requirements.

4.3 Resource Implications

The project is able to be delivered within the available budget, as set out in within the attached confidential Appendix B.

Subject to Council agreeing to award Contract 20/115 to the recommended tenderer, all anticipated project expenditure can be met from within the above approved resources.

4.4 Legal / Risk Implications

Failure to provide appropriate community infrastructure is likely to have reputational risks for Council and will impact on future residents needs in this part of the municipality.

Appendices

Appendix 1 - CON-20_115 Tender Evaluation Matrix 2 - POST INTERVIEW (Ref 20/298678) - Confidential

Appendix 2 - Chadwick Financials - Appendix to Council Report.pdf (Ref 21/6253) - Confidential

Appendix 3 - OHS Compliance Certificate (Ref 21/382) - Confidential

Author/s: Fiona Baxter, Team Leader Capital Projects

Reviewed and Approved By: Steve Lewis, Manager Community Buildings

Mauro Bolin, General Manager Community Sustainability

10. City Assets and Environment Reports

27 January 2021

Agenda Item No: 10.1

CON-20/116 - CONTRACT AWARD DOLAMORE RESERVE ATHLETICS TRACK RENEWAL

Contact Officer: **Kim Forbes, A/Team Leader, Sport & Recreation Major Projects - Active Kingston**

Purpose of Report

This report seeks approval to enter into a lump sum contract for the renewal of the athletics track and associated facilities at the Dolamore Reserve, Mentone.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That Council:

1. Note the outcome of the tender evaluation process for Contract 20/116 – Dolamore Reserve Athletics Track Renewal, as set out in the attached confidential appendices;
2. Delegate authority to the CEO to award Contract No 20/116 – Dolamore Reserve Athletics Track Renewal to Polytan Asia Pacific Pty Ltd for a final adjusted lump sum cost of \$1,263,622 (ex GST), inclusive of track widening, plus an additional 20% contingency allocation;
3. Delegate authority to the CEO, or her nominee, to approve the award of Club requested optional items as part of Contract No 20/116 up to maximum of \$75,013 (ex GST).
4. Fund the tender shortfall up to \$303,624 (ex GST) inclusive of the club requested optional items from across Open Space Reserves should State Government support not be available, shared between areas 4, 6, and 7 at 20%, 60%, and 20% respectively, given the regional nature of the athletics facility, from the 2021/22 capital budget.

1. Executive Summary

Following a public tender process, this report seeks Council approval to award CON 20/116 – Dolamore Reserve Athletics Track Renewal to Polytan Asia Pacific Pty Ltd (Polytan), as the highest ranked tenderer, with works scheduled to commence in March 2021.

2. Background

Following the consideration of a number of future development options, at the 24 June 2019 Council Meeting, Councillors resolved:

1. *'Option 2: Fit for Purpose Redevelopment as the preferred option for the renewal and upgrade of the athletics facilities at Dolamore Reserve, inclusive of:*
 - a. *An estimated cost of \$1,488,079.20.*

- b. Removal of 13 identified trees; and*
 - c. Referral of funding to the preparation of Council's 2020/21 budget.*
 - 2. Note the Mentone Track and Field Centre's request for additional scope items and support delivery of additional items contained in 'Option 2A: Club Preference Redevelopment', subject to:*
 - a. Availability of external funding sources, inclusive of contributions from the Mentone Track and Field Centre; and*
 - b. Exclusion of any additional tree loss.*
 - 3. Consider a future application to relevant Federal and State Government funding programs for the upgrade of Dolamore Reserve athletics facilities; and*
 - 4. Approve the immediate renewal of the existing pole vault infrastructure, inclusive of:*
 - a. Council repair and/or replacement of the fixed structures, including pit cover and pavements; and*
 - b. Mentone Track and Field Centre to meet non-fixed equipment costs, including pole vault pit/mat.*
 - 5. Receive a further report on investigating the development of an expanded athletics facility at an alternate site as a long-term response to the demand for athletics in Kingston.*

In addition to the completion of detailed design and procurement activities, Council has recently completed early works to mitigate the impact of tree roots on the track. Using non-destructive tree root investigations, the need for tree removal has been minimised and is anticipated to be much less than the 13 trees that were earlier identified for removal.

Council's application to the State Government for funding to support the Clubs request for additional works; such as electrical works and a PA system, was unsuccessful, therefore these items were included within the tender package as options only, pending available budget and/or Club contributions.

3. Discussion

3.1 Council Plan Alignment

Goal 2 - Our sustainable green environment with accessible open spaces
Direction 2.5 - Provide for a variety of sport and recreation opportunities across Kingston through the Sport and Leisure Strategy

3.2 Consultation/Internal Review

Throughout the design phase, officers have consulted with the Dolamore Reserve Stakeholder Reference Group. This group meets every four to six weeks and has been heavily involved in the concept and detailed design phases of the project. Club support was obtained for the final tender package, prior to public release.

Residents and the local community have been kept up to date on the progress of the project via online consultation activities, information bulletins and Council's online project page.

3.3 Operation and Strategic Issues

3.3.1 Tenders & Assessment

Prices were sought by Advertised Public Tender with tenders closing on the 11 December 2020.

In response to the open public tender 3 tenders were received.

The tender evaluation was completed by officers with the Tender Evaluation Report including the completed evaluation matrix attached in Appendix 1.

Two tenderers were shortlisted and interviewed online. The preferred tenderer, as assessed by the Tender Evaluation Panel is Polytan Asia Pacific Pty Ltd.

Polytan obtained the highest overall score during the tender evaluation process. Whilst the Polytan price was higher than the other shortlisted tenderer, they have proven extensive experience in athletic track construction, provide their own globally recognized and locally manufactured synthetic product, and presented a knowledgeable and detailed methodology for completion of the works.

During tender interview, Polytan were also able to demonstrate a strong understanding of the existing conditions at the site and provide confidence in the abilities of their in-house team to problem solve potential issues that could arise during construction. This set them apart from the other shortlisted tenderer.

As a result, Polytan was assessed as providing:

- A complete understanding of the full scope of works;
- Confidence in their capacity to complete the full works program within the allocated schedule, including product procurement;
- Extensive experience in delivering similar reconstruction projects;
- Comparable pricing that demonstrated a high level of value for money; and
- Sound OHS and environmental policies and procedures.

3.3.2 Conformance Assessment

As part of the tender process, the preferred tenderer was required to meet Council's OHS and Environmental requirements and pass a standard financial assessment.

Polytan complies with Global Rapid (OH&S management systems registration), and passed the standard financial assessment, both mandatory requirements of Council, with details attached within the tender evaluation report (Appendix 1).

Procurement procedures were followed in line with advice and documentation received from Councils' Procurement Department.

3.3.3 Optional items

Following discussions with the Mentone Athletics Club and design experts, a number of optional items were identified, and prices received through the tender process. These optional items are listed below:

Optional Item	Cost Implication	Recommendation
Minor track widening - these works will improve safety at the track for all users	\$17,700	Officers recommend that these works are included within the contract.
Pole vault runway extension – a request made by the Club (out of scope item)	\$5,351	These are additional club requested additions priced as provisional items in the contract
Concrete slab for timekeeper stands - a request made by the Club (out of scope item)	\$11,517	These are additional club requested additions priced as provisional items in the contract
Electrical and PA System - a request made by the Club (out of scope item)	\$58,145	These are additional club requested additions priced as provisional items in the contract

4. Conclusion

Officers have completed a public tender process for the renewal of the Dolamore Athletics Track and associated infrastructure and recommend entering a contract with Polytan for a final adjusted lump sum cost of \$1,263,622 (ex of GST), inclusive of track widening.

As the full condition of the underlying pavement is unknown, an additional contingency provision of 20% is included within the project costings.

It is recommended that optional items, including pole vault runway extension, concrete slab for timekeeper stands and upgraded electrical and PA system are funded via available budget within the open space reserves, and/or State funding support. As costs for these optional items have been identified through the tender process, Council can negotiate the inclusion of these options with the appointed contractor.

4.1 Environmental Implications

As required as part of their contract agreement the recommended contractor will provide an Environmental Management Plan prior to commencing on site. Council also invested in non-destructive tree root investigations, which indicate the need for tree removal has been minimised and is anticipated to be much less than the 13 trees that were earlier identified for removal.

4.2 Social Implications

The completed project will greatly improve the recreational facilities available to the local community and sporting clubs, providing increased exercise and wellbeing opportunities for a range of ages and abilities.

4.3 Resource Implications

The Dolamore Athletics Track renewal is funded through the Capital Works Program N0930 - Renewal of Dolamore Athletics Track with contributions provided from 2020/21 and 2021/22.

A summary of the project funding is set out as Appendix 2. As the full condition of the underlying pavement is unknown, a contingency provision of 20% is included within the project costings.

To date the Club have been unable to commit funding toward the cost of the optional items, therefore officers propose to investigate opportunities for State Government support toward the cost of these items.

Notwithstanding the abovementioned State government support, it is proposed that Council fund the tender shortfall of \$303,624 (ex GST), inclusive of the Club requested options totaling \$75,013 (ex GST), from across Open Space Reserves, (areas 4,6 and 7) within the 2021/22 capital budget, given the regional appeal of the athletics facility.

4.4 Legal / Risk Implications

Council officers will manage contract risks through Council's existing OHS and risk management processes.

Appendices

Appendix 1 - CON-20/116 Dolamore Athletics Track Renewal - Tender Evaluation Report (Ref 21/3845) - Confidential

Appendix 2 - Appendix 2 - Dolamore Athletics Track Project Financial Summary (Ref 21/3837) - Confidential

Author/s: Kim Forbes, A/Team Leader, Sport & Recreation Major Projects - Active Kingston

Reviewed and Approved By: Samantha Krull, General Manager City Assets & Environment

27 January 2021

Agenda Item No: 10.2

ENDORSEMENT OF APPLICATIONS TO THE STATE GOVERNMENT'S WORLD GAME FACILITIES FUND AND COMMUNITY CRICKET PROGRAMS 2020/2021

Contact Officer: James Prideaux, Operations Coordinator

Purpose of Report

To present projects for application to the State Government's World Game Facilities Fund and Community Cricket 2020/2021 funding programs, as administered by Sport and Recreation Victoria (SRV).

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That Council:

1. Endorse the submission of the following projects as applications to the State Government's World Game Facilities and Community Cricket Program 2020/21 funding programs:
 - a) World Game Facilities – Soccer field drainage upgrades at Keeley Park, Clayton South;
 - b) World Game Facilities – Soccer field facility upgrades and safety works at Edithvale Recreation Reserve, Edithvale;
 - c) Community Cricket Program – Cricket oval drainage upgrades at Jack Grut Reserve, Mordialloc; and
2. Commit to providing funding in the 2021/22 Council Budget and Long-Term Financial Plan to meet its financial contribution to the endorsed projects.

1. Executive Summary

This report identifies potential projects for application to the State Government's World Game Facilities (WGF), and Community Cricket Program (CCP) funding programs. The WGF, and CCP funding programs are now open and local governments are invited to submit project proposals to Sport and Recreation Victoria (SRV) by 01 February 2021 (CCP), and 19 February 2021 (WGF).

The recommended projects for application have been assessed as strongly aligning against the eligibility criteria and have been identified as addressing current and existing issues impacting the sports associated with these grant applications. This report seeks Council's endorsement of the recommended projects as applications to the funding programs.

2. Background

In late 2020 the State Government announced the opening of their Sports Grants that included the World Game Facilities Fund and Community Cricket Program. Since being released, several Councillors have expressed a strong desire for Council to submit applications to these funds to benefit local sporting clubs.

The World Game Facilities Fund is a \$20 million state-wide Victorian Government investment program that funds the development of high-quality, accessible community football (soccer) infrastructure.

The \$13.5 million Community Cricket Program is a state-wide Victorian Government investment program that provides a range of grant opportunities including the Community Cricket Facilities funding stream currently open (2020-21 round open)

The grants are for the following:

- **World Game Facilities** – Grants of up to \$500,000, total combined applications, to develop or upgrade soccer facilities.
- **Community Cricket Program** – Grants of up to \$100,000 per application to a maximum of \$200,000 per LGA to develop or upgrade local cricket facilities.

SRV advises that all projects must align with the State Government's requirements of demonstrating clear benefits for increasing participation in sport, recreation and physical activity, and be well developed and shovel ready with all required project pre-planning documentation completed, such as schematic plans, quotes/cost estimate and club support towards the project.

The eligibility criteria is defined as:

1. Eligible project - alignment with guidelines
2. Project readiness - concept plans, accurate costings and being shovel ready
3. Capacity to deliver - project in required timeframes

The critical dates for the submission, assessment, and award of applications, as set by SRV, are:

- Applications Close: 01 February 2021 (CCP), 19 February 2021 (WGF)
- Applications Assessment: February-March 2021
- Projects Announcement: April-May 2021

3. Discussion

3.1 Council Plan Alignment

Goal 2 - Our sustainable green environment with accessible open spaces
Direction 2.5 - Provide for a variety of sport and recreation opportunities across Kingston through the Sport and Leisure Strategy

Successful applications to the WGF and CCP funding programs assists infrastructure developments that provide additional sport and recreation opportunities and assist in the promotion of healthy active lifestyles for the community.

3.2 Consultation/Internal Review

Consistent with Council’s supported guidelines for the development of applications to State Governments funding programs, officers have worked with sporting clubs to identify and investigate projects that have been deemed suitable applications. Letters of support will be sought from the clubs as part of the application process.

Future consultation regarding timing and any potential disruptions to operations will occur upon notification of a successful application

The sport and recreation clubs to benefit from the three nominated projects are listed below:

Project	Club
Keeley Park, Clayton South – Soccer field drainage upgrades	Kingston City Dingley Stars Soccer Club (prospective)
Edithvale Recreation Reserve – Soccer field facility upgrades and safety works incorporating: <ul style="list-style-type: none"> • New and improved safety netting • Replacement coaches’ boxes 	Chelsea FC
Jack Grut Reserve – Cricket oval drainage upgrades	Aspendale Stingrays Soccer Club Parkdale United Cricket Club

Discussions have commenced with representatives from Sport and Recreation Victoria and the relevant sporting associations regarding potential applications.

It is worth CLG noting that the Dingley Stars have been hesitant to transfer their Club to the Keeley Park Reserve oval following the loss of soccer facilities at Chadwick Reserve, however improvements with drainage should offer a more attractive proposition for the Club.

3.3 Operation and Strategic Issues

3.3.1 Proposed Applications

Potential applications identified by officers have been assessed against the following criteria:

• **Identified Community Need:**

Sport and Recreation have looked at the Sport and Recreation Strategic Plan 2018, reviewed club requests and assessed known impacts to facility/club operations to develop and recommend the most appropriate projects.

Keeley Park:

Identified drainage upgrades required to reduce the impact on Clubs and their operations as the fields become unplayable. Improvements of the oval will ensure it is fit for use for winter sports, increasing scheduling opportunities for Kingston City and potentially Dingley Stars Soccer Clubs

Edithvale Recreation Reserve:

Chelsea FC had submitted a request and support for upgrades of their facilities to increase safety and improve overall participation opportunities through expanded field configurations.

Jack Grut Reserve:

Both the cricket club and winter users at the reserve are impacted by poor drainage and the effect this has on the turf surface of this field. The Clubs support improvements which will ensure a safer, more suitable cricket wicket moving forward, and reduced impact on scheduling due to ground conditions.

• **Eligible Project:**

Projects must be aligned with the funding guidelines for the grants program and demonstrate an outcome that provides, active and healthy communities with high-quality, accessible, well-designed and well managed infrastructure to conduct sport and active recreation activities.

• **Project Readiness:**

The project must have the ability to be completed within 18 months of approval and be aligned with the Clubs capacity to accommodate disruption to their facilities during construction works.

• **Project Outcomes:**

The projects will aim to meet the following outcomes –

- Reduce negative impacts on Club operations by providing fit for purpose facilities;
- Increase opportunities for expanded programming and new users by increasing the availability of the facility for use; and
- Increased safety for users and local residents of facilities.

Following assessment, the identified projects are being recommended as applications to the funding programs:

- World Games Facilities (Soccer) – Keeley Park and Edithvale Recreation Reserve Soccer field improvements
- Community Cricket Program – Jack Grut cricket oval drainage improvements

Below is a table including the estimated total costs of each project, the estimated Council contribution, and the amount sought from SRV. The grants require Council to match funding ratios upon a \$1(SRV):\$1 (Council) basis.

Officers are continuing to work with clubs to refine project costings that will inform the submission of applications to the funding programs.

Funding Category	Projects	Estimated Project Cost	Council \$	SRV \$
World Game Facilities	Keeley Park, Clayton South – Drainage upgrades	\$250,000	\$125,000	\$125,000

Funding Category	Projects	Estimated Project Cost	Council \$	SRV \$
World Game Facilities	Edithvale Recreation Reserve – Safety and upgrade works	\$150,000	\$75,000	\$75,000
Community Facilities	Jack Grut Reserve – Drainage upgrades to Oval	\$150,000	\$75,000	\$75,000

Council's Long-Term Financial Plan includes provisions (Council funding) for reserve improvements and drainage upgrades, and whilst these specific projects do not fall within the existing three year plan, a review of the program will be undertaken to identify opportunities for re-prioritisation of the program.

4. Conclusion

Officers recommend the submission of the three applications detailed above to the State Government's World Game Facilities, and Community Cricket Facilities 2020/2021 funding programs, as administered by Sport and Recreation Victoria.4.1 Environmental Implications

The drainage projects will improve the reserve amenity, providing more efficient rainfall management. In addition, each project will be cognisant of the environmental factors affecting the specific reserve and the appropriate environmental management plans executed as part of the works program.

4.2 Social Implications

Applications towards the SRV grants highlight Council's support for community sport and recreation, and the desire for Clubs to increase both usage and capacity of the relevant facilities, in turn improving health and wellbeing opportunities for the greater Kingston community.

The drainage projects will improve access to the reserves year-round, minimising disruption from flooding and ongoing drainage issues. Improvements at Keeley Park oval will also increase opportunities for greater use by Clubs such as the Dingley Stars.

4.3 Resource Implications

Successful applications to the grants program will require Council's commitment to provide funding in the 2021/22 Council Budget and Long-Term Financial Plan to meet its financial contribution to the endorsed projects.

If the grant applications are successful, Council's funding contribution of \$275,000 will be allocated following a re-alignment of priorities and identification of potential savings within the Active Kingston and Parks capital programs.

The grants require Council to match funding ratios upon a \$1(SRV):\$1 (Council) basis.

4.4 Legal / Risk Implications

Improving community sports infrastructure improves the safety of participants and surrounding park users at these facilities and reduces Council's overall risk.

Author/s: James Prideaux, Operations Coordinator
Reviewed and Approved By: Kim Forbes, A/Team Leader, Sport & Recreation Major Projects - Active Kingston
Bridget Draper, Manager Active Kingston
Samantha Krull, General Manager City Assets & Environment

27 January 2021

Agenda Item No: 10.3

LEASE PARKDALE YACHT CLUB

Contact Officer: Peter Gillieron, Team Leader Property Services

Purpose of Report

The purpose of this report is to provide Councillors with an overview and process pathway for lease/licence arrangements for the new Parkdale Yacht Club Facility (the Facility) being constructed on Crown Land for which Council is the Committee of Management.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That Council:

1. Publish, in accordance with section 190 of the Local Government Act 1989, notice of its intention to grant a lease/licence to the Parkdale Yacht Club Inc for an initial term of seven years plus two options, each of seven years, at a commencing rental of \$4,592 pa plus GST for that part of the facility shown on Appendix 1;
2. Invite submissions on Council's proposal that will be considered in accordance with section 223 of the Local Government Act 1989;
3. Appoint a section 223 committee comprising Cr Steve Staikos, Cr Tim Cochrane, Cr Hadi Saab, General Manager City Assets & Environment, Manager Property & Arts, and the Team Leader Property Services, on 17 March 2021 to hear any submissions lodged in response to the public notice should any submitter request to be heard in support of the submission, and report back to Council on any submissions;
4. Authorise the CEO or her delegate to grant a lease to The Parkdale Yacht Club on the advertised terms in the event that there are no submissions lodged in response to the public notice; and
5. Grants a seven-year licence to the Girl Guides Victoria Inc. and to the Beach Patrol Australia Inc. respectively for that part of the facility shown on Appendices 2 and 3 at commencing licence fees of \$104 plus GST per annum.

1. Executive Summary

The Parkdale Yacht Club Facility (Facility) is being constructed on the Mordialloc-Mentone Beach Park for which Council is the Committee of Management. An aerial photograph of the soon to be completed Facility, estimated end February 2021, is shown below.



The construction of the new facility, estimated to cost \$2.87 million, has been funded from rates and from the Foreshore Reserve Fund, and includes \$100,000 contribution from the Parkdale Yacht Club.

Officers have resolved the detail of the 3 occupancy agreements and have received the support of the Crown to the agreements. The length of lease for the Yacht Club being 21 Years (7x7x7) requires that Council advertises its intention to enter into the lease. The licenses to the Beach Patrol and the Girl Guides respectively, do not require Council to give public notice.

2. Background

Council wanted to ensure that, in addition to the Yacht Club having the primary occupancy, that other community groups would have access to the new facility. To support that objective:

1. On 25 September 2017, Council resolved that it:
 - *Proceed with the undertaking of an Expression of Interest (EOI) process inviting suitable community groups/organisations to express an interest in utilising the proposed new facility on a shared basis with Parkdale Yacht Club.*
 - *Officers report back to Council on the outcome of the EOI process.*

2. On 25 June 2018, Council resolved that it:
 - *Develop a lease/licence as appropriate for the Parkdale Yacht Club.....*
 - *Authorise officers to enter into a licence with the Mentone Girl Guides for the use of the Parkdale Yacht Club,*

- Authorise officers to enter into a licence with Beach Patrol Australia for the use of the Parkdale Yacht Club.

Council officers have given effect to the Council resolutions by negotiating the details of the three agreements and have obtained preliminary approval from the Crown, known as “grant and purpose”

3. Discussion

3.1 Council Plan Alignment

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

Direction 1.1 - Intergenerational land use planning for a sustainable community

3.2 Consultation/Internal Review

3.2.1 Council Officers have met with Committee members of all three proposed occupants of the new facility, namely, Parkdale Yacht Club, Girl Guides Victoria and Beach Patrol Australia to understand the operational and storage requirements. This has been discussed and will be accommodated within the proposed shared areas of the facility. Committee members including the Commodore of the Parkdale Yacht Club are supportive of both groups and believe they can collaboratively work together within the facility under the respective Crown lease and Crown licences.

3.2.2 If the recommendations in this report are adopted, then Council will publish a notice of its intention to grant a lease to the Yacht Club. A copy of the public notice will be provided to residents adjoining the new facility.

3.3 Operation and Strategic Issues

3.3.1 Leasing & Licence Policy

Council adopted the Leasing and Licence Policy in November 2018. The purpose of the Policy is to provide a framework for a consistent, fair and transparent allocation of Council owned and managed facilities.

A feature of the Policy is that it has adopted standard terms and conditions for its lease, licence, and maintenance schedules.

While Council is required to use the standard crown lease for this facility, the special conditions in the lease will include Council's requirements from its own Policy, e.g. ensuring public access to the facility. The principle terms and conditions of the lease proposed for the Club are:

- Commencement date being the issue of the certificate of occupancy or execution or Ministerial Approval (whichever is the later),
- Commencing rental of \$4,592pa plus GST.
- Initial term of seven years plus two further terms each of seven years.
- Permitted use being, “*for the purposes normally associated with a community yacht club*”.
- Standard maintenance schedule listing the obligations of both the Club and the Council. The Club will have primary responsibility for the maintenance under the schedule with the Beach Patrol and the Girl Guides responsible for keeping their licenced areas clean and tidy.
- Complying with the Venue Management Plan attached to the lease as a Special Condition.

3.3.2 Shared Use

- 3.3.2.1 The licensed use of the Facility by the Girl Guides, shown on Appendix 2 will be on Monday evenings between 6.30pm and 9.30 pm. The use will include permanent storage on the upper level.
- 3.3.2.2 The licensed use of the Facility by the Beach Patrol, shown on Appendix 3 will be on Sunday mornings between 9.30am and 12.30pm. The use will include permanent storage on the lower level.
- 3.3.2.3 The Parkdale Yacht Club's lease will include the lower level, part of the upper level, and use of the upper level when the Girl Guides and Beach Patrol are not in occupation.

3.3.3 Venue Management Plan

Under the Parkdale Yacht Club's occupation of the former facility, adjoining residents raised nuisance and amenity issues when the Club hired the facility to the public. In response to these issues, Council required the Club to adopt and adhere to the Venue Management Plan shown as Appendix 4. The Venue Management Plan was endorsed as part of Planning Permit KP-2018/908, dated 28 May 2019, permitting the use of the land for a Restricted Recreation Facility (Yacht Club)

3.4 Options

3.4.1 Giving public notice of Council's intention to lease

This option, which is recommended, is consistent and supportive of Council's resolutions referred to under the Background section of this report.

3.4.2 Not giving public notice to lease to the Parkdale Yacht Club

This option is not recommended as no issues have arisen since the Council reports referred to under the Background section of the report.

4. Conclusion

Council has primarily funded and constructed a signature building on the Parkdale Foreshore Reserve, i.e. a Yacht Club facility. It is proposed that Council supports this modern facility granting a long-term lease to the Parkdale Yacht Club Inc. and licences to ancillary organisations including Girl Guides Victoria Inc. (Mentone Girl Guides) and Beach Patrol Australia Inc.

4.1 Environmental Implications.

Beach Patrol undertake important environmental programs to improve and protect the Kingston foreshore.

4.2 Social Implications

The Parkdale Yacht Club provides an important social network for the local community that encourages connectivity and recreational opportunities. The co-habitation of the facility to include Girl Guides Victoria and Beach Patrol Australia is an excellent initiative to encourage inclusiveness and to maximize the multi-use and user benefit of the new facility.

The Parkdale Yacht Club will be required to make the venue able for third party hire, for private groups and community-based organisations, enhancing social cohesion and the overall enjoyment of a Council owned asset.

4.3 Resource Implications


The Council's Leasing & Licence Policy, adopted by Council in November 2018, provides for the rental to be calculated as 0.2% of the facility's depreciated replacement cost. As the facility is new the depreciated replacement cost is equivalent to the current constructed cost. The rental, otherwise payable by the Club under the lease has been adjusted to reflect that the shared use of the facility by the Girl Guides and Beach Patrol Australia as provided for in the 2018 Leasing and Licence Policy.


The license fees for the Girl Guides and the Beach Patrol are payable directly to the Council.


4.4 Legal / Risk Implications

- 4.4.1 Council, as Committee of Management for the Mordialloc-Mentone Beach Park, will grant the lease/licences under the Crown Land (Reserves) Act 1978.
- 4.4.2 Any lease proposal requires the Council to follow the procedures under sections 190/223 of the Local Government Act 1989. The Council must, at least 4 weeks before the lease is made, publish a public notice of its intention to grant a lease when a lease is:
- (a) for 1 year or more and—
 - (i) the rent for any period of the lease is \$50,000 or more a year; or
 - (ii) the current market rental value of the land is \$50,000 or more a year; or
 - (b) for 10 years or more; or
 - (c) a building or improving lease.
- On point (b) above, Council is required to give public notice of its intention to grant a lease as referred to earlier in this report.
- 4.4.3 Council has received Grant & Purpose from the Crown being the preliminary approval prior to formal Ministerial approval.
- 4.4.4 Council is not required, under the Local Government Act, to give public notice of its intention to grant licenses.

Appendices

Appendix 1 - 2020-12-14 - CLG Report A - Lease-Licence Plan Parkdale Yacht Club (Ref 20/279269)  [↓](#)

Appendix 2 - 2020-12-14 - CLG Report B - Licence Plan Girl Guides (Ref 20/279271)  [↓](#)

Appendix 3 - 2020-12-14 - CLG Report C - Licence Plan Beach Patrol (Ref 20/279276)  [↓](#)

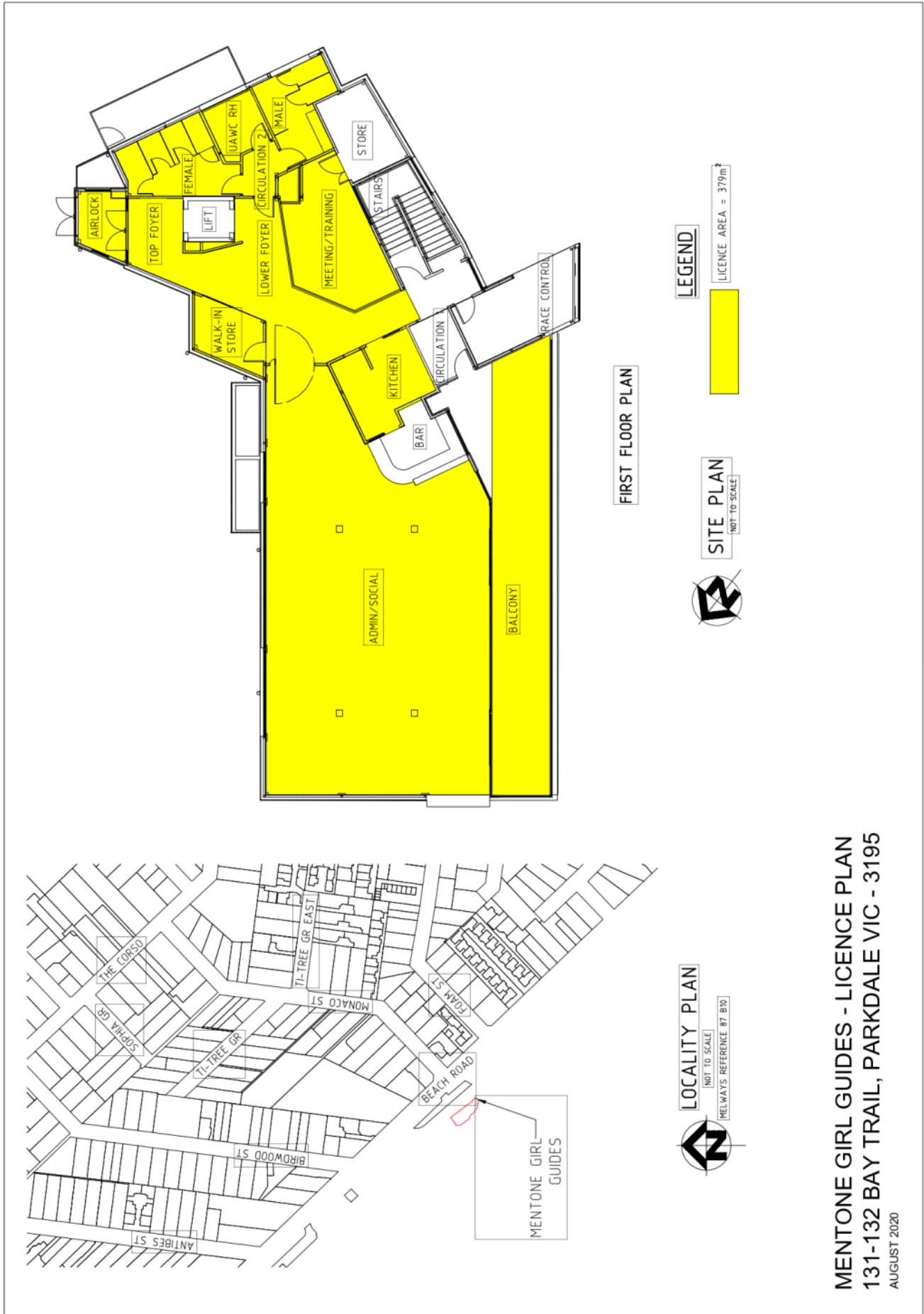
Appendix 4 - Parkdale Yacht Club VENUE MANAGEMENT PLAN (Ref 21/2833)  [↓](#)

Author/s: Peter Gillieron, Team Leader Property Services
Reviewed and Approved By: Samantha Krull, General Manager City Assets & Environment

10.3

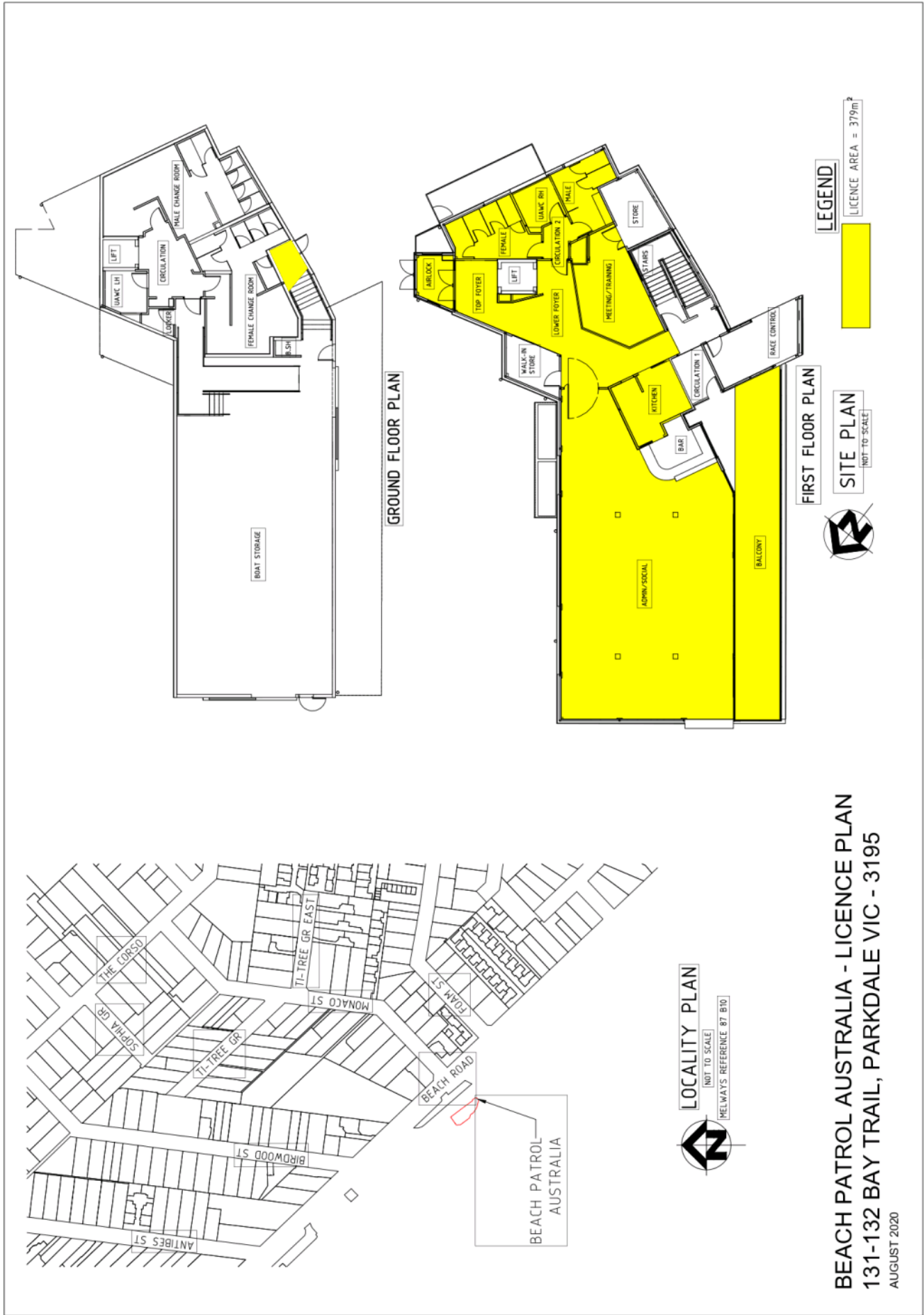
LEASE PARKDALE YACHT CLUB

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MENTONE GIRL GUIDES - LICENCE PLAN
131-132 BAY TRAIL, PARKDALE VIC - 3195

AUGUST 2020



KINGSTON CITY COUNCIL
Planning and Environment Act 1987
Kingston Planning Scheme

Plan endorsed as part of
Planning Permit No: KP-2018/902
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Jennifer Roche
City of
KINGSTON

Venue Management Plan

Parkdale Yacht Club

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KINGSTON CITY COUNCIL
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Kingston Planning Scheme



Plan endorsed as part of
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Jennifer Roche

1 Background

- 1.1 On 28 May 2019 Kingston City Council issued Planning Permit KP-2018/902 allowing the use of the land at 131-132 Bay Trail Parkdale as a restricted Recreation Facility (Yacht Club). (Attachment 1)
- 1.2 Clause 2 of Planning Permit KP-2018/902 required a Venue Management Plan and associated Third Party Hire Agreement be prepared to support effective management of the facility.
- 1.3 Kingston City Council granted a lease to the Parkdale Yacht Club Inc with a commencing date of 8th February 2016 for a fixed term of 5 years. The Lease (or any future occupancy arrangement) should be read with, and forms part of, the Venue Management Plan.

2 Introduction

- 2.1 The Parkdale Yacht Club Facility is owned by Kingston City Council.
- 2.2 The facility is leased to Parkdale Yacht Club (PYC).
- 2.3 The permitted use under the Lease is for the purposes of "yacht club including sporting, recreational and associated social activities".
- 2.4 A Special Condition of the Lease is to permit the casual hire of the leased premises to the public.
- 2.5 The site is used as a Licensed Premises and liquor is supplied under On-Premises Liquor Licence No: 31451814

3 Objectives

- 3.1 The primary objectives of the Venue Management Plan are to:
 - Confirm compliance with Clause 9.1 (b) and Schedule 3 (14.3) of the Lease granted by Council (Attachment 1) (and relevant Amenity/Hire clauses contained in any future occupancy arrangement).
 - Confirm compliance with condition 5 'Amenity' under Planning Permit KP-2018/902 issued by Council on 28 May 2019.
 - Support the effective day to day management of the PYC facility
 - Ensure the safety of members and visitors
 - Minimise negative impacts on the amenity of surrounding residents, particularly during and immediately after evening social events

4 Commitment of PYC Committee

- 4.1 The PYC Committee acknowledges the Club's commitment to the implementation of this Venue Management Plan and the associated documents which underpin tenure and management obligations in relation to the facility.
- 4.2 The PYC Committee must ensure that members and visitors are aware of obligations and responsibilities (particularly in relation behaviour) by ensuring that a copy of this Plan (and relevant associated documentation) is displayed in a prominent location eg Notice Board
- 4.3 The PYC Committee acknowledges that failure to comply with relevant obligations, expected standards of venue management and member / visitor behaviour may result in Council's review of PYC's use of the facility and associated corrective action.

- 4.4 Review of the Venue Management Plan and associated third party hire activities, including review of any recorded incidents and / or complaints will form an agenda item for discussing at every Committee Meeting. Minutes of each Committee meeting will be formally recorded and available to Council upon request.

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5. Management Responsibilities

- 5.1 The PYC Committee must ensure that the facility is managed in accordance with the relevant obligations outlined within the Venue Management Plan and with the terms and conditions under the Lease granted by the Council.
- 5.2 The PYC Committee must ensure that all members and third-party hirers are advised of relevant obligations and expected standards of behaviour when utilising the facility. These include but are not limited to:

Noise minimisation

- Ensuring that the level of noise emitted from the Licensed Premises shall not exceed the permissible noise levels for entertainment noise as specified in the State Environment Protection Policy (Control of Music from Public Premises) No. N-2.
- Ensuring that windows and doors facing Beach Road are closed from 10pm to reduce the likelihood of noise impacting local residents.
- The display of signs on the premises advising patrons to depart quickly and quietly to reduce the impact of noise on surrounding residents
- Patrons are to be advised that they are not to loiter in the car park area following the completion of functions and events

Responsible Service of Alcohol

- Parkdale Yacht Club operates under an On-Premises Liquor Licence No. 31451814 for the premises a copy of which is attached to this Venue Management Plan. (Attachment 2)
- The Club must comply with the terms of the relevant Licence.
- Alcohol must not be served to minors unless there is a legal exception pursuant to the Liquor Control Reform Act 1998

Safety and Security

- PYC must require third party hirers, to consider the Guidelines issued by the Victorian Commission for Gambling and Liquor Regulation (VCGLR) or any superseding document, and to formally assess an appropriate level of security for each individual event based upon the VCGLR Guidelines, together with any requirements outlined on any relevant temporary liquor licence.
- PYC must require third party hirers to provide a written explanation / justification regarding the level of security for each event. This must be evidenced in writing, provided to the Club at least two weeks prior to the relevant event. Proposed security arrangements must be to the satisfaction of the PYC Committee and the Committee's acceptance of the proposed arrangements must be communicated back to the hirer in writing in advance of the event.
- A written record of proposed security arrangements and the PYC's response must be kept and be made available to Council upon request.
- The effectiveness of this 'Safety and Security' clause, in minimising antisocial behaviour during functions and events, will be reviewed by

Council and the Club on an ongoing basis. Any change to this clause following that review will be at the sole discretion of Council.

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Emergency Situations

- PYC Committee must ensure that Club members and third party hirers are aware of the venue management procedures in the case of a major emergency (eg fire). In particular, members and visitors must be made aware of the location of all emergency exits and the location of safety equipment.

Meetings with Council

- The Tenant must attend quarterly meetings with Council's User Coordinator for the 12 month period following occupation of the new facility, to discuss matters of common interest relating to the operation of the Yacht Club, including hire of the social space. Subsequent meetings will be at the discretion of Council.

9. Incident Recording / Reporting

- 9.1 An Incidents Register must be kept on site to record relevant incidents that occur in and around the facility.

In all instances where the following occur, an incident report must be prepared by the PYC member or venue hirer and PYC Committee must ensure that the task is appropriately delegated and completed:

- For all injuries
- Accidents occurring in and around the venue (including carpark)
- Any incident where Police, RAV Inspectors, Council Compliance Officers, Fire Brigade or Ambulance attend the premises
- On any occasion that a non-peaceful ejection takes place

- 9.2 All incident reports must be completed as fully as possible and a record kept.

- 9.3 Incident reports are to be consecutively numbered and placed in the Incident folder/register.

- 9.4 Incident Reporting (including outcomes) must form an agenda item at all PYC Committee meetings.

10. Complaints Recording / Reporting

- 10.1 Signage must be displayed at the facility and on the PYC website identifying an email address and nominated contact(s) for queries and complaints.

- 10.2 A Complaints' Register must be kept on site to record complaints made in relation to the operation of the PYC.

- 10.3 All complaints will be entered in the register by PYC Committee as soon as possible.

- 10.4 The telephone number and email address of the nominated PYC representative must be made available to any person making a complaint.

- 10.5 The nominated PYC representative shall respond to any complaint as soon as possible and the results of their actions are to be recorded in the register.

- 10.6 Complaints reporting (including outcomes) must form an agenda item at all PYC Committee meetings.
- 10.7 The Complaints Register must be made available to Council upon request.

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A handwritten signature in black ink, appearing to read 'Jennifer Roche'.

- Attachment 1: Planning Permit KP-2018/902
- Attachment 2: Lease dated 8 February 2019
- Attachment 3: Liquor Licence No 31451814
- Attachment 4: Third Party Hire Agreement

Date / /2019

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A handwritten signature in black ink, appearing to read 'Jennifer Roche'.

Hire Agreement

Facility: **[Insert Address of Facility]**

[Insert Hirer's Name]

[Insert Hiree's Name]

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Schedule

- | | | |
|-----|--|---|
| 1. | Date of this Hire Agreement:
(Clause 1) | The _____ day of _____ |
| 2. | Hirer:
(Clause 1) | [##Insert name of Hirer, its ACN if a company, or its ABN if an incorporated association, and its address including postcode] |
| 3. | Hiree:
(Clause 1) | [##Insert name of Hiree, its ACN if a company, or its ABN if an incorporated association, and its address including postcode] |
| 4. | Facility:
(Clause 1) | The area shown hatched on the plan attached to Schedule 1 of this Agreement, being the whole/part [##Delete whichever is not applicable] of the land contained in certificate of title volume [##Insert] folio [##Insert] and known as [##Insert address] |
| 5. | Hire Fee:
(Clauses 1 & 2.2) | \$[##Insert] plus GST |
| 6. | Occupation Date:
(Clause 1) | [##Insert the date(s) on which the Hiree will use the Facility] |
| 7. | Permitted Hours:
(Clauses 1 & 5.2.1) | [##Insert] am to [##Insert] pm |
| 8. | Permitted Use:
(Clauses 1 & 5.1) | [##Insert] |
| 9. | Maximum Occupancy:
(Clause 5.2.4) | [##Insert maximum number of number of the Hiree's invitees/patrons permitted to use the Facility] |
| 10. | Bond:
(Clauses 1, 2.2 & 9) | \$[##Insert] plus GST |
| 11. | Hiree's Equipment:
(Clauses 1 & 3.1) | As set out in Schedule 4 |
| 12. | Hirer's Contractors:
(Clauses 1 & 2.4.3) | [##Hirer to insert the names of its caterers or contractors who require access to the Facility] |
| 13. | Number of keys or keycards issued to Hiree:
(Clause 8) | [##Insert] |

This Hire Agreement is made on:

Dated / /

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Parties

Name	##Insert Hirer's name]
Address	##Insert Hirer's address]
Contact	##Insert name of contact person]
Phone	##Insert phone number]
Short name	Hirer

Name	##Insert Hiree's name]
Address	##Insert Hiree's address]
Contact	##Insert name of contact person]
Phone	##Insert phone number]
Short name	Hiree

THE PARTIES AGREE

1. Definitions

In this document unless expressed or implied to the contrary:

Agreement means this hire agreement.

Bond means the bond specified in Item 10.

Council means Kingston City Council of 1230 Nepean Highway, Cheltenham 3192 and where consistent with the context includes Council's officers, employees, agents and invitees.

Facility means the facility described in Item 4.

Hire Fee means the Hire fee specified in Item 5.

Hiree means the hiree specified in Item 3, and where consistent with the context includes the Hiree's employees, agents, invitees and persons the Hiree allows in the Facility.

Hiree's Equipment means any equipment owned by the Hiree which is brought into the Facility as described in Item 11.

Hirer means the lessee or licensee of the Facility or the manager of the Facility appointed by the Council from time to time (if any), or in the absence of a manager, the responsible Council officer, specified in Item 2.

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Hirer's Contractors means the parties set out in Item 12, or any other of the Hirer's contractors or caterers who require access to the Facility from time to time.

Item means an item in the Schedule.

Occupation Date means the occupation date specified in Item 6, and if more than one occupation date is specified, each of those dates.

Permitted Hours means the permitted hours of use specified in Item 7.

Permitted Use means the Hiree's permitted use of the Facility specified in Item 8.

Rules means the rules for the Facility attached as Schedule 2.

Schedule means the schedule attached to this Agreement.

2. Grant, Hire Fee and Hiree's Rights

2.1 Grant of licence

In consideration of the Hiree paying the Hire Fee, the Hirer grants to the Hiree a licence to use the Facility on the Occupation Date subject to the terms and conditions of this Agreement.

2.2 Payment of Hire Fee and Bond

2.2.1 The Hiree must, at least 7 days prior to the Occupation Date, deliver to the Hirer:

- (a) the Hire Fee; and
- (b) the Bond.

2.2.2 If more than one Occupation Date is specified in Item 6, and Item 5 specifies a Hire Fee per Occupation Date, then the Hiree must pay the Hire Fee for each Occupation Date at least 7 days prior to that Occupation Date.

2.3 Rights of Hiree

The Hiree may exercise the following rights during the period of access or occupation under the Hire Agreement:

- 2.3.1 the right to use the Facility on the Occupation Date for the Permitted Use; and
- 2.3.2 the right of the Hiree and their employees, authorised agents, servants, contractors and invitees to enter and leave the Facility.

3. Shared Access

The Hiree acknowledges and agrees that:

- 3.1.1 it is not entitled to exclusive use of the Facility;
- 3.1.2 the Hirer may use or permit other parties to use the Facility;

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- 3.1.3 the Hiree will facilitate access to the Facility by the Hirer's Contractors if required from time to time; and
- 3.1.4 The Hirer, the Hirer's Contractors or the Council may enter and remain in the Facility at any time.

4. Hiree's Equipment and Induction

4.1 Hiree's Equipment

The parties acknowledge that Schedule 4 sets out the details of the Hiree's Equipment which the Hiree is permitted to bring in to the Facility.

4.2 Induction

- 4.2.1 Prior to the Occupation Date, the Hiree must attend a Facility induction session with the Hirer for the purpose of instructing the Hiree as to:
- (a) the Hiree's obligations under this Agreement, including its obligations under the Rules at the end of any Occupation Date; and
 - (b) any safety and security procedures or requirements in respect of the building of which the Facility forms part (if applicable).
- 4.2.2 Where there is more than one Occupation Date under this Agreement, clause 4.2.1 will only apply in respect of the first Occupation Date.

5. Termination of Agreement

5.1 Termination by the Hirer

Where the Hiree is in breach of this Agreement, and notwithstanding that the Hiree has previously:

- 5.1.1 paid the Hire Fee or the Bond; or
- 5.1.2 taken any other action pursuant to this Agreement,

the Hirer may terminate this Agreement at any time with immediate effect by giving written notice of termination to the Hiree.

5.2 Refund of Hire Fee and Bond

Upon termination of this Agreement under this clause, the Hirer shall promptly refund the Bond to the Hiree, less any amounts which the Hiree owes to the Hirer under this Agreement as at that date.

5.3 Effect of termination

Upon termination of this Agreement, the parties shall be released from any further obligations under this Agreement, however nothing in these clauses releases either party from any breach of this Agreement arising prior to the date of termination.

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6. Use of the Facility

6.1 Permitted Use

The Hiree must use the Facility:

- 6.1.1 in accordance with the Rules, which may be amended by the Council from time to time by notice in writing to the Hirer and Hiree;
- 6.1.2 for the Permitted Use and not for any other use;
- 6.1.3 in accordance with the reasonable requirements and directions of the Hirer and the Council; and
- 6.1.4 in a responsible manner, and must not do anything on or in connection with the Facility which the Hirer considers may bring the Hirer or the Council into disrepute.

6.2 Access and Security

The Hiree must:

- 6.2.1 only use the Facility during the Permitted Hours, unless with the prior written approval of the Hirer;
- 6.2.2 at its own cost, make all arrangements for the supervision of the Facility, public safety and the provision of adequate security staff;
- 6.2.3 upon request by the Hirer, provide in writing the Hiree's proposed security arrangements, safety precautions and risk management procedures to apply during the Occupation Date, and must comply with any reasonable direction or requirement of the Hirer or the Council in this regard; and
- 6.2.4 not permit the number of the people in the Facility at any one time to exceed the maximum number specified in Item 9.

6.3 Good order and public safety

The Hiree must:

- 6.3.1 maintain and preserve good order in the Facility and its environs during the Occupation Date and comply with any reasonable directions issued by the Hirer;
- 6.3.2 promptly notify the Hirer if it becomes aware of the existence of a potential occupational health and safety issue in relation to the Facility or adjoining areas, including a material risk of injury;
- 6.3.3 not do anything in connection with the Facility which may cause a nuisance or interfere with any other person;
- 6.3.4 ensure that its invitees enter and leave the Facility in a manner which does not adversely impact on adjoining residential areas; and
- 6.3.5 register any party held at the Facility on any Occupation Date with the Victoria Police Partysafe Program, in accordance with the requirements at <https://www.police.vic.gov.au/party-safe>, as amended from time to time; and
- 6.3.6 not damage, or allow any other person to damage, any part of the Facility.

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6.4 Alcohol

- 6.4.1 The Hiree must not sell or allow the sale of alcohol in the Facility, unless with the prior written consent of the Council and in accordance with a Temporary Limited Liquor Licence (**Liquor Licence**).
- 6.4.2 Subject to clause 6.4.1, the Hiree must obtain and comply with the Liquor Licence in accordance with the requirements of the Victorian Commission for Gambling and Liquor Regulation, as set out at <https://www.vcglr.vic.gov.au/liquor/major-or-temporary-event/apply-new-licence/apply-temporary-limited-licence>, and as amended from time to time.

6.5 Compliance with laws

The Hiree must comply with all laws in connection with the Facility and the Hiree's use of the Facility, including without limitation, complying with any occupational health and safety requirements and obtaining any necessary licences, registrations, approvals, permits and authorisations which may be necessary with respect to the Hiree's use of the Facility.

6.6 Animals

The Hiree must not permit any animals to be brought on to the Facility, other than a dog used as an aid by a visually or hearing-impaired person.

6.7 Smoking

6.8 The Hiree must not permit any person to smoke:

- 6.8.1 in the Facility;
- 6.8.2 within any part of the building in which the Facility is located; or
- 6.8.3 within 4 metres of any entrance to the Facility.

6.9 Hirer's Consent

If the Hiree is required to obtain the Hirer's consent or approval pursuant to this Agreement, the Hirer may grant or withhold its consent or approval in its absolute discretion.

7. Insurance

- 7.1 The Hiree must take out and maintain a public liability insurance policy, noting the Council's interest as owner of the Facility, for the amount of \$20 million concerning one single event.
- 7.2 The Hiree must produce to the Hirer a certificate of currency in respect of the insurance policy required under clause 7.2 at least 21 days before the Occupation Date.
- 7.3 The Hiree must not do anything which may make any insurance effected by the Hirer, the Hirer or Council invalid or which may increase the insurance premiums. If the Hiree or the Council's insurance premium increases, the Hiree must pay that increase to the Hirer or the Council (as applicable) upon demand.

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8. Keys or Keycards

- 8.1 If a key or keycard is required to access the Facility, the Hirer will provide the Hiree with the keys or keycards in the amount specified in Item 13.
- 8.2 The Hiree acknowledges and agrees that the Hirer has absolute discretion to decide upon the number of keys or keycards that are issued to the Hiree.
- 8.3 The Hiree must:
- 8.3.1 not make any copies of the keys or keycards;
 - 8.3.2 notify the Hirer as soon as possible after becoming aware of any lost or stolen keys or keycards; and
 - 8.3.3 not install, remove or tamper with any key cylinders, padlocks or electronic or magnetic reading heads at the Facility.

9. Hiree's obligations at end of each Occupation Date

At the end of each Occupation Date, the Hiree must:

- 9.1 vacate the Facility and return the Facility to the Hirer in the same condition it was in prior to the Occupation Date, including cleaning the Facility and removing all rubbish and anything belonging to the Hiree from the Facility;
- 9.2 return the keys or keycards to the Facility to the Hirer on the next business day after each Occupation Date (unless there is one or more Occupation Dates remaining, and the Hirer has advised the Hiree in writing that the Hiree may retain the keys or keycards until the end of this Agreement); and
- 9.3 notify the Hirer of any injuries to any parties at the Facility, or damage that has occurred to the Facility, during that Occupation Date.

10. Bond

10.1 Hiree to pay Bond

If required, the Hiree must pay the Bond to the Hirer by way of cash, bank cheque or electronic funds transfer.

10.2 Hirer may use Bond

If the Hiree breaches any of its obligations under this Agreement, the Hirer may use any amount of the Bond to compensate the Hirer for any loss suffered by Hirer as a result of the breach.

10.3 Refund of Bond

The Hirer will refund the Bond to the Hiree within 7 days of the Occupation Date (or if there is more than one Occupation Date, the last Occupation Date) less any amounts required to:

- 10.3.1 repair any damage to the Facility which occurred while the Hiree had access to the Facility, regardless of how the damage occurred;

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- 10.3.2 clean the Facility or take any other action to return the Facility to its condition prior to the Occupation Date;
- 10.3.3 recover any other costs incurred due to a breach of this Agreement by the Hiree; or
- 10.3.4 recover any other monies due under this Agreement.

11. Food Safety Procedures

Where the Hiree's use of the Facility involves the preparation or storage of food, the Hiree must comply with the food safety procedures approved by the Department of Health and Human Services (as amended from time to time) contained in Schedule 3, which procedures may be modified by the Council from time to time by notice in writing to the Hirer and Hiree (further information regarding safe preparation and storage of food can be obtained from <https://www.betterhealth.vic.gov.au/health/healthyliving/food-poisoning-prevention>).

12. Working with Children Checks

- 12.1 This clause applies if the Hiree's activities at the Facility involve persons engaged in 'child-related Work' within the meaning of the *Working with Children Act 2005* (Vic) (**WWCA**).
- 12.2 Without limiting the Hiree's obligations concerning compliance with all laws and requirements of any authority in connection with the Facility and the Hiree's use and occupation of the Facility, the Hiree must:
- 12.2.1 ensure that all the Hiree's employees and volunteers over the age of 18 years hold valid working with children checks under the WWCA (**Check**) before entering onto the Facility;
- 12.2.2 ensure that any employee, contractor, agent or invitee does not hold a valid Check does not enter the Facility; and
- 12.2.3 provide the Hirer or the Council with such evidence of the Hiree's compliance with this clause 12 as may be required by the Hirer or Council, within five business days of a request being made by the Hirer or the Council.
- 12.3 This Special Condition 12 is an essential term of this Licence.

13. Electrical Equipment

The Hiree must ensure that all electrical equipment and appliances brought into the Facility by the Hiree are inspected, tested and tagged in accordance with, and as often as required by, the standards contained in the Standard Inspection and Testing AS/NZS 3760:2010, as amended from time to time.

14. Not to create tenure

This is an agreement for casual occupation of the Facility and will not be deemed to provide any lasting rights of possession or other tenure over the Facility to the Hiree.

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15. Release and indemnity

The Hiree:

- 15.1 hires and uses the Facility at the Hiree's own risk, and releases the Hirer and the Council to the extent permitted by law from all liability and loss in connection with the Facility (including where Hirer terminates this Agreement for any reason whatsoever); and
- 15.2 indemnifies the Hirer and the Council against all loss and liability in connection with the Hiree's occupation of the Facility, including any damage caused to the Facility or any loss, injury or death to any person in or about the Facility, except to the extent to which the Hirer is negligent.

16. Liability of person signing Agreement

Where a person signs this Agreement on behalf of the Hiree, the person signing the Agreement:

- 16.1 warrants that he or she is authorised to sign the Agreement on behalf of the Hiree; and
- 16.2 guarantees that the Hiree will strictly observe and perform its obligations in this Agreement; and
- 16.3 agrees to pay to the Hirer on demand any money for any loss suffered by the Hirer due to a breach of this Agreement by the Hiree.

17. GST

The parties acknowledge that the Hire Fee and any other amounts payable by the Hiree under this Agreement are inclusive of GST.

18. No Dealing with interest

The Hiree must not in any way deal with its interest in the Facility or this Agreement including assigning or hiring out the Facility to another party.

19. No warranty

- 19.1 The Hiree acknowledges and agrees that the Hirer makes no warranty or representation to the Hiree about the condition of the Facility or its suitability for the Permitted Use.
- 19.2 The Hiree acknowledges that they have inspected the Facility and warrants that the facility is suitable for the Permitted Use.

20. Disputes

In an event of any dispute or difference arising as to the interpretation of the Agreement, or any matter contained therein, the decision of the Council's Chief Executive Officer shall be final and conclusive.

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21. General

21.1 Notices

Any notice required to be served under this Agreement must be in writing and must be served by post, email or hand delivered to:

- 21.1.1 The Hiree at its address set out in the Agreement, or the last known addresses of the Hiree; and
- 21.1.2 The Hirer at its address set out in the Agreement or any other address notified in writing to the Hiree.

21.2 Entire Understanding

This Agreement contains the entire understanding between the parties as to the subject matter contained in it. All previous agreements, representations, warranties, explanations and commitments, expressed or implied, affecting this subject matter are superseded by this Agreement and have no effect.

21.3 Waiver

If the Hirer accepts the Hire Fee or any other monies under this Agreement (before or after the end of this Agreement) or does not exercise or delays exercising any of the Hirer's rights under this Agreement, it will not be a waiver of the breach of this Agreement by the Hiree or of the Hirer's rights under this Agreement.

Schedule 1

Plan of Facility

##Insert plan

**KINGSTON CITY COUNCIL
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A handwritten signature in black ink, appearing to read 'Jennifer Roche'.

Rules

- 1. Cleaning**
- 1.1 Without limiting the Hiree's obligations under clause 9, at the end of each Occupation Date the Hiree must:
- 1.1.1 place all rubbish in the external garbage and recycling bins at the Facility and replace the bin liner of any bins within the Facility;
- 1.1.2 if the external garbage and recycling bins are full, remove any rubbish from the Facility;
- 1.1.3 clean all floors, including mopping up spilt drinks;
- 1.1.4 wipe clean all chairs and tables and return them to the same location within the Facility at the beginning of the Occupation Date;
- 1.1.5 remove all the Hiree's Equipment and possessions from the Facility;
- 1.1.6 remove all food brought into the Facility by the Hiree (including from any refrigerator at the Facility); and
- 1.1.7 thoroughly clean any kitchen areas (if any) in the Facility (including ovens, stoves, counters, splash backs, sinks, microwaves, refrigerators, dishwashers and floors).
- 1.2 The Hiree must reimburse the Hirer for any costs incurred by the Hirer in cleaning the Facility as a result of the Hiree's failure to comply with the Hiree's cleaning obligations under clause 9 or Rule 1.1.
- 2. Security and safety**
- 2.1 The Hiree must ensure that all emergency exits, access ramps and stairways within the Facility remain unobstructed at all times.
- 2.2 At the end of each Occupation Date, the Hiree must ensure that:
- 2.2.1 all heaters, fans, air conditioning and lights at the Facility are turned off;
- 2.2.2 all windows and doors at the Facility are closed and securely locked;
- 2.2.3 all fixtures at the Facility are left in good working order and condition; and
- 2.2.4 all keys or keycards to the Facility are returned to the Hirer by the next business day.
- 3. Restrictions to use of Facility**
- The Hiree must not:
- 3.1 use any gas or electrical appliances (including portable ovens) other than those provided by the Hirer in the Facility, unless with the Hirer's prior written consent;
- 3.2 duplicate any keys or keycards for, or change any locks at, the Facility;
- 3.3 permit any gambling or lotteries to be conducted in the Facility which would require a permit from the Victorian Commission for Gambling & Liquor Regulation;

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- 3.4 erect any mounted sign or notices in the interior or exterior of the Facility without the Hirer's prior written consent, except for placing notices on a notice board provided at the Facility for that purpose;
- 3.5 bring any heavy equipment or inflammable substances into the Facility without the Council's prior written consent;
- 3.6 attach nails, screws, or adhesive of any kind to walls, floors or furniture in the Facility;

4. Recording requirements

The Hiree must, in the record book provided by the Hirer at the Facility:

- 4.1 sign in to the Facility at the beginning of each Occupation Date; and
- 4.2 at the end of each Occupation Date:
- 4.2.1 record the number of attendees at the Facility on that Occupation Date;
- 4.2.2 complete a checklist to record the Hiree's compliance with its obligations under Rules 1 and 2 at the end of each Occupation Date; and
- 4.2.3 sign out of the Facility.

5. Communication with Hirer

The Hiree must:

- 5.1 not less than 7 days prior to any Occupation Date, advise the Hirer if it will not use the Facility on any Occupation Date;
- 5.2 promptly advise the Hirer of:
- 5.2.1 any change to the Hiree's contact details;
- 5.2.2 any damage to the Facility or any fixtures or equipment at the Facility; and
- 5.2.3 any health and safety incidents which occur at the Facility on any Occupation Date; and
- 5.3 attend meetings with the Hirer or the Council upon request by the Hirer or the Council (acting reasonably).

6. Children at the Facility

If children attend the facility, without limiting the Hiree's obligations under clause 12, the Hiree must ensure that:

- 6.1 no children are left unsupervised at the Facility;
- 6.2 where the Facility comprises part of a building, children do not enter any part of the building outside the Facility;
- 6.3 children do not tamper with displays and equipment at the Facility; and
- 6.4 young children are accompanied to toilets by a parent, guardian or appropriate adult.

Schedule 3

Food Safety Procedures

##Council to insert

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Schedule 4

Hiree's Equipment

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A handwritten signature in black ink, appearing to read 'Jennifer Roche'.

##Hiree to provide list of equipment which it will bring on to the Facility]

Execution and Acknowledgement

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Signed on behalf of the Hiree:

[Insert Hiree's sealing clause – delete options which are not applicable]

[(a) if individual Hiree:

Signed sealed and delivered by **##Insert Hiree name**)
in the presence of:)
)

Witness

(b) if a company Hiree with a sole director:

Executed by **##Insert Licensee name** ACN)
##Insert ACN in accordance with s 127(1) of the)
Corporations Act 2001:

Signature of Sole Director and Sole
Company Secretary

Print full name

(c) if a company Hiree with two or more directors:

Executed by **##Insert Hiree name** ACN **##Insert**)
ACN in accordance with s 127(1) of the *Corporations*)
Act 2001:

Signature of Director

Signature of Director/Company Secretary

Print full name

Print full name

(d) if Hiree is an incorporated association:

Executed by **##Insert Hirer name** ABN **##Insert**)
ABN) in accordance with section 38 of the)
Associations Incorporation Reform Act 2012 (Vic):

Signature of Committee Member/Secretary

Signature of Committee Member

Print Full name

Print Full name

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Signed on behalf of the Hirer:

[1. Where Council is the Hirer:]

SIGNED by and on behalf, and with the authority, of the
Kingston City Council by **##Council to advise name**
and **title of delegated officer** in the exercise of a
power conferred by an Instrument of Delegation dated
[Council to advise date of delegation]

[2. Where the Hirer is Council's licensee/tenant, insert Hirer's sealing clause – delete options which are not applicable]

[(a) if individual Hirer:

Signed sealed and delivered by **##Insert Hirer name** in the presence of:

Witness

(b) if a company Hirer with a sole director:

Executed by **##Insert Hirer name** ACN **##Insert ACN** in accordance with s 127(1) of the *Corporations Act 2001*:

Signature of Sole Director and Sole Company Secretary

Print full name

(c) if a company Hirer with two or more directors:

Executed by **##Insert Hirer name** ACN **##Insert ACN** in accordance with s 127(1) of the *Corporations Act 2001*:

Signature of Director

Signature of Director/Company Secretary

Print full name

Print full name

(d) if Hirer is an incorporated association:

Executed by **##Insert Hirer name** ABN **##Insert ABN** in accordance with section 38 of the *Associations Incorporation Reform Act 2012* (Vic):

**KINGSTON CITY COUNCIL
Planning and Environment Act 1987
Kingston Planning Scheme**



**Plan endorsed as part of
Planning Permit No: KP-2018/902
Council Delegate: Jennifer Roche
Date: 20/12/2019
Page 25 of 25**

.....
Signature of Committee Member/Secretary

.....
Signature of Committee Member

.....
Print Full name

.....
Print Full name

27 January 2021

Agenda Item No: 10.4

CONTRACT 20/099 - MINOR ASPHALT WORKS

Contact Officer: Brian Trower, Team Leader Roads & Drains

Purpose of Report

This report seeks Council's approval to award Contract No. 20/099 Minor Asphalt Works to Prestige Paving Pty Ltd on a Schedule of Rates basis, based on Council's Maintenance Budget and available budgets for some minor Capital Works, up to a maximum value of \$1.4M per year for a three-year period with the option of two further two-year extensions (i.e. 3 +2 +2 years).

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That:

1. Council delegate authority to the CEO to award Contract No 20/099 Minor Asphalt Works on a Schedule of Rates basis (subject to annual CPI adjustments) to Prestige Paving Pty Ltd up to an annual amount in line with Council's Infrastructure Maintenance Budget and available budgets for some minor Capital Works, but not exceeding \$1.4M in any financial year, for an initial three year period commencing on 1 March 2021.
2. Authorise the Chief Executive Officer or their delegate to execute this contract and award two further two-year options subject to the contractor's satisfactory performance.

1. Executive Summary

This report seeks approval for the award of Contract No. 20/099 Minor Asphalt Works to Prestige Paving Pty Ltd.

Officers have evaluated the tender submissions received for Contract No. 20/099 and have ranked Prestige Paving Pty Ltd as the preferred tenderer, this ranking has been arrived at after scoring of financial factors and company capabilities.

The recommended tenderer has passed financial viability checks and has been reference checked with other Melbourne Councils. Prestige Paving Pty Ltd, have a long history of successfully undertaking Council service contracts in the road maintenance field in the eastern suburbs of Melbourne and is the current incumbent contractor at Kingston.

2. Background

The City of Kingston has an extensive road network for which it has statutory obligations under the Road Management Act. Part of these obligations are to maintain the road network to

standards prescribed in Council's Road Management Plan (2017). This report allows for a contractor to be appointed to provide asphalt repair services for maintenance works.

The works under this contract address all asphalt surfaces including, roads, footpaths, Shared User Paths, car parks etc. The works under this contract have both a pro-active and reactive component. The pro-active works are identified by Council staff carrying out periodic inspections of the assets and listing defects such as pot-holes, cracking and where patching is required. These defects are then sent to the contractor on a monthly basis to carry out as programmed maintenance. If the area of defect is large, it may be then referred to the Capital Works Program and budget. The reactive component of works are those issues identified by members of the public or other staff and include defects such as pot-holes and dangerous footpath trip points. Any defects which are dangerous to the public are made safe immediately and the permanent repair may be carried out as part of programmed works at a later date.

3. Discussion

3.1 Council Plan Alignment

Goal 1 - Our well-planned, liveable city supported by infrastructure to meet future needs
Direction 1.1 - Intergenerational land use planning for a sustainable community

The works undertaken as part of Contract No. 20/099 are required to maintain the existing road network.

3.2 Consultation/Internal Review

The level of service for asphalt roads and footpaths is dictated by the Road Management Plan which is consulted on with internal stakeholders and the broader community.

3.3 Operation and Strategic Issues

3.3.1 Level of Service

This contract is required to effectively maintain the 600km local road network utilised by the wider community. As such, providing a repair service to these assets will reduce future capital expenditure whilst still maintaining a satisfactory level of service. Based on the number of customer requests received by Council for road repairs and the rates provided by the tenderer, Contract 20/099 should provide Council with an appropriate level of service.

The existing contract with Prestige Paving Pty Ltd for this type of services expires on 28 February 2021.

3.4 Tender Evaluation

Prices were sought by Advertised Public Tender with tenders closing on Thursday, 19 November 2020, at 2:00PM.

A total of ten tenders were received and evaluated by a Tender Evaluation Panel, consisting of Brian Trower, Team Leader Roads & Drains, Robin Fisher, Senior Field Officer and David Wang, Team Leader Traffic Management. Procurement procedures were followed in line with advice received from Council's Procurement Department for previous "standard" road contracts of a similar value.

Tender evaluation for contract 20/099 was undertaken by assessing and scoring all tenderers against the following criteria:

- Occupational health and safety and certifications Mandatory (PASS/FAIL)
- Financial Capacity of organisation/business (PASS/FAIL)
- Methodology and Service Delivery
- Capacity and sourcing
- Experience
- Reporting
- Local Benefit and Environment

Scoring for Prestige Paving Pty Ltd was derived after conducting telephone interview and detailed analysis of their tender submission. (See Confidential Attachment 3 Tender - Evaluation Matrix and Confidential Attachments 2, 4 & 5 - Tender Price calculations)

Prestige Paving Pty Ltd obtained the highest overall score in the detailed evaluation. Prestige Paving Pty Ltd is recommended as the preferred tenderer for this project.

Prestige Paving Pty Ltd has a long company history with an extensive list of successful maintenance contracts with Local Government Authorities including the City of Kingston.

A probity plan was developed and an external Probity Auditor has been engaged to observe and audit the process, with a tender assessment and contract award audit report to be provided at the award of Contract 20/099.

3.5 Occupational Health & Safety

As per the attached (Appendix 2) Council's Risk and Safety team has approved Prestige Paving Pty Ltd OH&S system as Rapid Compliant.

4. Conclusion

Prestige Paving is recommended as the preferred tenderer for awarding of the Minor Asphalt Works – covered by Contract 20/099, representing the best value for Council in providing a service for asphalt patching and repairs to roads managed by Council.

4.1 Environmental Implications

The use of hot-mix asphalt is constantly evolving with a greater emphasis on environmental outcomes. Due to the large amount of asphalt roads, Kingston is well suited to using crumbed rubber (granulated recycled tyres) and recycled plastic within the asphalt mix.

Also, there are now asphalt mixes available which utilise other recycled products including soft plastics, printer toner and glass. These mixes have already been used as part of Kingston's road resurfacing program and are likely to be trialled in the maintenance program in the near future.

The use of hot-mix asphalt is generally considered a better environmental outcome than concrete alternatives due to the lower energy requirements to produce the bituminous material. However bituminous materials are still produced using the heavy products from an oil refining process.

4.2 Social Implications

This contract supports continued road maintenance of the road network within the municipality, which aligns with the requirements of the Road Management Plan to provide a safe and efficient road network for the community.

4.3 Resource Implications


The submitted prices from the preferred tenderer are in line with council's Maintenance Budget based on the Work Load Indicators. The Budget can be managed to cater for some variations to these Work Load Indicators from year to year.

4.4 Legal / Risk Implications

Routine road maintenance ensures that service levels are maintained, a safe and efficient road network is provided, and defects are minimised that may otherwise expose Council to claims from potential issues or incidents.

For the subject contract the preferred tenderer represents the best outcome to council in terms of value for money and level of risk.

Appendices

- Appendix 1 - Certificate of Compliance Prestige Paving Pty Ltd (Ref 21/1007)  [↓](#)
- Appendix 2 - Tenders Day Rates Pricing CON 20-099 (Ref 21/2247) - Confidential
- Appendix 3 - Tender Evaluation Matrix (Ref 21/918) - Confidential
- Appendix 4 - Tenders Pricing CON 20-099 (Ref 21/7188) - Confidential
- Appendix 5 - Tenders Calculation Totals CON 20-099 (Ref 21/7192) - Confidential

Author/s: Brian Trower, Team Leader Roads & Drains
Reviewed and Approved By: Charles Turner, Manager, Infrastructure
Samantha Krull, General Manager City Assets & Environment

10.4

CONTRACT 20/099 - MINOR ASPHALT WORKS

1	Certificate of Compliance Prestige Paving Pty Ltd	479
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CERTIFICATE OF COMPLIANCE
AMALGAMATED COUNCILS OF VICTORIA

Prestige Paving Pty Ltd

Have been assessed and have provided sufficient evidence to be Compliant as a Level 1 Contractor within the Amalgamated Councils of Victoria OHS Contractor management system.

Date: Tuesday, 14 May 2019

This assessment remains valid for a period not exceeding 2 years from the issue date.

Certification will be suspended upon the expiry of

Insurance Policies, Licences and Certification documents.

Repeated or serious safety breaches may lead to the cancellation of this certification.

Compliance to Level 1 allows the contractor to undertake tasks assessed as High Risk Construction, Extreme, High, Medium and Low Risk

community inspired leadership



City of
KINGSTON

11. Corporate Services Reports

Council Meeting

27 January 2021

Agenda Item No: 11.1

AUDIT AND RISK COMMITTEE MINUTES - 16 DECEMBER 2020

Contact Officer: Hayley Gniel, Team Leader Financial Accounting

Purpose of Report

The purpose of this report is to provide Council the opportunity to view the recent activity of the Audit and Risk Committee. The minutes of the meeting held on 16 December 2020 are attached. 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.


Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That the minutes of the Audit & Risk Committee meeting held on 16 December 2020 be noted.

Appendices

Appendix 1 - Audit and Risk Committee Minutes - 16 December 2020 (Ref 21/7111) 

Author/s: Hayley Gniel, Team Leader Financial Accounting

Reviewed and Approved By: Paul Franklin, General Manager Corporate Services

11.1

AUDIT AND RISK COMMITTEE MINUTES - 16 DECEMBER 2020

1	Audit and Risk Committee Minutes - 16 December 2020	487
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Minutes

Audit and Risk Committee

16 December 2020 at 8.30 am
Via MS Teams



In Attendance:

Ms Claire Filson (Chair)
Mr Bruce Potgieter (Member)
Mr Geoff Harry (Member)

Cr Steve Staikos (Mayor)
Cr Georgina Oxley
Ms Julie Reid
Mr Paul Franklin
Ms Ange Marshall
Ms Hayley Gniel
Mr Graham Noriskin (Pitcher Partners)
Mr Ben Dunn (Pitcher Partners)

In Attendance as guests:

Ms Samantha Krull (items 9 and 10)
Mr Julian Harvey (Item 10)
Mr Darryn Paspas (item 11)
Mr Tony Ljaskevic (Item 12)
Mr Phil DeLosa (Item 17 and 18)
Ms Kelly Shacklock (item 18)
Ms Marilyn DeBenedictis (item 18)

1. Apologies

Nil

2. Declaration by CEO of any breach of legislation/regulation that needs to be brought to the attention of the Audit Committee (OGP A, I)

Nil

3. Advice from the CEO on emerging sector and Council matters that need to be brought to the attention of the Audit Committee (OGP B)

Ms Julie Reid provided the Committee with a summary of current sector and Council matters including:

- The recent election of new Councillors
- Casey IBAC investigation
- COVID Recovery: Returning staff to work, recovery of the Community and businesses
- Focus of the Minister on Council Hardship and Hardship Policies.

4. Declaration of any work undertaken at Council by Internal Auditors outside of the Internal Audit Plan (OGP I)

Pitcher Partners have been asked to audit the internal assessment of the Tenix/DCA parking contracted vs actual hours delivered which has been completed by management.

5. Review and confirmation of previous minutes

RECOMMENDATION

That the Minutes of the Audit and Risk Committee held on 16 September 2020 be confirmed.

Accepted: Mr Bruce Potgieter

Seconded: Mr Geoff Harry

6. Declaration by Members & Officers of Any Interest or Conflict of Interest in Items on the Agenda (OGP I)

Ms Claire Filson informed the Committee that she is no longer a member of the Boorondara Council Audit Committee.

Mr Geoff Harry has recently joined Knox Council and Moonee Valley Council's Audit Committee.

No current Conflicts to report.

7. Matters Arising from September 2020 Audit Committee Meeting

No issues or questions on matters arising.

8. Audit and Risk Committee Charter Responsibilities Assessment

The Committee will continue to monitor sector practices in regard to its (the Committee's) responsibility to monitor the compliance of Council policies and procedures with the overarching governance principles and continue to discuss this at the March Audit and Risk Committee meeting. Further, Officers are to continue to give consideration to how this may be achieved for both the Council and the Committee.

9. Update from Samantha Krull, General Manager City Assets and Environment

The Committee welcomed Ms Samantha Krull to her first meeting.

Ms Krull introduced herself and updated the Committee on the key happenings in her Division including:

- An update on COVID impact and recovery including: Waves closure impact, significant increase in usage of foreshore and reserves including increased litter on foreshores to coincide with the commencement of a new foreshore cleansing contract.
- The introduction of food waste recycling resulting in the highest ever tonnage of green waste in October.
- New Local Government Act Requirements particularly around Asset Management practices.
- Re-opening of Waves.
- Level crossing removal works are being completed resulting in the handover of the surrounding assets to Council and ongoing costs to manage these assets.
- Planning underway for new aquatic facility to replace Don Tatnell.
- Consideration is being given to the change of hard waste services to an 'on-demand' service, in line with other neighbouring councils.

13. Contaminated Land Management

Mr Julian Harvey presented to the Committee. The Committee found the presentation useful and informative and thanked Mr Harvey.

11. Insurable Loss Limit Analysis

Mr Darryn Paspas was in attendance to discuss the recent analysis undertaken subsequent to the VAGO audit on insurable loss.

The key finding of this analysis included a likely upgrade required to cyber crime insurance due to increased risk in this space.

The Committee thanked Mr Paspas for his attendance and update.

15. FINAL - Internal Audit Report - Core Financial Controls (WP8,14,15,16,21)

Ben Dunn provided an overview of this audit which he noted is every three years.

Overall, audit concluded finance have well established processes in place and there were 4 findings recorded.

The Committee discussed the wording of some management responses particularly around the segregation of Pathway duties in Accounts Receivable. Ms Hayley Gniel noted that system access has been modified already and is currently working well.

Management to investigate with Commbiz any updates to the process around picking up bank file for payment and whether it still needs to be saved to a file location.

16. DRAFT - Internal Audit Scope - Post Migration Security (WP20)

My Tony Ljaskevic attended to update the Committee on the recent 'cloud' migration.

Scope noted by the Committee.

14. DRAFT - Internal Audit Scope - Volunteer Community Worker Management (WP20)

Scope noted by the Committee.

15. Internal Audit Status Report (WP19)

Report noted.

16. Status Update Prior Internal Audit Recommendations (WP23)

Mr Geoff Harry questioned item 3.3.1 (Page 110) on Child Safe Standards, noting it is a High rated item and overdue.

Mr Harry requested management to provide an update on this item and reassurance as to whether or not there is any exposure to Council or not by not completing this high risk item on time. (note: This update was provided to the Committee on 21 December 2021).

The Committee asked management to also follow up on the overdue asset management items. (note follow up has been undertaken)

Ms Claire Filson questioned item 1.2.2.17 regarding swimming pool compliance. The comments indicate there are processes in place for this one so could it be marked as complete?

Ms Claire Filson asked management to include a revised due date for completion for any actions that are overdue.

17. IBAC's report into misuse of information in local government

Ms Claire Filson thanked Mr Phil DeLosa and Ms Kelly Shacklock for the comprehensive report and their attendance.

Ms Shacklock updated the Committee on the work being undertaken to improve staff awareness of governance issues which includes encouraging a culture of reporting issues or concerns.

18. Organisation Compliance - Annual Review (WP31)

Ms Marilyn DeBenedictis informed the Committee about the new software Reliansis which is a database now used to capture and report on all legislative pieces.

Mr Geoff Harry congratulated the team on the quality of the first report.

Mr Potgieter noted it is the first Council he's seen with anything this detailed or comprehensive.

19. Bi-Annual Report of the Chairperson of the Audit and Risk Committee

Mr Paul Franklin talked about the key differences of this report compared to the previous annual report of the Chairperson.

The committee discussed some modifications which Paul Franklin will take on board and then meet with Ms Filson to finalise the report.

Cr Steve Staikos mentioned it would be very worthwhile for all Councillors to meet the Audit and Risk Committee and hear a presentation about the roles and responsibilities of the Committee. The Committee agreed this would be a good idea

20. Assessment of Committee Performance (WP38)

Draft assessment template has been provided by Mr Paul Franklin and asked that it also be circulated to Senior Officers that regularly attended the Audit and Risk Committee.

21. 2021 and 2022 Audit Committee Dates (WP42)

All dates noted and agreed.

22. November 2020 recent issues Brief - Comment by Exception

A report provided by Pitcher Partners for noting by the Committee.

The meeting closed at 11.21am

Confirmed: Chairman of Audit Committee

27 January 2021

Agenda Item No: 11.2

APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER

Contact Officer: Rachael Meredith, Acting Manager People Support

Purpose of Report

The purpose of this report is for Council to appoint an Acting Chief Executive Officer.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That Paul Franklin be appointed as the Acting Chief Executive Officer with all statutory and delegated powers, duties and functions accorded to the Chief Executive effective 13 February 2020 until the Interim Chief Executive is appointed.

1. Background

Following the resignation of the Chief Executive Officer, Julie Reid effective 12 February it is a requirement of section 44(4) Local Government Act 2020 for Council to appoint an Acting Chief Executive whilst the recruitment process is being undertaken.

An expression of interest process was sent out by the Mayor Cr Steve Staikos on the 30 December 2020 to the current General Managers. Through that process the General Manager, Corporate Services Paul Franklin expressed his interest in the position in an acting capacity.

Mr Franklin's significant experience within the organisation and his proven ability to fulfil the role of Acting Chief Executive in the past ensures that he is able to take on the duties of the role.

The Acting Chief Executive Officer appointment should remain in place until such a time that the Interim Chief Executive Officer is selected and appointed.

1.1 Legal / Risk Implications

It is a requirement under the Local Government Act 2020, section 44(4) to appoint an Acting Chief Executive.

Author/s: Rachael Meredith, Acting Manager People Support

Reviewed and Approved By: Kelly Shacklock, Acting Manager Governance

12. Notices of Motion

Council Meeting

27 January 2021

Agenda Item No: 12.1

NOTICE OF MOTION NO. 1/2021 - CR HOWE - COASTLINE COMMERCE DIGITAL MARKETING PLAN

That:

- Feedback be sought from traders regarding the implementation of a commerce digital marketing plan for our coastline from branding to communication, with the intention of increasing revenue lines of hospitality and recreational operators of the Patterson River corridor north to Mentone.
- Such information should be detailed within an officer report prepared for consideration of Councillors by autumn, including outlining and comparing potential options of implementation.

Cr Cameron Howe

27 January 2021

Agenda Item No: 12.2

NOTICE OF MOTION NO. 2/2021 - CR HOWE - APPLICATIONS OF SIGNIFICANT PUBLIC INTEREST

Officers prepare a report to bring back to Councillors for consideration and discussion at the next available ordinary meeting. This Officer report should explore the following:

- Kingston City Council develops a planning and development process for applications of significant public interest, with the intention of protecting Kingston's reputation and improving stakeholder relations outcomes.
- That the CEO agree upon the definition of significant public interest
- Such applications would be subject to a higher standard of communication and public relations, including but not limited to influencer outreach, offensive/defensive PR strategies, advertising communication and response period modifications, along with briefing contact persons (i.e. Councillors, customer service) prior to advertising
- Applications may be designated as being of significant public interest, prior to or during advertising by the CEO or a delegate of the CEO; or if three or more signatures of Councillors designate the application as a significant public interest and this is presented to the CEO.

Cr Cameron Howe

27 January 2021

Agenda Item No: 12.3

NOTICE OF MOTION NO. 3/2021 - CR DAVIES - KINGSTON HEATH RESERVE

That:

With reference to the Council resolution at the Council Meeting on the 24 August 2020, item number 10.3 Kingston Heath Reserve - Hockey and Baseball Needs Analysis Update (Councillor Workshop Item 10.17), Council note that point 1 of the resolution is complete and that point 4 is no longer feasible given the recent State Government announcement regarding the Suburban Rail Loop stabling yards preferred location at the Delta site.

Further that Council endorse the following recommendations:

1. Officers commence Stage 2 - Facility Analysis and Site Assessment Investigations for hockey and baseball facilities; and
2. Council receive a report on the findings of Stage 2 and provide direction on the next steps including future sporting and recreation needs, site recommendations, concept development, funding options, prior to undertaking community and stakeholder consultation.

Cr Tracey Davies

Background

Council resolved at the 24 August 2020 Council Meeting, the following.

Amendment

Moved: Cr West Seconded: Cr Staikos

That:

1. Council note the sporting needs findings as presented within this report; and
2. Council receive the findings of Stage 2 - Facility Analysis and Site Assessment Investigations for hockey and baseball facilities at a future meeting of Council.
3. The data and information in this report be used in the progression of the community engagement, development of funding options and site identification, prior to a further report to Council in 2021.
4. Bearing in mind the Kingston Heath Reserve Masterplan requirement to maintain the existing balance between active and passive recreation on the reserve, no further planning work or consultation be undertaken on plans to expand the sporting grounds on Kingston Heath Reserve until
 - after the council election, and
 - until the future of the Delta site has been determined.

The Amendment was put and CARRIED

The Amendment became the Motion

The Motion was put and CARRIED

27 January 2021

Agenda Item No: 12.4

NOTICE OF MOTION NO. 4/2021 - CRS SAAB & DAVIES - SUBURBAN RAIL LOOP

Following the announcement of the release of the Environment Effects Statement (EES) for the Suburban Rail Loop Stage One as 'public works' by the Minister for Planning, we move that Council writes to the Suburban Rail Loop Authority, the Minister for Planning, Richard Wynne, the Minister for Energy, Environment and Climate Change, Lily D'Ambrosio and the Minister for Transport and Infrastructure, Jacinta Allan to express that the preservation of the Green Wedge, Sandbelt Open Space Chain of Parks Project is fundamentally important to Kingston's community, Council and wider Melbourne.

Council further notes:

1. This project is completely within the remit of the State Government, in terms of the planning, development and delivery of the proposed rail yards and Council has an advocacy role.
2. Council recognises that it is a key major stakeholder representing the needs of the community.
3. Council calls on the Suburban Rail Loop Authority and the State Government to conduct a meaningful information and consultation process with the Cheltenham, Heatherton and Clarinda communities on this issue.
4. Council requests that State Government work closely with Council and the community, in particular the directly affected local residents of Cheltenham, Heatherton and Clarinda, to ensure their needs and concerns are adequately represented throughout the project and recognise that the proposed station and Sir William Fry reserve and the Stabling Yard have much wider implications and flow-on adverse impacts to all surrounding residents.
5. Through the Environmental Effects Statement process, Council will recognise and articulate the concerns and issues raised by the community on the current proposed location and its damaging impact to the natural environment including the local flora and fauna.
6. Council recognises the long history of work undertaken by residents in protecting this site from inappropriate development.
7. Crucially, Council will endeavour to ensure that the Sandbelt Open Space, Chain of Parks concept incorporated into the planning scheme in 1994, emphasised in the Green Wedge Plan 2012, and the Chain of Parks Masterplan that was adopted by Council in 2020 will be delivered.
8. Council calls on the State Government to deliver on their \$25 million 2018 election commitment to deliver the Kingston Green Wedge Chain of Parks.
9. As a key stakeholder Council has and will continue to provide detailed site-specific information and advice to the State Government in particular through the Environmental Effects Statement process.
10. Council will invite Ministers Allen, D'Ambrosio and Wynne for a site tour of the proposed preferred location of the stabling yard and the Chain of Parks.

- | |
|---|
| <ol style="list-style-type: none">11. Council also notes community concerns on the closure of Old Dandenong Road, and will work with the SRL to secure access between Clarinda and Heatherton.12. Council requests the State Government continues to work closely with Council to identify alternative site options that at least deliver equivalent environmental and recreational benefits that the Delta site would have delivered. |
|---|

Cr Hadi Saab

Cr Tracey Davies

14. Confidential Items

14 Confidential Items

This information is confidential information under section 3(1) of the *Local Government Act 2020* and therefore suitable for consideration in closed session. In accordance with the *Local Government Act 2020*, Council may resolve to consider these items in open or closed session.

14.1 Confidential - CEO Employment Matters

Agenda item *14.1 Confidential - CEO Employment Matters* is designated confidential because it is:

- because it is legal privileged information, being information to which legal professional privilege or client legal privilege applies, and because it is personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs (section 3(1)(e) and (f)), and
- The explanation as to why the specified ground/s applies is the item is legal privileged information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs (section 3(1)(e) and (f)).

The explanation as to why the specific ground/s applies is that it deals with personal information and legal advice..

Confidential Appendices

9.3 CON-20/115 Chadwick Reserve Pavilion - Award of Contract

Appendix 1, CON-20_115 Tender Evaluation Matrix 2 - POST INTERVIEW is designated confidential as it relates to (s3(1)(g))

9.3 CON-20/115 Chadwick Reserve Pavilion - Award of Contract

Appendix 2, Chadwick Financials - Appendix to Council Report.pdf is designated confidential as it relates to (s3(1)(g))

9.3 CON-20/115 Chadwick Reserve Pavilion - Award of Contract

Appendix 3, OHS Compliance Certificate is designated confidential as it relates to (s3(1)(g))

10.1 CON-20/116 - Contract Award Dolamore Reserve Athletics Track Renewal

Appendix 1, CON-20/116 Dolamore Athletics Track Renewal - Tender Evaluation Report is designated confidential as it relates to (s3(1)(g))

10.1 CON-20/116 - Contract Award Dolamore Reserve Athletics Track Renewal

Appendix 2, Appendix 2 - Dolamore Athletics Track Project Financial Summary is designated confidential as it relates to (s3(1)(a))

10.4 Contract 20/099 - Minor Asphalt Works

Appendix 2, Tenders Day Rates Pricing CON 20-099 is designated confidential as it relates to (s3(1)(g))

10.4 Contract 20/099 - Minor Asphalt Works

Appendix 3, Tender Evaluation Matrix is designated confidential as it relates to (s3(1)(g))

10.4 Contract 20/099 - Minor Asphalt Works

Appendix 4, Tenders Pricing CON 20-099 is designated confidential as it relates to (s3(1)(g))

10.4 Contract 20/099 - Minor Asphalt Works

Appendix 5, Tenders Calculation Totals CON 20-099 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:

14.1 Confidential - CEO Employment Matters

This agenda item is confidential information for the purposes of section 3(1) of the Local Government Act 2020:

- because it is legal privileged information, being information to which legal professional privilege or client legal privilege applies, and because it is personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs (section 3(1)(e) and (f)), and
- The explanation as to why the specified ground/s applies is the item is legal privileged information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs (section 3(1)(e) and (f)).

The explanation as to why the specific ground/s applies is that it deals with personal information and legal advice..

Confidential Appendices

9.3 CON-20/115 Chadwick Reserve Pavilion - Award of Contract

Appendix 1, CON-20_115 Tender Evaluation Matrix 2 - POST INTERVIEW

This appendix is confidential in accordance with the Local Government Act 2020, s3(1) as it relates to (s3(1)(g)).

9.3 CON-20/115 Chadwick Reserve Pavilion - Award of Contract

Appendix 2, Chadwick Financials - Appendix to Council Report.pdf

This appendix is confidential in accordance with the Local Government Act 2020, s3(1) as it relates to (s3(1)(g)).

9.3 CON-20/115 Chadwick Reserve Pavilion - Award of Contract

Appendix 3, OHS Compliance Certificate

This appendix is confidential in accordance with the Local Government Act 2020, s3(1) as it relates to (s3(1)(g).

10.1 CON-20/116 - Contract Award Dolamore Reserve Athletics Track Renewal

Appendix 1, CON-20/116 Dolamore Athletics Track Renewal - Tender Evaluation Report

This appendix is confidential in accordance with the Local Government Act 2020, s3(1) as it relates to (s3(1)(g).

10.1 CON-20/116 - Contract Award Dolamore Reserve Athletics Track Renewal

Appendix 2, Appendix 2 - Dolamore Athletics Track Project Financial Summary

This appendix is confidential in accordance with the Local Government Act 2020, s3(1) as it relates to (s3(1)(a).

10.4 Contract 20/099 - Minor Asphalt Works

Appendix 2, Tenders Day Rates Pricing CON 20-099

This appendix is confidential in accordance with the Local Government Act 2020, s3(1) as it relates to (s3(1)(g).

10.4 Contract 20/099 - Minor Asphalt Works

Appendix 3, Tender Evaluation Matrix

This appendix is confidential in accordance with the Local Government Act 2020, s3(1) as it relates to (s3(1)(g).

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Appendix 4, Tenders Pricing CON 20-099

This appendix is confidential in accordance with the Local Government Act 2020, s3(1) as it relates to (s3(1)(g).

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Appendix 5, Tenders Calculation Totals CON 20-099

This appendix is confidential in accordance with the Local Government Act 2020, s3(1) as it relates to (s3(1)(g).