

Agenda

Council Meeting

Monday, 30th November 2020

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 Monday, 30 November 2020.

1. Apologies

2. Confirmation of Minutes of Previous Meetings

Minutes of Ordinary Council Meeting 19 October 2020
Minutes of Special Council Meeting 18 November 2020
Minutes of Special Council Meeting 25 November 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

Additional Basketball Rings at Highett Reserve
Parking Changes - Correa Street, Edithvale

5. Presentation of Awards

Nil

6. Reports from Delegates Appointed by Council to Various Organisations

7. Question Time

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Nil

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8. Planning and Development Reports

Council Meeting

30 November 2020

Agenda Item No: 8.1

TOWN PLANNING APPLICATION DECISIONS - OCTOBER 2020

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

Town Planning Application Decisions – October, 2020

Approved By: Jonathan Guttmann - General Manager, Planning & Development

Author: Jaclyn Murdoch – Manager, City Development

Attached for information is the report of Town Planning Decisions for the month of October, 2020.

A summary of the decisions is as follows:

Type of Decision	Number of Decisions Made	Percentage (%)
Planning Permits	65	77
Notice of Decision	8	9
Refusal to Grant a Permit	0	0
Other - Withdrawn (6) - Prohibited (0) - Permit not required (3) - Lapsed (3) - Failure to Determine (0)	12	14
Total	85	100

(NB: Percentage figures have been rounded)

OFFICER RECOMMENDATION

That the report be noted.

Appendices

Appendix 1 - Town Planning Application Decisions October 2020 (Ref 20/254093) 

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

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

8.1

TOWN PLANNING APPLICATION DECISIONS - OCTOBER 2020

1	Town Planning Application Decisions October 2020	9
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Planning Decisions October, 2020							
APPL. No.	PROPERTY ADDRESS	SUBURB	APPL. DATE	DATE DECIDED	PROPOSAL DESCRIPTION	DECISION	VCAT DECISION
KP-2020/189	66 Valetta Street	CARRUM	14/04/2020	1/10/2020	Subdivide the Land into Two (2) Lots	Permit	No
KP-2014/973/A	44 Fifth Avenue	CHELSEA HEIGHTS	26/05/2020	1/10/2020	Develop the land for the construction of one (1) dwelling to the rear of an existing dwelling	Permit	No
KP-2020/550	21 True Avenue	CARRUM	17/09/2020	2/10/2020	Extend the existing dwelling on land within a Special Building Overlay	Permit	No
KP-2020/404/A	42-46 Cochranes Road	MOORABBIN	10/09/2020	2/10/2020	Buildings and works in an Industrial 1 Zone	Permit	No
KP-2020/440	62 Wilson Street	CHELTENHAM	5/08/2020	2/10/2020	Subdivide the Land into Four (4) Lots	Permit	No
KP-2019/664	2-4 Dennett Street	CARRUM	16/10/2019	5/10/2020	The development of land for two (2) dwellings on a lot affected by the Land Subject to Inundation Overlay	Permit	No
KP-2019/659	24 McMillan Street	CLAYTON SOUTH	11/10/2019	5/10/2020	Develop the land for the construction of two (2) dwellings	Permit	No
KP-2020/284	1 192 Como Parade West	PARKDALE	21/05/2020	5/10/2020	Develop the land for the construction of Two (2) Dwellings	Lapsed	No
KP-2020/341	38 Bevan Avenue	CLAYTON SOUTH	18/06/2020	6/10/2020	Subdivide the Land into Four (4) Lots	Permit	No
KP-2020/432	33 Bevan Avenue	CLAYTON SOUTH	28/07/2020	6/10/2020	Subdivide the Land into Four (4) Lots	Permit	No
KP-2020/448	27 Swanston Street	MENTONE	10/08/2020	6/10/2020	Subdivide the Land into Four (4) Lots in a Special Building Overlay	Permit	No
KP-2020/451	22 Ti Tree Avenue	BONBEACH	11/08/2020	6/10/2020	Subdivide the Land into Two (2) Lots in the Design and Development Overlay (Schedule 1 and 7) and adjacent to a Road Zone Category 1.	Permit	No
KP-2020/477	19 Swanpool Avenue	CHELSEA	20/08/2020	6/10/2020	Subdivide the Land into Three (3) Lots	Permit	No

KP-2020/496	26 Ormond Street	MORDIALLOC	26/08/2020	6/10/2020	Subdivide the Land into Two (2) Lots	Permit	No
KP-2020/230	112 Osborne Avenue	CLAYTON SOUTH	5/05/2020	7/10/2020	Develop the land for the construction of two (2) dwellings	Permit	No
KP-2020/417	36 Brownfield Street	MORDIALLOC	21/07/2020	8/10/2020	The development of two (2) dwellings and to subdivide the land into two (2) lots in a Special Building Overlay	Notice of Decision	No
KP-2020/567	101-103 Nepean Highway	MENTONE	25/09/2020	8/10/2020	Buildings and works associated with a Section 2 use (Emergency Services Facility)	Permit	No
KP-2020/571	2 Tatura Street	CHELtenham	29/09/2020	8/10/2020	Develop the land for the construction of a fence in a Special Building Overlay	Permit	No
KP-2020/214	10 Embankment Grove	CHELSEA	27/04/2020	9/10/2020	Subdivide the Land into Three (3) Lots	Permit	No
KP-2020/585	7 Fourth Avenue	ASPENDALE	1/10/2020	9/10/2020	Develop the land for the construction of one (1) new dwelling in a Special Building Overlay	Permit	No
KP-2019/814	545 Clayton Road	CLAYTON SOUTH	19/12/2019	12/10/2020	The use and development of land for a child care centre, and the display of internally illuminated business identification sign(s)	Permit	No
KP-2019/662	1 1 Rosella Road	PARKDALE	15/10/2019	12/10/2020	The development of an extension to the existing dwelling on a lot less than 300sqm	Permit	No
KP-2020/572	101 Warren Road	PARKDALE	29/09/2020	12/10/2020	Develop the land for buildings and works comprising an extension to the existing dwelling on land within a Special Building Overlay	Permit	No
KP-2020/37	138 Wilson Street	CHELtenham	24/01/2020	13/10/2020	The development of three (3) double-storey dwellings and associated works in accordance with the endorsed plans	Permit	No
KP-2019/376/A	11 Epsom Road	MORDIALLOC	24/06/2020	13/10/2020	Development of five (5) dwellings and 5 lot subdivision	Permit	No

KP-2016/1067/A	18 Station Street	HIGHETT	19/12/2019	13/10/2020	Develop the land for the construction of a four (4) storey apartment building in accordance with the endorsed plans	Permit	No
KP-2020/170	3 439 Station Street	BONBEACH	6/04/2020	14/10/2020	The development of one (1) dwelling, to the rear of the existing dwelling.	Notice of Decision	No
KP-2020/468	34 Elder Street	CLARINDA	17/08/2020	14/10/2020	Subdivide the Land into Three (3) Lots	Permit	No
KP-2020/586	17 Tiffany Avenue	CHELTENHAM	2/10/2020	14/10/2020	Develop the land for buildings and works comprising the construction of an extension to the existing dwelling on land within a Special Building Overlay	Permit	No
KP-2020/114	12 Hibberd Street	HIGHETT	2/03/2020	14/10/2020	The development of land for alterations and additions to an existing dwelling on a lot less than 300 square metres	Permit	No
KP-2020/378	7 Third Street	CLAYTON SOUTH	2/07/2020	14/10/2020	The development of the land for two (2) double storey dwellings	Permit	No
KP-2020/240	17 Breeze Street	BONBEACH	8/05/2020	14/10/2020	The development of two (2) dwellings and to subdivide the land into two (2) lots	Permit	No
KP-2020/591	2 458 Haughton Road	CLAYTON SOUTH	5/10/2020	14/10/2020	Develop the land for the construction of a fence on a lot less than 300sqm	Permit	No
KP-2020/291	SHOP 29 Genoa Street	MOORABBIN	29/05/2020	14/10/2020	Development of a five (5) storey residential building with basement car parking	Lapsed	No
KP-2016/1047/A	52 Rennison Street	PARKDALE	3/07/2020	14/10/2020	Develop the land for the construction of three (3) dwellings	Permit	No
KP-2020/247	8 Spinnaker Court	ASPENDALE GARDENS	13/05/2020	15/10/2020	Develop the land for the construction of one (1) dwelling to the rear of an existing dwelling	Withdrawn	No
KP-2020/221	12 Barkly Street	MORDIALLOC	29/04/2020	19/10/2020	The development of two (2) dwellings	Permit	No

KP-2020/433	607 Nepean Highway	CARRUM	29/07/2020	19/10/2020	The development of two (2) double storey dwellings	Withdrawn	No
KP-2020/543	256 Charman Road	CHELTENHAM	2/10/2020	19/10/2020	Buildings and works comprising a verandah to the existing building	Permit	No
KP-2020/455	2 Gipps Avenue	MORDIALLOC	12/08/2020	19/10/2020	Alterations and additions to the existing dwelling in a Land Subject to Inundation Overlay	Permit	No
KP-2020/367	11 Maude Street	CHELTENHAM	29/06/2020	19/10/2020	Subdivide the Land into Thirty-Four (34) Lots	Permit	No
KP-2020/403	8 Botany Court	CLARINDA	16/07/2020	20/10/2020	The development of one (1) double storey dwelling, to the rear of an existing dwelling.	Notice of Decision	No
KP-2020/147	319-331 Boundary Road	MORDIALLOC	20/03/2020	20/10/2020	Buildings and works to the existing car wash, construction of a fence and associated works in accordance with the endorsed plans	Permit	No
KP-2020/220	194 Station Street	EDITHVALE	29/04/2020	20/10/2020	Subdivide the Land into Sixteen (16) Lots	Permit	No
KP-2020/499	19 Sherwood Avenue	CHELSEA	27/08/2020	20/10/2020	Subdivide the Land into Five (5) Lots	Permit	No
KP-2020/484	36 The Boulevard	PATTERSON LAKES	23/08/2020	21/10/2020	The development of additions to the existing dwelling	Permit Not Required	No
KP-2020/412	5 67-71 Industrial Drive	BRAESIDE	20/07/2020	21/10/2020	Use the land for car sales	Permit	No
KP-2020/300	1 93 Wells Road	CHELSEA HEIGHTS	2/06/2020	21/10/2020	The subdivision of land into two (2) lots	Permit	No
KP-2015/65/C	611 Nepean Highway	CARRUM	1/05/2020	21/10/2020	Use of the land for the sale and consumption of liquor (Restaurant and café licence) for the existing café, and display of signage	Permit	No
KP-2019/807	68-78 Rosebank Avenue	CLAYTON SOUTH	18/12/2019	21/10/2020	Use and development of warehouses and a reduction of the car parking requirements	Permit	No
KP-2020/148	1 Colenso Street	CARRUM	19/03/2020	21/10/2020	The development of two (2) dwellings and associated works in	Notice of Decision	No

					Special Building Overlay in accordance with the endorsed plans		
KP-2020/271	7 60 Nepean Highway	ASPENDALE	20/05/2020	21/10/2020	Extension to dwelling on a lot under 300m2	Permit	No
KP-2019/826	55 Wilson Street	CHELTENHAM	20/12/2019	21/10/2020	Develop the land for the construction of nine (9) double storey dwellings with basement car parking	Permit	No
KP-2019/70	104 Station Street	ASPENDALE	11/02/2019	21/10/2020	The development of nineteen (19) dwellings and basement parking	Permit	No
KP-2019/329	10 Gipps Avenue	MORDIALLOC	3/06/2019	21/10/2020	The development of one (1) dwelling, and buildings and works to the existing dwelling on land affected by a Land Subject to Inundation Overlay	Permit	No
KP-2001/505	41 Fraser Avenue	EDITHVALE	8/08/2001	21/10/2020	TWO DWELLINGS	Permit Not Required	No
KP-2020/453	1 Blantyre Avenue	CHELSEA	12/08/2020	22/10/2020	Subdivide the Land into Five (5) Lots	Permit	No
KP-2020/493	40 Clydebank Road	EDITHVALE	26/08/2020	22/10/2020	The subdivision of land into five (5) lots	Permit	No
KP-2020/87	44 Field Avenue	EDITHVALE	18/02/2020	22/10/2020	The development of land for two (2) dwellings	Permit	No
KP-2020/139	7 Luntar Road	OAKLEIGH SOUTH	19/03/2020	22/10/2020	The development of land for two (2) dwellings	Permit	No
KP-2018/317	1 Maude Street	CHELTENHAM	26/04/2018	22/10/2020	Develop the land for the construction of a four (4) storey building comprising of thirty-four (34) dwellings.	Approved	No
KP-2020/562	42-46 Cochranes Road	MOORABBIN	23/09/2020	22/10/2020	Removal of Easement	Permit	No
KP-2020/276	2 Owen Street	MORDIALLOC	21/05/2020	22/10/2020	The development of two (2) dwellings, on Land affected by a Special Building Overlay	Notice of Decision	No

KP-2020/104	14 Margaret Street	MOORABBIN	25/02/2020	22/10/2020	Development of two (2) double storey dwellings and associated works in accordance with the endorsed plans	Permit	No
KP-2020/465	1 Houston Street	MENTONE	17/08/2020	26/10/2020	Subdivide the Land within a Special Building Overlay into Two (2) Lots	Permit	No
KP-2020/490	33 Herald Street	CHELtenham	25/08/2020	26/10/2020	Create, vary or remove an easement	Permit	No
KP-2020/500	23B Industrial Drive	BRAESIDE	21/08/2020	26/10/2020	The development of a carport	Withdrawn	No
KP-2016/916/A	248-250 Boundary Road	BRAESIDE	7/05/2020	27/10/2020	Use and develop the land for a restaurant, a reduction in the car parking requirement, restaurant and café liquor licence, and display of internally illuminated signage	Permit	No
KP-2020/582	42 Fifth Street	PARKDALE	1/10/2020	27/10/2020	Subdivide the Land into Two (2) Lots	Permit	No
KP-2018/753/A	23 Brixton Street	BONBEACH	24/03/2020	27/10/2020	The subdivision (staged) of land into three (3) lots	Permit	No
KP-2019/441/A	10 Tilley Street	CHELtenham	23/09/2020	27/10/2020	Develop the land for the construction of two (2) double storey dwellings	Permit	No
KP-2020/605	1228A Nepean Highway	CHELtenham	9/10/2020	27/10/2020	Develop the land for the construction of buildings and works in the Activity Centre Zone	Permit	No
KP-2019/328/A	8 Barwon Court	CLAYTON SOUTH	27/07/2020	28/10/2020	Develop the land for the construction of two (2) dwellings	Lapsed	No
KP-2020/192/A	545 Boundary Road	HEATHERTON	24/09/2020	28/10/2020	The development of an extension to the existing dwelling	Permit	No
KP-2020/419	33 Inverness Street	CLARINDA	22/07/2020	28/10/2020	The development of two (2) dwellings	Permit	No
KP-2020/547	54 Nepean Highway	ASPENDALE	17/09/2020	29/10/2020	Removal of Easement	Permit	No
KP-2020/217	30A Frank Avenue	CLAYTON SOUTH	30/04/2020	29/10/2020	The development of land for two (2) dwellings on land affected by the Special Building Overlay	Notice of Decision	No

KP-2003/791/A	2 11 Beacon Street	PARKDALE	23/10/2020	29/10/2020	FIVE (5) DWELLINGS	Withdrawn	No
KP-2012/104/A	208 Balcombe Road	MENTONE	24/07/2020	29/10/2020	To amend the permit for the removal of the existing Liquidambar Styraciflua (American Sweetgum) tree within the front setback of 1/208 Balcombe Road.	Withdrawn	No
KP-2013/99/A	1121 Nepean Highway	HIGHETT	1/08/2020	30/10/2020	Amend the planning permit by replacing seven (7) business identification signs and three new pole signs, six new internally illuminated and one new panel sign	Permit	No
KP-2020/364	16 Benkel Avenue	CHELTENHAM	26/06/2020	30/10/2020	The development of two (2) dwellings	Permit	No
KP-2020/350	7 View Street	HIGHETT	23/06/2020	30/10/2020	Subdivide the Land into Six (6) Lots in a Design and Development Overlay 12	Permit	No
KP-2020/316	49 McSwain Street	PARKDALE	10/06/2020	30/10/2020	Development of one (1) dwelling to the rear of an existing dwelling	Notice of Decision	No
KP-2020/372	81 Davey Street	PARKDALE	30/06/2020	30/10/2020	The development of two (2) dwellings and to subdivide the Land into two (2) lots, on land affected by the Special Building Overlay	Notice of Decision	No
KP-2020/639	5 595-596 Nepean Highway	BONBEACH	29/10/2020	30/10/2020	We wish to build a roofed, timber pergola across the width of our two storey townhouse. The structure will be less than 3m high, and does not adjoin any other property. Ideally we can roof it with a perspex type product to enhance water harvesting for our rainwater tank. Attached to this applicati	Withdrawn	No
KP-2020/498	17D Inverness Street	CLARINDA	27/08/2020	31/10/2020	The development of alterations and additions to the existing dwelling (verandah)	Permit Not Required	No

Agenda Item No: 8.2

**KP-2020/460 - MORDIALLOC CREEK, PIER ROAD,
MORDIALLOC**

Contact Officer: James Leonard, Principal Planner

Purpose of Report

This report is for Council to consider Planning Permit Application Number KP-2020/460 – Mordialloc Creek, Pier Road, Mordialloc for the construction of an accessible boating pontoon within Mordialloc Creek.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That Council determine to support the proposal and issue a Planning Permit for buildings and works comprising the construction of an accessible boating pontoon and associated demolition and works generally in accordance with the submitted plans, at Mordialloc Creek, Pier Road, Mordialloc, subject to the conditions contained within this report.

1. EXECUTIVE SUMMARY

Address	Mordialloc Creek, Pier Road, MORDIALLOC VIC 3195
Legal Description	Crown Allotment 19A Section 24 Crown Allotment 2026
Applicant	Taylor's Development Strategists
Planning Scheme	Kingston Planning Scheme
Zoning	Clause 36.02 – Public Park and Recreation Zone (PPRZ) Clause 37.03 – Urban Floodway Zone (UFZ)
Overlays	Clause 43.01 – Heritage Overlay Schedule 108 (HO108) Clause 43.02 – Design and Development Overlay Schedule 1 (DDO1) Clause 44.04 – Land Subject to Inundation Overlay (LSIO)
Particular Provisions	Clause 52.06 – Car Parking Clause 63 – Existing Uses
Permit Trigger/s	Clause 36.02-2 – To construct a building or construct or carry out works within the PPRZ. Clause 37.03-2 – To construct a building or construct or carry out works within the UFZ. Clause 43.01-1 – To demolish a building and to construct a building or construct or carry out works within HO108. Clause 44.04-2 – To construct a building or construct or carry out works within the LSIO. Clause 63.05 – To construct and carry out buildings and works.
Objections	Nil (TRIM Checked 18/11/2020)
Considered Plans	Oldfield Consulting Australasia, Drawing Number Drg12010-01, Revision C, dated 23/09/2020

2. SITE HISTORY

- 2.1 The subject site is located within the Peter Scullin Reserve, within the Mordialloc Foreshore Precinct, an activity node along the foreshore and part of the Mordialloc Major Activity Centre. The locality hosts a mix of recreation, public open space and commercial uses and is easily accessible by foot, vehicles, public transport and bicycles.
- 2.2 Several Planning Permits have been approved for buildings and works within the Mordialloc Foreshore and Peter Scullin Reserve; however, no approvals are relevant to the proposal.

3. SUBJECT LAND

- 3.1 The proposed works are located within Crown Allotment 19A and Crown Allotment 2026, comprising of sections of Car Parking, Accessways, the Creek Wall and the Mordialloc Creek.
- 3.2 The Crown Folio Searches indicate that both Crown Allotments are reserved for public purposes. Kingston City Council is the public land administrator for Crown Allotment 19A and DELWP is the crown land administrator for Crown Allotment 2026. Kingston City Council is also the Committee of Management for Crown Allotment 19A.
- 3.3 The Map identifies the location of the works within the Mordialloc Foreshore.

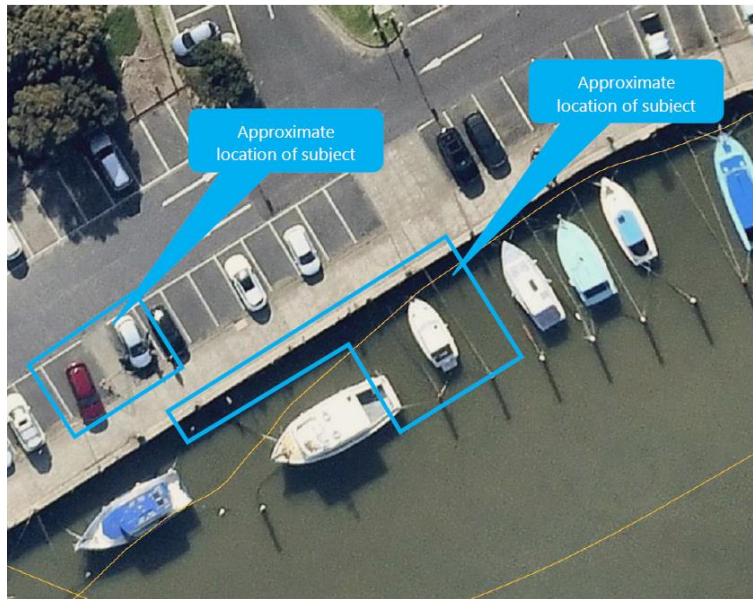


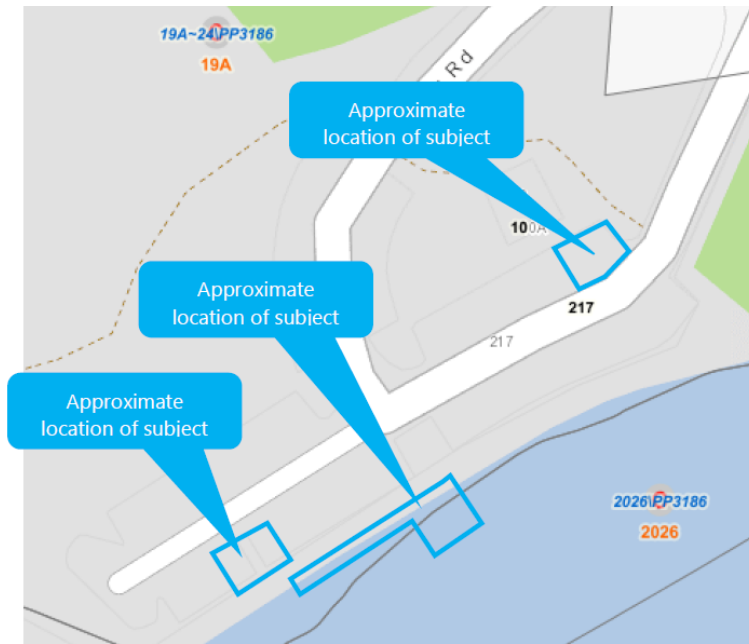
3.4 The photographs below illustrates the subject site from a streetscape perspective.





3.5 The following aerial images show the locations of the proposed works.





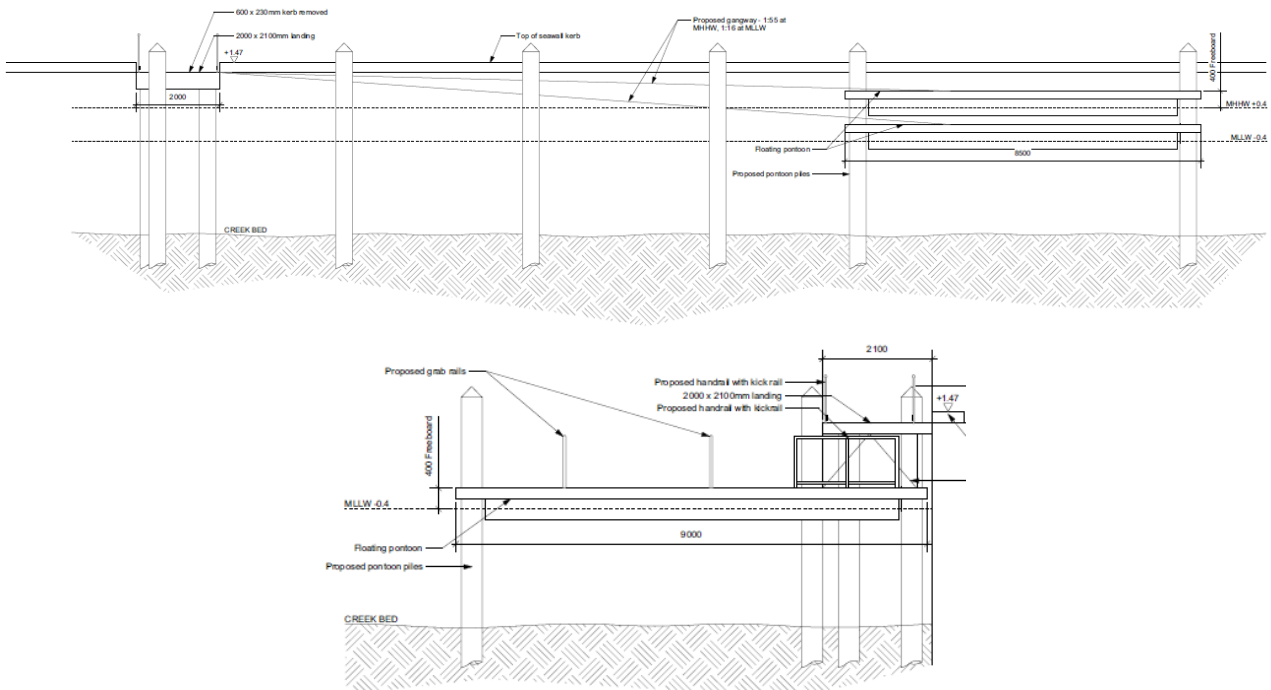
4. PROPOSAL

4.1 The proposal is to construct an accessible boating pontoon, and to undertake associated demolition and works to improve access for people with limited mobility to boating facilities in Mordialloc.

4.2 Key features of the proposal are:

- The pontoon has dimensions 8.58m width and 9m depth and will float on Mordialloc Creek on piles. The pontoon is accessed via a new disabled access ramp via the existing promenade.
- Works will be undertaken to the adjacent public car park to provide 2 disabled car spaces. The existing bluestone will be retained and there will be no loss of existing car spaces. The shared areas for the disabled spaces will utilise part of the existing pedestrian zone.
- A 2.2m wide section of the creek wall will be cut to enable accessible access to the ramp and 3 x existing mooring piles will be removed or demolished.
- The surface of the floating pontoon has 400mm freeboard above the tide level.
- The pontoon will be provided with a non-slip surface Webforge FRP Grating or similar and colours will satisfy safety and maritime requirements.

4.3 The works to the car park are illustrated below.



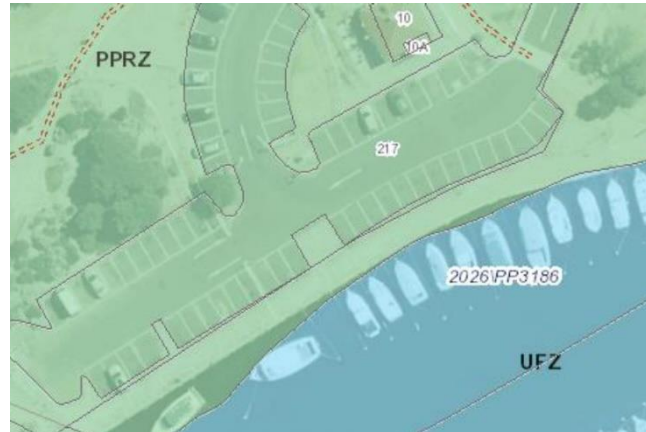
4.5 The renders below are indicative of the constructed pontoon.



5. PLANNING CONTEXT AND ASSESSMENT

Zone

- 5.1. The Site is located partly in the Public Park and Recreation Zone (PPRZ) and partly in the Urban Floodway Zone (UFZ).



Clause 36.02 – Public Park and Recreation Zone (PPRZ)

- 5.2. The purpose of the Public Park and Recreation Zone is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To recognise areas for public recreation and open space.*
- *To protect and conserve areas of significance where appropriate.*
- *To provide for commercial uses where appropriate.*

- 5.3. The pontoon itself is mostly contained within the land zoned for Urban Floodway and may only partly encroach on the PPRZ. Nonetheless, both the ramp and the pontoon are ancillary to the existing use of the Mordialloc Creek as a recreational boat facility and the proposal is not considered to require a Planning Permit for the use within the PPRZ.

- 5.4. A permit is required pursuant to Clause 36.02-2, to construct a building or construct or carry out works. These works are limited to the works to the existing car park and any buildings and works related to the pontoon itself within the PPRZ. The disabled access ramp is exempt from planning permission under the Zone by virtue of Clause 62.02-2 of the Scheme.

- 5.5. The consent of Kinston City Council, as public land manager, is required. Consent was obtained from the City of Kingston, as the Committee of Management on the 21 September 2020. Council is the Committee of Management for Crown Allotment 19A being part of the Mordialloc-Mentone Beach Park. The Park excludes the Mordialloc Creek and supporting creek wall, part of which is in Crown Allotment 2026 and for which the Crown is responsible.

- 5.6. The applicant also submitted the application for consent to use and develop marine and coastal Crown land pursuant to Section 68 of the *Marine and Coastal Act 2018*. This application was received on 28 July 2020. Further information was requested on 10 August 2020 and received on 23 September 2020. Pursuant to Section 70 of the *Marine and Coastal Act 2018* and as delegated by the Minister, consent to the proposed use and development subject to the conditions was given on the 8 October 2020. Conditions are to be included on the planning permit.

5.7. The proposal implements the purpose of the PPRZ by enhancing public access to recreational boating facilities in Mordialloc while protecting the area's environmental values.

Clause 37.03 – Urban Floodway Zone (UFZ)

5.8. The purpose of the Urban Floodway Zone is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To identify waterways, major flood paths, drainage depressions and high hazard areas within urban areas which have the greatest risk and frequency of being affected by flooding.*
- *To ensure that any development maintains the free passage and temporary storage of floodwater, minimises flood damage and is compatible with flood hazard, local drainage conditions and the minimisation of soil erosion, sedimentation and silting.*
- *To reflect any declarations under Division 4 of Part 10 of the Water Act, 1989.*
- *To protect water quality and waterways as natural resources in accordance with the provisions of relevant State Environment Protection Policies, and particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).*

5.9. The proposed pontoon use is part of an upgrade to the existing recreational boating facility/marina use, therefore is not considered to require a Planning Permit for the use within the UFZ.

5.10. A planning permit is required pursuant to Clause 37.03-2 to construct a building or construct or carry out works.

5.11. A report *Mordialloc Creek Accessible Pontoon Concept Design Report* prepared by BMT assessed many options for design. The assessment included consultation with Better Boating and stakeholder consultation. The design required consideration of marine and coastal factors that led to the selection of the proposed pontoon design as the preferred option.

5.12. It is noted the pontoon will float atop the tide level with freeboard of 400mm and as a boating pontoon is suitably located in the Urban Floodway Zone.

5.13. The application required referral to Melbourne Water as the Flood Plain Management Authority. Melbourne Water do not object to the proposal.

5.14. It is considered the proposal is suitable and responds appropriately to the decision guidelines of the Urban Floodway Zone.

Overlays

Design and Development Overlay – Schedule 1

5.15. The site is partially located within the Design and Development Overlay – Schedule 1 as shown below.



- 5.16. A planning permit is not required to construct a building with a floor to ceiling height of less than 3.5m or works under 6m. A pontoon is defined as being a building, not works.
- 5.17. The pontoon is not considered to require a permit under the overlay.
- 5.18. The works involved in the proposal comprise a disabled access ramp, which is exempt from planning permission pursuant to Clause 62.02-2. Therefore, a permit is not required under the provisions of the Overlay

Heritage Overlay – Schedule 108

- 5.19. The site is partially located within the Heritage Overlay – Schedule 108 as shown below.



- 5.20. The purpose of the Heritage Overlay is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To conserve and enhance heritage places of natural or cultural significance.*
- *To conserve and enhance those elements which contribute to the significance of heritage places.*
- *To ensure that development does not adversely affect the significance of heritage places.*
- *To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.*

- 5.21. Schedule 108 of the Heritage Overlay is a heritage precinct control relating to the heritage place 'Mordialloc Creek and Foreshore Precinct'. External paint and tree controls apply. The proposal does not necessitate the removal of any trees. External colours are illustrated on the renders prepared by Oldfield Consulting Australasia.

5.22. Pursuant to Clause 43.01-1, a planning permit for the proposal to:

- Construct a building or construct or carry out works including a non-domestic disabled access ramp where it is visible from a public park.
- Demolish or remove a building (part of the Mordialloc Creek wall and removal of boating piles).
- Carry out works, repairs and routine maintenance which change the appearance of a heritage place or which are not undertaken to the same details, specifications and materials.

5.23. The key considerations under HO108 are:

- *Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.*
- *Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.*
- *Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.*
- *Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.*

5.24. The Statement of Significant for the Mordialloc Creek and Foreshore Precinct is:

The Mordialloc Creek and Foreshore Precinct is of social, historical and architectural significance at a local level. It is socially significant as a focus of the local community. It is historically significant as a reasonably intact example of a late nineteenth and early twentieth century seaside resort and the precinct remains legible as an early recreational centre. The area is architectural significant for a number of unusual structures which survive from the early development of place, most notably the pier but including less prominent structures such as the sea wall, band rotunda and toilet block.

5.25. The History and Description in the citation indicates that:

The Mordialloc Creek and Foreshore Precinct is a large and diverse area to the north of the Mordialloc Creek sandwiched between Beach Road and Port Phillip Bay. This section of the bay was a popular nineteenth century seaside destination and still retains the early fishing, boat building and tourism activities that have traditionally been central to Mordialloc's identity and income. Since the earliest days of white settlement, the creek has been popular with both visitors and locals for fishing and boating pursuits while the beach was popular for sea bathing. A pier was constructed near the mouth of creek before 1870 and a walled breakwater was built at the shoreward end of the pier before 1900. The pier has since been replaced by a considerably larger timber structure...

....

Through the early 1930s works to the creek became the focus of the committee's attention. In 1931, valuable area of land on the northern bank of the Creek was reclaimed and the creek was dredged to a uniform depth to improve its amenity. The north and south banks of the creek were sheet piled between 1931 and 1933. It is likely that the sheet piling on site today is part of more recent refurbishment of the creek walls.

...

The public toilet at the northern end of the precinct dates from c.1930s....

A large public shelter is located adjacent to the toilet block at the northern end of the precinct....,

Other elements of interest in the precinct are concrete benches in front of the bandstand, which appear to date from the construction of the bandstand rotunda, a horse trough, a war memorial and a row of palm trees.

The largest and most significant structure in the precinct is the pier....

The foreshore reserve is known today as the Peter Scullin Reserve after the Councillor (1971-1975) and Mayor (1974). It area has been continuously refurbished to provide increased amenity largely in the form of increased parking and children's play areas. The more formal lawned and structured interwar character engendered by the beach lawn, ordered paths and formal plantings has to some extent been lost through recent works. Nonetheless the ongoing use of the place and the large number and highly intact state of much of the early building stock allow the precinct to remain legible as an early recreation area.

- 5.26. The application was referred internally to Council's Strategic Department to provide a review of the proposal in response to the Heritage Overlay.
- 5.27. The Heritage Department had previously sought community nominations for places of potential heritage within the municipality. Two nominations were received regarding the Bluestone Creek Walls at the Mordialloc Creek. Significant community interest arose in this heritage precinct, with Pompei's Boat works (now demolished) at the edge of the creek being nominated for inclusion on the Victorian heritage register last year.
- 5.28. Due to the scope of works and the significant community interest, the application has been reviewed by Peter Barrett, heritage consultant.

The following comments have been provided in response to the proposal:

- From what I could determine, the creek wall at this point of the Mordialloc Creek, is not bluestone. It is something else, perhaps concrete. I understand that the bluestone creek wall is on the upper stretch of the creek at what is called Pompei's Landing (upstream of the Nepean Highway Bridge).*
- The bluestone in the car park is used for guttering. It's not particularly old (at least in its use here) and the bluestone probably came from another site as part of salvage works. The bluestone kerbing in the car park can be removed or altered as required without any impact upon the heritage value of the foreshore reserve.*
- The impacts from the proposed pontoon works are little or none to the recognised heritage value(s) of the Mordialloc Creek and Foreshore Reserve Precinct. Any minor impacts from the proposed works will be well outweighed by disabled access to boating pursuits at the creek and Port Phillip Bay.*
- I believe that the current proposal is supportable from a heritage perspective to build the pontoon.*

- 5.29. It is considered the proposed demolition and buildings and works are considered to be in keeping with the heritage values of HO108.

- 5.30. In addition to the advice from Peter Barrett above, the Citation indicates the creek wall was sheet piled in the 1930s and it is likely the sheet piling on site today is part of more recent refurbishment of the creek walls.

- 5.31. The adjacent car park is finished in asphalt and apart from the bluestone pavers and street light (which will be relocated) is considered to be the result of modern maintenance works. The demolition will not affect fabric that has identified heritage significance, the demolition will not adversely impact the heritage values of the heritage place.
- 5.32. It is considered the relocation of the bluestone pavers and street light will not adversely impact the heritage values of the heritage place as the intactness of the bluestone pavers and street light will be maintained given this fabric will be relocated rather than altered.
- 5.33. Additionally, the relocation of these elements is required to provide two accessible car parking spaces adjacent to the pontoon that meet the current Australian Standard for accessible car parking spaces. This will provide a positive heritage outcome as it enables the on-going use of the heritage place into the future while meeting present day standards for accessible car parking spaces.
- 5.34. It is considered the new built form will not adversely impact the heritage values of the precinct for the following reasons:
- The pontoon will improve access to recreational boating facilities for people with limited mobility and is therefore compatible with the precinct's social heritage significance as "a focus of the local community".
 - The pontoon maintains the focus of the creek for fishing and boating pursuits by both visitors and locals. Is therefore does not detract from the precinct's heritage significance as a late nineteenth and early twentieth century seaside resort.
 - The pontoon design is low scale and by its boating nature is in keeping with the area's maritime character. It is remote from significant heritage fabric and utilises colours and materials suitable for the coastal environment consistent with other coastal structures in the area. It does not dominate or block views to any heritage fabric.
 - It is therefore considered the demolition, buildings and works will not adversely impact the heritage values of the heritage place.

Land Subject to Inundation

- 5.35. The subject site is affected, in part, by a LSIO as shown below:



- 5.36. The purpose of the LSIO is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To identify land in a flood storage or flood fringe area affected by the 1 in 100 year flood or any other area determined by the floodplain management authority.*

- *To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.*
- *To reflect any declaration under Division 4 of Part 10 of the Water Act, 1989 where a declaration has been made.*
- *To protect water quality in accordance with the provisions of relevant State Environment Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).*
- *To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.*

5.37. Pursuant to Clause 44.04-2, a permit is required to construct a building or construct or carry out works including a non-domestic disabled access ramp.

5.38. In addition to the referral to Melbourne Water (as required also by the UFZ), the application has been assessed and consent granted. It is considered the proposal is suitable and responds appropriately to the decision guidelines of the LSIO.

6. POLICY CONSIDERATIONS

Planning Policy Framework

6.1 The following Planning Policy Framework is considered relevant to the proposal:

- Clause 11 – Settlement.
- Clause 12 – Environmental and Landscape Values.
- Clause 13 – Environmental Risks and Amenity.
- Clause 14 – Natural Resource Management.
- Clause 15 – Built Environment and Heritage.
- Clause 17 – Economic Development.
- Clause 21.01 – Vision and Strategic Framework.
- Clause 21.03 – Environment and landscape Values.
- Clause 21.04 – Environmental Risk and Amenity.
- Clause 21.06 – Built Environment and Heritage.
- Clause 22.08 – Heritage Policy.

6.2 The policy includes a range of policies that deal with settlement and coastal crown land, the environment, tourism, recreation and economic considerations and built form and heritage matters. These policy themes are considered below with reference to applicable policies in the Planning Policy Framework.

Settlement Policy

6.3 The pontoon is suitably located within the Mordialloc Major Activity Centre and the Mordialloc Foreshore Area. Policy strongly encourages infrastructure and growth in defined settlements and activity nodes, such as Mordialloc. These policies include:

- Coastal Settlement policy at Clause 11.03-4, which *directs ...infrastructure to locations within defined settlement boundaries of existing settlements that are capable of accommodating growth.*
- Coastal Areas policy at Clause 21.03-2, which seeks to *sensitively manage tourism / development opportunities to recognised 'activity nodes'*. That same policy recognises Mordialloc at the top of the hierarchy of foreshore activity nodes in the municipality where it states: *Reinforce the hierarchy of activity nodes along the foreshore recognising*

Mordialloc as the primary activity node and Aspendale, Edithvale, Chelsea, Bonbeach and Carrum as secondary activity nodes.

- The Victorian Coastal Strategy (Victorian Coastal Council, 2014) states that *in coastal communities, recreation and tourism developments are focused around activity and recreation nodes. These create efficient relationships between buildings and infrastructure, and they minimise development impacts on the coast.... Activity nodes provide for community recreation facilities and tourism activities. They are within settlements and are adjacent to the activity centres identified in planning schemes. It is policy in the Victorian Coastal Strategy that buildings and infrastructure on coastal Crown land is located in activity nodes and recreation nodes, consistent with any relevant master plan.*

6.4 As such, the proposal receives strong policy support from settlement policy.

Environmental Values and Climate Change

6.5 Other policies in the PPF seek to protect environmental values of coastal and estuarine environments such as Mordialloc Creek and to manage the impacts of climate change. This is evident in policies such as:

- *To recognise the value of coastal areas to the community, conserve and enhance coastal areas and ensure sustainable use of natural coastal resources (Clause 12.02-1S - Protection of Coastal Areas). Strategies under this clause seek to coordinate land use and planning with the requirements of the Coastal Management Act 1995, to apply the hierarchy of principles for coastal planning and management.*
- *To protect and enhance river corridors, waterways, lakes and wetlands (Clause 12.03-1S - River Corridors, Waterways, Lakes and Wetlands).*
- *To protect and conserve environmentally sensitive areas (Clause 12.05-1S - Environmentally Sensitive Areas).*
- *To minimise the impacts of natural hazards and adapt to the impacts of climate change through risk-based planning (Clause 13.01-1S - Natural hazards and climate change).*
- *To plan for and manage the potential coastal impacts of climate change (Clause 13.01-2S - Coastal Inundation and Erosion).*
- *To assist the protection and restoration of catchments, water bodies, groundwater, and the marine environment (Clause 14.02-1S - Catchment planning and management).*
- *To protect and where possible restore the integrity of natural ecosystems, coastal processes and scenic landscape or the coastal environment (Clause 21.03-2 - Coastal Areas).*
- *To mitigate the impacts of climate change (Clause 21.04-1 - Climate Change Impacts). Decision guidelines under this clause include Any relevant and up-to-date information relating to climate change impacts including predicted sea level rise, storm surges, increased peak flows and coastal erosion, particularly for areas along the foreshore area and adjacent to the Mordialloc Creek.*

6.6 The pontoon will float on the tide level and can accommodate a range of tide levels / sea level rise.

6.7 The Marine and Habitat Survey report prepared by Australasian Marine Associates undertook a marine survey in the location of the pontoon. This report concluded that:

The proposed Accessible Pontoon includes installation of piles and a floating pontoon structure. The marine environment within the vicinity of the pontoon footprint is a highly modified environment dominated by a combination of native and introduced species.

The only potentially sensitive marine communities reported were associated with the artificial rocky subtidal habitats present at the breakwater entrance to Mordialloc Creek, approximately 170m downstream. The proposed works, however, are restricted to the floating pontoon footprint and therefore, there is unlikely to be any direct impact on these sensitive marine communities.

Any turbidity generated from the pile driving activities will also be localised and will unlikely influence water quality conditions at the entrance to Mordialloc Creek. No dredging of the seabed within the pontoon footprint is proposed and so, remobilisation of any contaminants present in sediments is also highly unlikely.

The new pontoon structure will provide additional artificial habitat for the surrounding marine flora and fauna communities...

Recreation, Economic and Tourism Policy

6.8 The Planning Policy Framework also seeks to support sustainable management of growth around coastal environments for tourism, economic and recreational benefits. These policies include:

- Clause 11.03-4, which emphasises to *support the sustainable management of growth around coastal, estuary and marine assets to protect environmental values, and to achieve regional economic and community benefits.*
- Clause 12.03-1S which seeks to *ensure development responds to and respects the significant environmental, conservation, cultural, aesthetic, open space, recreation and tourism assets of water bodies and wetlands.*
- Clause 12.02-2S, which includes the objective: *To achieve coastal crown land development that provides an environmental, social and economic balance.* This will be implemented through strategies that include: *The purpose for which land is reserved under the Crown Land (Reserves) Act 1978.*
- Clause 17.04-2S has the objective: *to encourage suitably located and designed coastal, marine and maritime tourism and recreational opportunities.* Strategies under this objective include: *Maintain and expand boating and recreational infrastructure around the bays in maritime precincts at Frankston, Geelong, Hastings, Hobsons Bay, Mordialloc, Mornington, Patterson River, Portarlington, Queenscliff, St Kilda, Stony Point/Cowes and Wyndham.*
- Strategies in clause 21.03-2 include:
 - *Consolidate new recreational/tourism/commercial development opportunities within identified activity nodes along the foreshore, compatible with the long term protection of the coastal environment.*
 - *Promote a wide range of social, recreational and coastal experiences across the foreshore area.*

- *Improve the range of transport/access options to the foreshore including boat, private motor vehicle, public transport, bicycle, walking and disabled access.*
 - Policy at Clause 21.11-10 (Mordialloc Activity Centre) includes *Ensure that mooring and commercial and community recreational boating will continue to be provided within the creek and Mordialloc Island.*
- 6.9 The Crown Folio searches undertaken by the applicant indicated that the purpose of the Crown Land Reservations subject of this application are for public purposes. The pontoon will enable accessible access to boating facilities by the community and is therefore consistent with the purpose of the reservations.
- 6.10 The pontoon is ideally located in the Mordialloc activity node where State policy at Clause 17.04-2S specifically seeks to maintain and expand boating and recreational infrastructure. Local policy similarly seeks to *consolidate new recreational / tourism / commercial development opportunities within identified activity nodes along the foreshore.* The Mordialloc activity node is at the top of the hierarchy of activity notes in the Kingston municipality.
- 6.11 The proposal directly implements the strategy at Clause 21.03-2 to *Improve the range of transport / access options to the foreshore including boat, private motor vehicle, public transport, bicycle, walking and disabled access.*
- 6.12 The proposal is a satisfactory response to the objectives and policy related to Tourism, Recreation and Economic Development within the Planning Scheme.

Built Form and Heritage Policy

- 6.13 A range of policies in the Scheme require that new built form respond to the area's built form and heritage values. Notably:
- Clause 15.01-1S (Urban Design) seeks: *To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.*
 - Clause 15.01-2S (Building Design) seeks: *To achieve building design outcomes that contribute positively to the local context and enhance the public realm.*
 - Clause 21.6-1 (Urban Environment) seeks: *To project a positive image of the City through a high standard of urban design.*
 - Clause 21.06-4 (Heritage) seeks:
 - *To identify, conserve and enhance places of built and cultural heritage, including significant buildings, places, trees, monuments and landscapes.*
 - *To ensure new development contributes positively to identified heritage values.*
- 6.14 Clause 15.03-2S (Aboriginal Cultural Heritage) seeks to ensure the protection and conservation of places of Aboriginal cultural heritage significance.
- 6.15 Importantly, the Subject Land is identified in an area of Aboriginal Cultural Heritage Sensitivity. The application has been submitted with an accompanying Heritage Memo, prepared by Jeremy Hill – Department of Transport Heritage Advisor – Heritage and Native Title Practice,

dated 4 August 2020 which has undertaken a review of the proposal in regard to Cultural Heritage.

6.16 The Permit Applicant has sufficiently demonstrated that a Cultural Heritage Management Plan is not required for the proposal due to evidence of significant historical ground disturbance within the area of the proposed works.

6.17 In addition to the above, DELWP have included the following in their referral response:

There are no Native Title requirements and you have advised that a Cultural Heritage Management Plan is not required to be prepared for the proposed works, however you must comply with the provisions of the Aboriginal Heritage Act 2006 in the event that any Aboriginal cultural heritage is disturbed or uncovered during the proposed works. Enquiries regarding this should be directed to Aboriginal Victoria on phone 1800 762 003 as the body who is responsible for the administration of cultural heritage.

6.18 The pontoon has been located and designed in consultation with a range of stakeholders and with the input of Council's engineering, planning, environmental and heritage areas of expertise.

6.19 The structure itself is low scale and its open nature minimises the impact of the structure on the area's open landscape character. The maritime style of the structure is in fitting with other maritime structures in the area and the foreshore character of the area.

6.20 The pontoon will not adversely impact on the heritage significance of the Mordialloc Creek and Foreshore Precinct Heritage Place as discussed earlier within the report.

6.21 The pontoon provides a functional design that responds to the area's coastal conditions and will improve access for people with limited mobility to boating facilities.

6.22 Overall, the pontoon responds appropriately to built form and heritage planning policies.

Particular Provisions

Clause 52.06 – Car Parking

6.23 The purpose of Clause 52.06 includes:

- *To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enabled easy and efficient use.*

6.24 The disabled car parking spaces are designed to satisfy AS2890.6 as shown on the plans.

6.25 The alterations to car parking spaces within the Pier Road car park are appropriate as:

- It results in no reduction in the number of standard car spaces
- It results in an increase of one disabled space, noting the pontoon to expected to increase the need for disabled spaces compared to current conditions.
- The area is noted to become a destination point for accessible users that encourages a safe, connected shared space for different users and multiple activities.
- It retains a disabled space near the café and locates 2 spaces near the pontoon and pier / promenade which are expected to be key destinations for disabled people.

General Provisions

6.26 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.

Clause 63 – Existing Uses

6.27 Clause 63.01 (Extent of Existing Use Rights) specifies: An existing use right is established in relation to use of land under this scheme if any of the following apply:

- *The use was lawfully carried out immediately before the approval date.*
- *A permit for the use had been granted immediately before the approval date and the use commences before the permit expires.*
- *A permit for the use has been granted under Clause 63.08 and the use commences before the permit expires.*
- *Proof of continuous use for 15 years is established under Clause 63.11.*
- *The use is a lawful continuation by a utility service provider or other private body of a use previously carried on by a Minister, government department or public authority, even where the continuation of the use is no longer for a public purpose.*

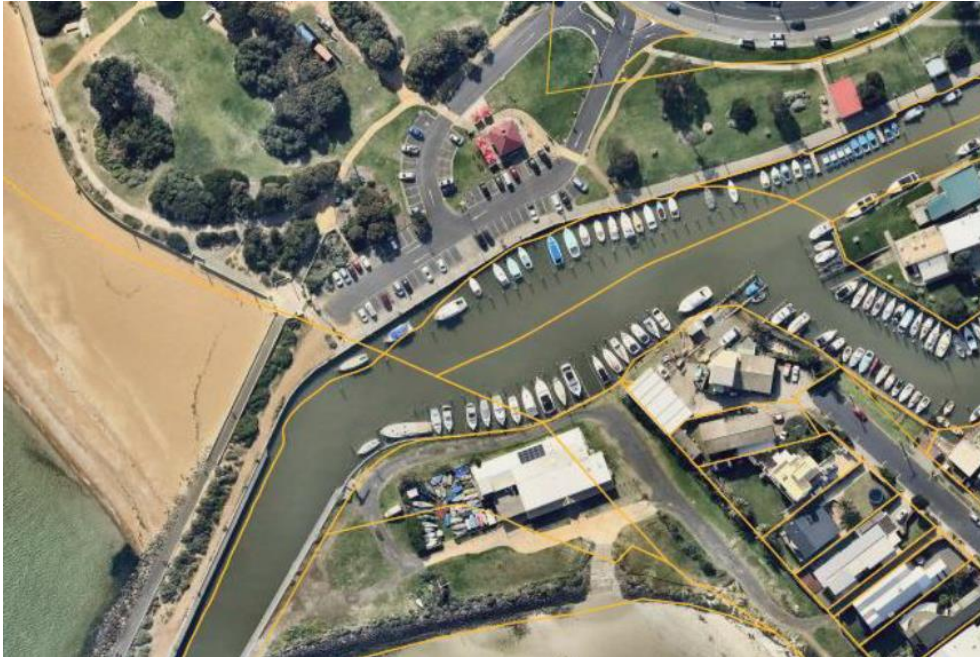
6.28 Pursuant to Clause 37.03-1, the use of land for a Recreational Boating Facility is a prohibited use within the Urban Floodway Zone, however, the boating use of the subject site is an existing use that will not change by the proposal.

6.29 Boating has been occurring along the northern bank of Mordialloc Creek for an extended period of time. This is common knowledge and is acknowledged as having occurred since the earliest days of white settlement in the Citation for the Mordialloc Creek and Foreshore Precinct heritage place.

6.30 A review of the 1945 Melbourne Aerial photography (below) shows boats moored along the northern bank and this use continues today.



(Mordialloc Creek 1945 – Melbourne 1945 Website)



(Mordialloc Creek 2020 – NearMap)

- 6.31 The boating use along Mordialloc Creek benefits from existing use rights pursuant to Clause 63.11.
- 6.32 Clause 63.05 provides that a use in Section 2 or 3 for which an existing use right is established may continue provided:
- *No building or works are constructed or carried out without a permit. A permit must not be granted unless the building or works complies with any other building or works requirement in this scheme.*

The proposal triggers a permit under Clause 63.05.

- *Any condition or restriction to which the use was subject continues to be met. This includes any implied restriction on the extent of the land subject to the existing use right or the extent of activities within the use.*

The pontoon is located where boat mooring has evidently occurred for many years.

The amenity of the area is not damaged or further damaged by a change in the activities beyond the limited purpose of the use preserved by the existing use right (Clause 63.05).

The proposal does not change the existing use of Mordialloc Creek for boat mooring.

- 6.33 Clause 63.12 provides the decision guideline:
- *Before deciding on an application under Clause 63.05, 63.08 or 63.10, in addition to the decision guidelines in Clause 65 and any other requirements of the Act, the responsible authority must consider the extent to which compliance can be achieved with all scheme requirements that can reasonably be met.*
- 6.34 The report above has assessed the proposal against the provisions of the Kingston Planning Scheme.

6.35 It is considered the proposal satisfies the provisions of Clause 63.05 and should be supported.

Net Community Benefit

6.36 Clause 71.02-3 states that planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations.

6.37 It is considered the pontoon will deliver a net community benefit in the form of:

- Improved access to boating facilities for a wider segment of the community and supporting recreation and tourism objectives.
- Site responsive design that respect's the area's character and heritage values.
- Ensuring the area's environmental values have been considered and protected.

7. PUBLIC NOTIFICATION

7.1 Pursuant to Clause 67.01 of the Kingston Planning Scheme, in accordance with section 6(2)(ka) of the Act, any Class 3 (any other development) developments **are** exempted from section 96(1) and 96(2) of the Act.

7.2 Pursuant to Clause 36.02-4 of the PPRZ, the proposed buildings and works **are not** exempt from notice requirements.

7.3 Pursuant to Clause 37.03 of the UFZ, the proposed buildings and works **are not** exempt from notice requirements.

7.4 Pursuant to Clause 43.01-4 of the HO, the proposed buildings and works **are not** exempt from notice requirements.

7.5 Pursuant to Clause 44.04-6 of the LSIO, the proposed buildings and works **are** exempt from notice requirements.

7.6 The application was advertised by sending formal notification to adjoining land owners. Following the commencement of advertising, no representations for or against this application have been received.

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

8. REFERRALS

Internal referrals

Department / Area	Comments / Rationale / Recommended Conditions
Strategic Planning	See Heritage Assessment above. No objection raised.
Council's Development Engineer	No objection raised and no conditions
Property Services	The entire structure is within the Crown Recreation that is directly managed by DELWP the sea wall is not a Kingston Asset. Council can consent to the use on the land side for access and presumably a works zone.

Traffic	<p>Council would need to see a construction management plan.</p> <p>The application was provided to Council's Traffic Department for review. the following comments were received:</p> <ol style="list-style-type: none"> 1. There are current two disabled parking spaces provided within 30m to the ramp. The additional disabled parking spaces may be considered exceed the need. Please consult with Council's Community Project Co-ordinator to see if the additional disabled parking spaces are warranted. 2. The disabled parking spaces should have a smooth transition between the parking space and shared areas. The area highlighted below needs to be grinded to provide the smooth transition. 3. The proposed gangway requires additional landing of 1.2m long as per AS1428.1-2009 section 10.3 requirements as well as a maximum gradient of 1:14. 4. Elevation plan must show hand rail details that comply with AS1428.1 2009 with adequate extensions provided at either end 5. The transition plate must have a minimum width of 1m. <p>The comments were provided to the applicant who has provided a response, and alterations to the proposal to respond to the comments.</p> <p>Plans have been revised. The following comments have been provided in response to the revised plans:</p> <p>Traffic has no objections to the proposed development provided:</p> <ol style="list-style-type: none"> 1. The conditions recommended by Taylors Urban Development Infrastructure in the letter dated 25 September 2020 is to be included in the permit. 2. The additional cost of relocating the existing street light in the shared space of the accessible parking is to be borne by the applicant. Council will provide contractor detail to the applicant to coordinate the work, as Council is in the process to supply and repair this light. It is also recommended that the light is to be relocated onto the footpath to provide further protection. 3. All line marking and parking signs changes associated with the proposal is to be conducted by the applicant to Council's satisfaction. <p>Conditions will be added to the permit.</p>
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External referrals

Department	Section 52/55	Determining / Recommending	Objection	Comments
BIOSIS	52	Recommending	None	No vegetation is proposed to be removed, therefore there is no Clause 52.17 Trigger.

Melbourne Water	55	Determining	None	Subject to conditions included verbatim within the recommendation
ESSO / ExxonMobil	52	Recommending	None	Subject to conditions included verbatim within the recommendation

9. FURTHER CONSIDERATION

9.1 The comments provided from Council’s Traffic Department were provided to the applicant for review. The applicant has provided the following in response to the queries raised:

9.2 **Query 1: *There are current two disabled parking spaces provided within 30m to the ramp. The additional disabled parking spaces may be considered exceed the need. Please consult with Council’s Community Project Co-ordinator to see if the additional disabled parking spaces are warranted.***

9.3 A meeting was held on 11 September 2020 between David Wang, Dominic McCann and Eugenia Grammatikakis of Council, Tom Gilbert of BBV, Doug Oldfield of Oldfield Consulting Australasia and Nick Robins of Taylors to discuss the accessible parking provision in the Pier Road Car Park and more generally the DDA queries raised by Council’s Traffic Engineer. The agreements / outcomes of the meeting were:

- BBV to circulate options for provision of accessible and standard parking spaces.
- BBV and Council agree to a condition being placed on the permit requiring signage to explain to users of the pontoon how to safely use the facility.

9.4 Subsequent to the meeting, BBV circulated 4 options for provision of accessible parking spaces in the car park and noted Option 4 was the preferred Option in the basis that:

- It results in no reduction in the number of standard car spaces
- It results in an increase of one disabled space, noting the pontoon to expected to increase the need for disabled spaces compared to current conditions.
- The area is noted to become a destination point for accessible users that encourages a safe, connected shared space for different users and multiple activities.
- This option also retains a disabled space near the café and locates 2 spaces near the pontoon and pier / promenade which are expected to be key destinations for disabled people.

9.5 Council’s Traffic and Community Safety Department since provided in-principal support, advising that “...we are happy with Option No: 4 as proposed”.

9.6 As a result of these discussions:

- The application proposes car park changes in the Pier Road Car Park as shown in the plan “Option 4”, and the drawings prepared by Oldfield Consulting Australasia have been updated to show the “Option 4” car park changes adjacent to the pontoon.
- The Applicant agrees to a Condition 1 of permit requiring details of signage, prepared in consultation with Council’s Community Safety Department, to inform users how to safely use the pontoon. This condition could be worded along the lines of:

Detailed for signage, prepared in consultation with Council's Community Safety Department, that will be installed to inform users of the pontoon how to safely access and use the facility.

- 9.7 **Query 2: The disabled parking spaces should have a smooth transition between the parking space and shared areas. The area needs to be grinded to provide the smooth transition.**
- 9.8 On review, instead of grinding / smoothing the bluestone the plans have been updated to relocate the bluestone to the outside of the accessible car parking spaces.
- 9.9 While both options (grinding or relocation) would provide a smooth surface between the accessible car spaces and the shared zone, the relocation of the bluestone is the preferable option in heritage terms. In particular, it is better in heritage terms to retain the intactness of heritage fabric than alter it. Also, as a general principle the adaptive re-use of heritage fabric to meet modern use requirements is a positive heritage outcome as it allows the on-going use of heritage fabric into the future.
- 9.10 We also note that the relocation of the two central lines of bluestone to the outside of the disabled space would look "tidy" on ground. It would define the normal car spaces from the disabled space and adjacent walkway / shared zone.
- 9.11 The updated Oldfield plans now show the light pole located in the proposed accessible car space to be relocated within the shared zone. Oldfield have confirmed the pole needs to be relocated and is suitably located in the shared zone to minimise the distance it is moved and to keep it aligned in style and configuration with the other light poles in the car park. It also works well to light the two accessible car spaces.
- 9.12 In heritage terms, the relocation of the light pole (including the old light lamp) is appropriate.
- 9.13 **Query 3: The proposed gangway requires additional landing of 1.2m long as per AS1428.1-2009 section 10.3 requirements as well as a maximum gradient of 1:14. Please see below.**

10.3 Ramps

Ramps shall comply with the following:

- (a) The maximum gradient of a ramp exceeding 1900 mm in length shall be 1 in 14.
- (b) The gradient of a ramp shall be constant throughout its length with a maximum allowable tolerance of 3% provided no section of the ramp is steeper than 1 in 14.
- (c) Ramps shall be provided with landings, as specified in Clause 10.8, at the bottom and at the top of the ramp and at intervals not exceeding the following:
 - (i) For ramp gradients of 1 in 14, at intervals not greater than 9 m.
 - (ii) For ramp gradients steeper than 1 in 20, at intervals not greater than 15 m.
 - (iii) For ramp gradients between 1 in 14 and steeper than 1 in 20, at intervals that shall be obtained by linear interpolation.

- 9.14 The applicant has reviewed this with Oldfield Consulting, who have provided the following comments:

Because the pontoon rises and falls with the tide, the grade of the gangway will vary from 1:55 at high tide (MHHW) to 1:16 at low tide (MLLW). It is not possible to incorporate a level landing half-way down the ramp (at a 9.0m maximum spacing) as required by the Australian

Standard AS 1428.1. This is a compromise where the ramp length of 17.5m without an intermediate landing will need to be deemed acceptable. This was the recommendation previously made in the BMT Concept Design Report (May 2020), which I endorse.

9.15 The tidal fluctuations in Mordialloc estuary are a significant constraint to achieving compliance with Section 10.3 of AS1428.1-2009 at all times of the year. However, BBV is continuing to pursue compliance to the maximum extent reasonably practical. The appointment of a contractor for the detailed design and construction of the pontoon after a permit is issued will enable further consideration of whether compliance with Section 10.3 can be achieved over greater tidal variations than currently shown on the Oldfield plans.

9.16 Signage can be installed to inform users when unassisted (i.e. compliance with Section 10.3) and assisted (i.e. non-compliance with section 10.3) access is suitable due to the variations of ramp levels with the tide level in Mordialloc estuary.

The below image shows this type of signage that was installed at Hopkins River Warrnambool (jetty redevelopment adjacent the Warrnambool ski club).

The gangway can be fitted with a gauge indicating when the gangway slope is suitable for unassisted access (i.e. 1:12 or flatter), similar to the gauge at the accessible pontoon gangway at Hopkins in Warrnambool Shire, Victoria (Figure 6-1).



9.17 The applicant has requested the following be required via condition 1 (amended plans generally in accordance with those submitted) of the permit:

- Compliance with AS1428.1 2009, where practical, to the satisfaction of the responsible authority.
- Detailed for signage, prepared in consultation with Council's Community Safety Department, that will be installed to inform users of the pontoon how to safely access and use the facility.

9.18 The inclusion of these conditions will enable any improvements in compliance with Section 10.3 (determined through the detailed construction plans) to be implemented into the plans endorsed under the planning permit. It will also enable signage to be installed to inform users when unassisted and assisted access is suitable according to the tidal fluctuations.

9.19 **Query 4: Elevation plan must show hand rail details that comply with AS1428.1 2009 with adequate extensions provided at either end.**

- 9.20 The applicant has advised that these details can be provided as part of the detailed construction plans.
- 9.21 Accordingly, it has been requested a condition 1 be place on the permit requiring amended plans generally in accordance with those submitted with the application but modified to show compliance with AS1428.1 2009, where practical, to the satisfaction of the responsible authority.
- 9.22 **Query 5: The transition plate must have a minimum width of 1m.**
- 9.23 The updated plans provide a transition plate with a minimum width of 1m.
- 9.24 **Other Query: Can you please confirm if the ramp has been designed to Australian Standards?**
- 9.25 Oldfield Consulting advised that:
- Some compromises, as discussed above, will need to be accepted to accommodate the varying level of the tides and the floating pontoon. Where possible, all requirements of AS 1428.1 will be complied with at detailed design stage.*
- 9.26 The issue of a planning permit for the proposal will enable BBV to proceed with the appointment of a contractor to undertake the detailed design and construction of the pontoon.
- 9.27 To ensure the detailed construction plans accord with the Oldfield plans endorsed under the planning permit and to ensure all requirements of AS 1428.1 have been met where they reasonably can be met, the applicant has requested a condition 1 be included in the permit requiring submission and approval of plans generally in accordance with those submitted with the application but modified to show compliance with AS1428.1 2009, where practical, to the satisfaction of the responsible authority.

Consent for use and development of coastal land under the *Marine and Coastal Act 2018*

- 9.28 The applicant lodged consent to use and develop marine and coastal Crown land pursuant to Section 68 of the *Marine and Coastal Act 2018*. Pursuant to Section 70 of the *Marine and Coastal Act 2018* and as delegated by the Minister, consent to the proposed use and development subject to the conditions has been obtained.
- 9.29 Several conditions are to be included on the planning permit

10. CONCLUSION

- 10.1 On balance, the proposal is considered to substantially comply with the relevant planning policy and therefore should be supported.
- 10.2 The proposal will not adversely impact the areas heritage values.
- 10.3 The environmental values will be protected, subject to the conditions provision of a Construction Management Plan, and adherence to the recommendations of the submitted environmental impact reports.
- 10.4 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.
- 10.5 The proposed development is considered appropriate for the site, subject to conditions.

11. RECOMMENDATION

11.1 That Council determine to support the proposal and issue a Planning Permit for buildings and works comprising the construction of an accessible boating pontoon and associated demolition and works generally in accordance with the submitted plans, at Mordialloc Creek, Pier Road, Mordialloc, 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 substantially in accordance with the plans prepared by Oldfield Consulting Australasia, Drawing Number Drg12010-01 – Drg12010-13, Revision C, dated 23/09/2020, but modified to show:
 - a. A plan showing the proposed works to the car parking adjacent to the café building (as shown on Mordialloc Creek – Accessible Pontoon Parking Option 4 – Four Disabled Car Spaces)
 - b. Compliance with AS1428.1 2009, where reasonably practical, to the satisfaction of the Responsible Authority.
 - c. Plans to include details for signage, prepared in consultation with Council's Community Safety Department, that will be installed to inform users of the pontoon how to safely access and use the facility.

Endorsed Plans

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

DELWP Conditions

3. The works are to be carried out generally in accordance with the application:
 - 'ACCESSIBLE PONTOON ON MORDIALLOC CREEK' received on 28 July 2020 and amended on 23 September 2020, and prepared by Better Boating Victoria, Department of Transport.
4. Any modification to the works proposed will require further approval by the Regional Director, Port Phillip Region Port Phillip Region, Department of Environment, Land, Water and Planning (DELWP).
5. Prior to works commencing, a construction environmental management must be prepared to the satisfaction of Kingston City Council and DELWP. This should incorporate recommendations from the Marine Habitat Survey including (but not limited to):
 - The management of pest species before, during and after construction.
 - Details about the positioning of the piles from the barge so as not to create a disturbance to the surrounding sea floor.
 - Limiting silt within the surrounding system while carrying out works to avoid impacts to surrounding flora and fauna of the Mordialloc Creek.

6. A works approval from Parks Victoria must be obtained prior to the commencement of works.
7. Indigenous vegetation must not be damaged or removed as a result of the works.
8. Any clearing or construction activity associated with the works, should be carried out in accordance with the with EPA Publication No. 275 *Construction Techniques for Sediment Pollution Control* (May 1991).
9. The construction site must be managed in accordance with EPA Publication No. 981 *Reducing Stormwater Pollution from Construction Sites* (May 2005).
10. Construction equipment, building materials, refuse and site run-off must be contained and controlled and not permitted to impact on the beach or enter Port Phillip Bay or Mordialloc Creek.
11. All works must be completed, the site reinstated, and the works maintained to the satisfaction of Kingston City Council (land-based elements) and DELWP (on-water elements).
12. This consent under the *Marine and Coastal Act 2018* will expire if the works are not completed within two years of the date of issue, unless an extension of time is applied for and granted by the Regional Director, Port Phillip Region, Port Phillip Region, DELWP.

Melbourne Water

13. Prior to the commencement of works, the jetty owner must enter into a legal Jetty Consent Agreement with Melbourne Water for structures within the Melbourne Water waterway.

ESSO Conditions

14. Prior to the commencement of any works, the Applicant (in conjunction with a representative from Esso) must mark out the exact location of the pipeline(s) within the vicinity of the proposed development and incorporate the location within their detailed design information (where appropriate).
15. Prior to the commencement of any site works within the pipeline(s) easement, the Applicant (or their contractors) must notify Esso of the impending works. The notification should be lodged via Dial Before You Dig (DBYD). Works cannot commence without a valid right of way work permit from an Authorised Esso Pipeline Surveillance Officer.
16. All site works shall comply with the conditions listed in Esso's "Standard conditions for activities near Esso Pipelines" form. The form can be obtained through lodgement of a DBYD over the Esso pipeline(s).
17. Any proposed driveways, services installations or vehicle crossings over the pipeline(s) shall be submitted to Esso for approval. Submissions shall include details of the proposed crossing (backfill materials, layout), the proposed depth of the pipeline(s) relative to surface level, type of vehicles likely to cross the pipeline(s), separation distances and method of construction.
18. Any damage caused to the Esso pipeline(s) directly or indirectly arising from the works shall be rectified at the Applicant's cost.
19. Buildings and structures (including fences) must be constructed so that no part of the building is situated less than 3m from a point on the surface of the land whose position is vertically

Agenda

above a part of a pipeline below the surface unless approval has been granted in writing by the Esso and consent from the relevant Minister has been given.

20. No soil, overburden, equipment stores or trade waste shall be placed over the easement / pipeline(s).
21. Esso requires unlimited access to the pipeline(s) at all times (i.e. during construction and post completion). No person should interfere with any works relating to the operation of the pipeline(s) without written Esso Approval.
22. Unless agreed by Esso in writing, clear access at least 6m either side of the easement / pipeline(s) shall be maintained both during and after construction.

Construction Management

23. Prior to the commencement of any buildings and works on the land (including demolition), a Construction Management Plan (CMP) or Construction Environmental Management Plan (CEMP) to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority. The CMP/CEMP must be prepared in accordance with the City of Kingston Construction Management Policy and Construction Management Guidelines. The CMP/CEMP 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
 - h. The recommendations specified in the Marine Habitat Survey, prepare by Australasian Marine Associates, dated 17 July 2020, or any subsequent version must be adhered to.

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

Infrastructure and Road Works

24. Any relocation of pits/power poles or other services affected by this development must be relocated to the satisfaction of the relevant servicing authority and the Responsible Authority, at the cost of the developer.
25. Any relocation of lighting must be relocated to the satisfaction of the Responsible Authority, at the cost of the developer.
26. Footpath levels must not be altered without the prior written consent from the Responsible Authority.
27. Any reinstatements of new kerb and channel, pedestrian paths or car parking must be constructed to the satisfaction of the Responsible Authority.
28. The replacement kerb and channel, pedestrian paths or car parking must be constructed to the satisfaction of the Responsible Authority.

29. Any works relating to the relocation of the bluestone paving must be carried out and completed to the satisfaction of the Responsible Authority.

Car Parking & Access

30. Prior to the pontoon becoming operational, areas set aside for parking vehicles, access lanes and paths as shown on the endorsed plans must be:
- a. Constructed to the satisfaction of the Responsible Authority.
 - b. Properly formed to such levels that they can be used in accordance with the plans.
 - c. Drained to the satisfaction of the Responsible Authority.
 - d. Line-marked to indicate each car space, all access lanes and, if necessary, the direction in which vehicles are to travel to the satisfaction of the Responsible Authority.
 - e. In accordance with any Council adopted guidelines for the construction of car parks.

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

31. All line marking and parking signs changes associated with the proposal is to be conducted by the developer, at the cost of the developer, to the satisfaction of the Responsible Authority.
32. In areas set aside for car parking, measures must be taken to the satisfaction of the Responsible Authority to prevent damage to fences or landscaped areas.
33. Concrete kerbs or other barriers must be provided to the satisfaction of the Responsible Authority to prevent direct vehicle access to an adjoining road other than by a vehicle crossing.
34. Any existing vehicular crossing not in accordance with the endorsed plan must be removed and the kerb reinstated in a manner satisfactory to the Responsible Authority and any proposed vehicular crossing must be fully constructed to the Responsible Authority's standard specification.

General Amenity Conditions

35. All works must be finished, and surface cleaned to a standard that is well presented in a manner to the satisfaction of the Responsible Authority.
36. The amenity of the area must not be detrimentally affected by the development and/or use, through the:
- a. Transport of materials, goods or commodities to or from the land.
 - b. Appearance of any building, works or materials.
 - c. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
 - d. Presence of vermin.
 - e. Any other way.

Completion of Works

37. Prior to the pontoon becoming operational, 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.

Expiry

38. This permit as it relates to development (buildings and works) will expire if one of the following circumstances applies:
- The development is not started within two (2) years of the issue date of this permit.
 - 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: The additional cost of relocating the existing street light in the shared space of the accessible parking is to be borne by the applicant. Council will provide contractor detail to the applicant to coordinate the work.

In the event that Council wishes to refuse the application, it can do so on the grounds that the proposal fails to comply with the purpose of Clause 36.02 Public Park and Recreation Zone, Clause 37.03 Urban Floodway Zone, Clause 43.01 Heritage Overlay Schedule 108 and Clause 44.04 Land Subject to Inundation Overlay of the Kingston Planning Scheme.

Appendices

Appendix 1 - KP-2020/460 - Mordialloc Creek, Pier Road, MORDIALLOC VIC 3195 - Considered Documents (Ref 20/218717)  

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

8.2

KP-2020/460 - MORDIALLOC CREEK, PIER ROAD, MORDIALLOC

1	KP-2020/460 - Mordialloc Creek, Pier Road, MORDIALLOC VIC 3195 - Considered Documents	51
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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 Adjacent to Pier Road

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

No
 Yes

If 'yes', with whom? Ms Jennifer Roche

Date: 14 July 2020

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.:

St Name: Adjacent to Pier Road

Suburb: Mordialloc

Postcode: 3195

Formal Land Description *

A Lot No.:

Lodged Plan

Title Plan

Plan of Subdivision

No.:

Complete either A or B.

OR

B

Crown Allotment No.: 19A

Section No.: Section 24

Parish/Township Name: Parish of Mordialloc

and Crown Allotment 2026, Parish of Mordialloc

This information can be found on the certificate of title

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.

Mordialloc Creek, boating and public car park

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.*

Construction of an accessible boating pontoon, associated demolition and works

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

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 \$ \$367,800

**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

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:	Surname:
Organisation (if applicable): Better Boating Victoria		
Postal Address:		If it is a PO Box, enter the details here:
Level 11	St No.: 1	St Name: Spring Street
Suburb: Melbourne	State: Vic	Postcode: 3000

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: Nick	Surname: Robins
Organisation (if applicable): Taylors Development Strategists Pty Ltd		
Postal Address:		If it is a PO Box, enter the details here:
Unit No.:	St No.:	St Name: PO Box 938
Suburb: Mount Waverley	State: VIC	Postcode: 3149

Contact information *

Please provide at least one contact phone number and email address

Business Phone: 03 9501 2800	Mobile Phone: 0417 346 005
Email: n.robins@taylorsds.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:	Surname:
Organisation: Kingston City Council is Crown Land Administrator for Crown Allotment 19A. Department of Environment, Land, Water and Planning is Crown Land Administrator for Crown Allotment 2026		
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:
		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: 06/08/2020
	dd/mm/yyyy

11. Information checklist

Have you:

Please refer to cover letter

<input checked="" type="checkbox"/>	Filled in the form completely?
<input type="checkbox"/>	Included the application fee? (Contact council to determine the appropriate fee).
	Provided all necessary supporting information and documents?
<input checked="" type="checkbox"/>	Provided a copy of full title, no older than 3 months, for each individual parcel of land forming the subject site?
<input checked="" type="checkbox"/>	Provided a plan of existing site conditions?
<input checked="" type="checkbox"/>	Included plans showing the layout and details of the proposal x 3 including 1 x A3?
<input checked="" type="checkbox"/>	Provided all information required by the planning scheme, requested by Council or outlined in a council planning permit checklist?
<input checked="" type="checkbox"/>	Where required, provided a description of the likely effect of the proposal (e.g. traffic, noise, environmental impacts)?
N/A <input type="checkbox"/>	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.
<input checked="" type="checkbox"/>	Completed Kingston's relevant Council Planning Permit Checklist?
<input checked="" type="checkbox"/>	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



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CROWN FOLIO STATEMENT

VOLUME 11758 FOLIO 763
No CofT exists

Security no : 124083594564W
Produced 09/06/2020 10:31 AM

CROWN FOLIO

LAND DESCRIPTION

Crown Allotment 19A Section 24 Parish of Mordialloc.
Created by instrument MI159858L 06/08/2016

CROWN LAND ADMINISTRATOR

KINGSTON CITY COUNCIL of 1230 NEPEAN HIGHWAY CHELTENHAM VIC 3192
[MI159858L](#) 06/08/2016

STATUS, ENCUMBRANCES AND NOTICES

RESERVATION MI159860A 06/08/2016
PERMANENT
PUBLIC PURPOSES

RESERVATION as to part MI159861X 06/08/2016
PERMANENT
PUBLIC PURPOSES

RESERVATION MI159862V 06/08/2016
PERMANENT
PUBLIC PARK

DIAGRAM LOCATION

SEE [CD062857T](#) FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

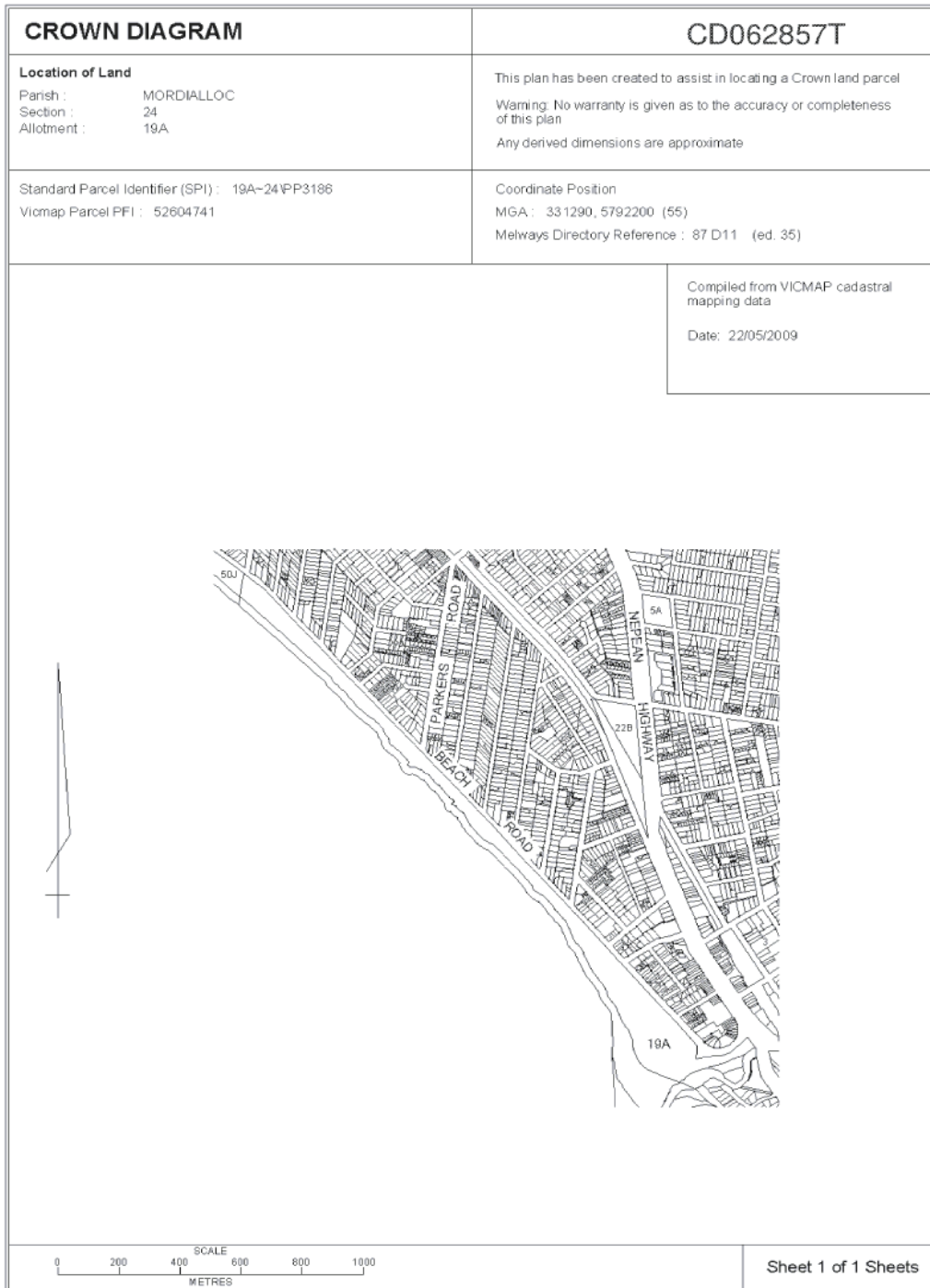
DOCUMENT END

Home	Account: 61704		Authority Fee (GST exclusive):	\$8.68	09/06/2020 10:31AM
			Service Fee(GST exclusive):	\$0.00	
			GST Payable:	\$0.00	
			Total:	\$8.68	

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Department of Environment, Land, Water & Planning

Electronic Instrument Statement

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Produced: 12/06/2020 01:50:16 PM

Dealing Number: MI159858L

Rectification Date: 06/08/2016

Rectification Category: Crown Land Data Migration

Status: Registered

RECTIFICATION

Raised By: REGISTRAR OF TITLES
DX 250639 MELBOURNE

Folio Affected CofT Supplied Controlling Party

11758/763 No

Details of Rectification

This Crown Land Migration transaction was created as part of the crown land data migration. No instrument is available for this transaction.

Statement End.



Department of Environment, Land, Water & Planning

Electronic Instrument Statement

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Dealing Number: MI159860A

Rectification Date: 06/08/2016

Rectification Category: Crown Land Data Migration

Status: Registered

RECTIFICATION

Raised By: REGISTRAR OF TITLES
DX 250639 MELBOURNE

Folio Affected CofT Supplied Controlling Party

11758/763 No

Details of Rectification

This Crown Permanent Reservation transaction was created as part of the crown land data migration. No instrument is available for this transaction.

Statement End.



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Dealing Number: MI159861X

Rectification Date: 06/08/2016

Rectification Category: Crown Land Data Migration

Status: Registered

RECTIFICATION

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DX 250639 MELBOURNE

Folio Affected CofT Supplied Controlling Party

11758/763 No

Details of Rectification

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Statement End.



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Dealing Number: MI159862V

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Rectification Category: Crown Land Data Migration

Status: Registered

RECTIFICATION

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Folio Affected CofT Supplied Controlling Party

11758/763 No

Details of Rectification

This Crown Permanent Reservation transaction was created as part of the crown land data migration. No instrument is available for this transaction.

Statement End.



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CROWN FOLIO STATEMENT

VOLUME 11758 FOLIO 760
No CofT exists

Security no : 124083595478D
Produced 09/06/2020 10:53 AM

CROWN FOLIO

LAND DESCRIPTION

Crown Allotment 2026 Parish of Mordialloc.
PARENT TITLE Volume 11703 Folio 474
Created by instrument MI159849M 06/08/2016

CROWN LAND ADMINISTRATOR

SECRETARY TO THE DEPARTMENT OF ENVIRONMENT, LAND, WATER AND PLANNING of 8
NICHOLSON STREET EAST MELBOURNE VIC 3002
[AS661204R](#) 29/10/2019

STATUS, ENCUMBRANCES AND NOTICES

RESERVATION MI159851B 06/08/2016
PERMANENT
PUBLIC PURPOSES

DIAGRAM LOCATION

SEE [CD062854A](#) FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF CROWN FOLIO STATEMENT-----

Additional information: (not part of the Crown Folio Statement)

Street Address: MAIN STREET MORDIALLOC VIC 3195

DOCUMENT END

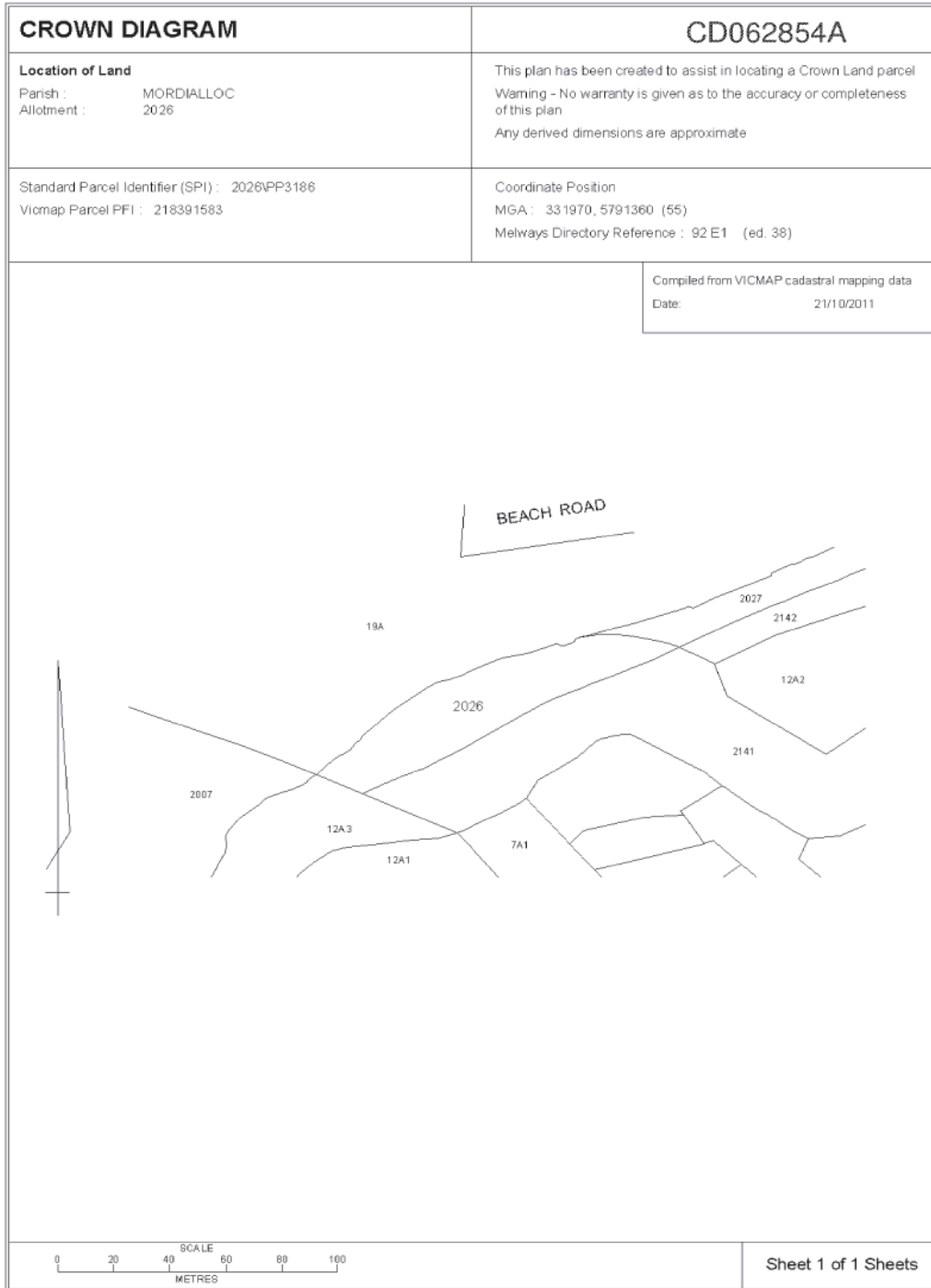
	Account: 61704		Authority Fee (GST exclusive):	\$8.68	09/06/2020 10:53AM
			Service Fee(GST exclusive):	\$0.00	
			GST Payable:	\$0.00	
			Total:	\$8.68	

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Crown – Change in Land Administrator



Legislation: Crown Land Reserves Act

Lodged by

Name: Secretary to the Department of Environment, Land, Water and Planning

Phone:

Address:

Reference:

Customer Code: 240C

The outgoing Land Administrator assigns to the incoming Land Administrator the specific Crown Land subject to the statuses and encumbrances affecting the land including any created by dealings lodged for registration before the lodgement of this notification.

Land: *(volume and folio reference, SPI reference and/or Crown description)*

Vol/Folio 11758/760 SPI 2026\PP3186 CA 2026, Parish of Mordialloc

Vol/Folio 11758/747 SPI 20E~23\PP3186 CA 20E, Section 23, Parish of Mordialloc

Vol/Folio 11750/220 SPI 2141\PP3025 CA 2141, Parish of Lynhurst

Value: *(Valuer General Victoria: financial report valuation and date of report)*

Not Available

Outgoing Land Administrator: *(full name – legal entity, not trading name)*

Kingston City Council

Incoming Land Administrator: *(full name – legal entity, not trading name and address including post code)*

Secretary to the Department of Environment, Land, Water and Planning

Date: 3/10/18

Signature of outgoing Land Administrator's
Representative

Full name: Julie Gale

Position: Senior Technical Officer (Crown Land)

Legal entity: DELWP – LMP

Signature of incoming Land Administrator's
Representative

Full name:

Position:

Legal entity:

35051411A

N1

Page 1 of 1

THE BACK OF THIS FORM MUST NOT BE USED

To lodge at Land Use Victoria, please refer to our [contact details](#) at www.delwp.vic.gov.au/Property and land titles.



**Department of
Environment, Land, Water & Planning**

AS661204R



COMMITTEE OF MANAGEMENT

CERTIFICATE OF REVOCATION OF APPOINTMENT

Mordialloc Creek

Under section 14(2) of the *Crown Land (Reserves) Act 1978*, and pursuant to the delegation of 6 November 2017, on behalf of the Minister for Energy, Environment and Climate Change, I hereby revoke all previous appointments of Kingston City Council as committee of management over:

- Crown Allotments 2026, 2027 and ~~2142~~, Parish of Mordialloc
- Crown Allotment 20E, Section 23, Parish of Mordialloc, and
- Crown Allotment 2141, Parish of Lyndhurst

consisting of Crown land reserved for public purposes and public park purposes by the following:

- Permanent reservation for public purposes by Order in Council of 26 May 1873, published in the government gazette of 13 June 1873, page 1059.
- Permanent reservation for public purposes by Order in Council of 23 May 1881, published in the government gazette of 27 May 1881, page 1389
- Permanent reservation for public purposes by Order in Council of 23 May 1881, published in the government gazette of 26 March 1891, page 1388
- Permanent reservation for public park purposes by Order in Council of 9 October 1906, published in the government gazette of 17 October 1906, page 4305.
- Temporary reservation for public park purposes by Order in Council of 30 October 1873, published in the government gazette of 7 November 1873, page 1962

File No: 1204211, 2018904 & 2014185

Fran Horsley

FRAN HORSLEY
A/Regional Director Port Phillip
(As delegate of the Minister for Energy, Environment, Climate Change and Water)

Date: 3 / 10 / 2018





Department of Environment, Land, Water & Planning

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Dealing Number: MI159851B

Rectification Date: 06/08/2016

Rectification Category: Crown Land Data Migration

Status: Registered

RECTIFICATION

Raised By: REGISTRAR OF TITLES
DX 250639 MELBOURNE

Folio Affected CofT Supplied Controlling Party

11758/760 No

Details of Rectification

This Crown Permanent Reservation transaction was created as part of the crown land data migration. No instrument is available for this transaction.

Statement End.

TAYLORS

Urban Development | Infrastructure

8/270 Ferntree Gully Road, Notting Hill VIC 3168
Phone: (03) 9501 2800 | www.taylorsds.com.auOur Ref: 22588/P
Doc Name: 22588P_CL_200924
NER/rgc

24 September 2020

Attention: James Leonard
Senior Statutory Planner
Kingston City CouncilLodged via: James.Leonard@kingston.vic.gov.au
info@kingston.vic.gov.auCopy sent to: tom.gilbert@transport.vic.gov.au

Dear James,

**Planning Permit Application KP- 2020/460
Mordialloc Creek, Pier Road, Mordialloc**

We refer to Council's request dated 9 September 2020 for further information under Section 54 of the *Planning and Environment Act, 1987*.

Please find enclosed:

- Revision C drawings drawings prepared by Oldfield Consulting Australasia.
- Image 'Option 4' marked Better Boating Victoria and Oldfield showing proposed allocations to accessible and standard car spaces in the Pier Road Car Park.
- Updated Planning Report dated September 2020, prepared by Taylors.
- Letter prepared by Kingston City Council as Committee of Management for crown allotment 19A dated 21 September 2020.
- The below written response to the DDA queries raised by Council's Traffic Engineer.

Written Response to DDA Queries Raised by Council's Traffic Engineer

Query 1: There are current two disabled parking spaces provided within 30m to the ramp. The additional disabled parking spaces may be considered exceed the need. Please consult with Council's Community Project Co-ordinator to see if the additional disabled parking spaces are warranted.

A meeting was held on 11 September 2020 between David Wang, Dominic McCann and Eugenia Grammatikakis of Council, Tom Gilbert of BBV, Doug Oldfield of Oldfield Consulting Australasia and Nick Robins of Taylors to discuss the accessible parking provision in the Pier Road Car Park and more generally the DDA queries raised by Council's Traffic Engineer. The agreements / outcomes of the meeting were:

- BBV to circulate options for provision of accessible and standard parking spaces.
- BBV and Council agree to a condition being placed on the permit requiring signage to explain to users of the pontoon how to safely use the facility.

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Subsequent to the meeting, BBV circulated 4 options for provision of accessible parking spaces in the car park and noted Option 4 was the preferred Option in the basis that:

- *It results in no reduction in the number of standard car spaces*
- *It results in an increase of one disabled space, noting the pontoon to expected to increase the need for disabled spaces compared to current conditions.*
- *The area is noted to become a destination point for accessible users that encourages a safe, connected shared space for different users and multiple activities.*
- *This option also retains a disabled space near the café and locates 2 spaces near the pontoon and pier / promenade which are expected to be key destinations for disabled people.*

Council's Traffic and Community Safety Department since advised "...we are happy with Option No: 4 as proposed".

As a result of these discussions:

- The application now proposes car park changes in the Pier Road Car Park as shown in the enclosed image "Option 4", and the drawings prepared by Oldfield Consulting Australasia have been updated to show the "Option 4" car park changes adjacent to the pontoon.
- We confirm the Applicant agrees to a condition 1 of permit requiring details of signage, prepared in consultation with Council's Community Safety Department, to inform users how to safely use the pontoon. This condition could be worded along the lines of:

Detailed for signage, prepared in consultation with Council's Community Safety Department, that will be installed to inform users of the pontoon how to safely access and use the facility.

Query 2: The disabled parking spaces should have a smooth transition between the parking space and shared areas. The area highlighted below needs to be grinded to provide the smooth transition.



As per our email correspondence, instead of grinding / smoothing the bluestone the plans have been updated to relocate the bluestone to the outside of the accessible car parking spaces.

While both options (grinding or relocation) would provide a smooth surface between the accessible car spaces and the shared zone, the relocation of the bluestone is the preferable option in heritage terms. In particular, it is better in heritage terms to retain the intactness of heritage fabric than alter it. Also, as a general principle the adaptive re-use of heritage fabric to meet modern use requirements is a positive heritage outcome as it allows the on-going use of heritage fabric into the future.

We also note that the relocation of the two central lines of bluestone to the outside of the disabled space would look "tidy" on ground. It would define the normal car spaces from the disabled space and adjacent walkway / shared zone.

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Please also note that the updated Oldfield plans now show the light pole located in the proposed accessible car space to be relocated within the shared zone. Oldfield have confirmed the pole definitely needs to be relocated and is suitably located in the shared zone to minimise the distance it is moved and to keep it aligned in style and configuration with the other light poles in the car park. It also works well to light the two accessible car spaces.

In heritage terms, the relocation of the light pole (including the old light lamp) is appropriate. Refer to the Planning Report for further details.

Query 3: The proposed gangway requires additional landing of 1.2m long as per AS1428.1-2009 section 10.3 requirements as well as a maximum gradient of 1:14. Please see below.

10.3 Ramps

Ramps shall comply with the following:

- (a) The maximum gradient of a ramp exceeding 1900 mm in length shall be 1 in 14.
- (b) The gradient of a ramp shall be constant throughout its length with a maximum allowable tolerance of 3% provided no section of the ramp is steeper than 1 in 14.
- (c) Ramps shall be provided with landings, as specified in Clause 10.8, at the bottom and at the top of the ramp and at intervals not exceeding the following:
 - (i) For ramp gradients of 1 in 14, at intervals not greater than 9 m.
 - (ii) For ramp gradients steeper than 1 in 20, at intervals not greater than 15 m.
 - (iii) For ramp gradients between 1 in 14 and steeper than 1 in 20, at intervals that shall be obtained by linear interpolation.

Oldfield Consulting advised that:

Because the pontoon rises and falls with the tide, the grade of the gangway will vary from 1:55 at high tide (MHHW) to 1:16 at low tide (MLLW). It is not possible to incorporate a level landing half-way down the ramp (at a 9.0m maximum spacing) as required by the Australian Standard AS 1428.1. This is a compromise where the ramp length of 17.5m without an intermediate landing will need to be deemed acceptable. This was the recommendation previously made in the BMT Concept Design Report (May 2020), which I endorse.

The tidal fluctuations in Mordialloc estuary are a significant constraint to achieving compliance with Section 10.3 of AS1428.1-2009 at all times of the year. However, BBV is continuing to pursue compliance to the maximum extent reasonably practical. The appointment of a contractor for the detailed design and construction of the pontoon after a permit is issued will enable further consideration of whether compliance with Section 10.3 can be achieved over greater tidal variations than currently shown on the Oldfield plans.

Signage can be installed to inform users when unassisted (ie compliance with Section 10.3) and assisted (ie non-compliance with section 10.3) access is suitable due to the variations of ramp levels with the tide level in Mordialloc estuary.

The below image shows this type of signage that was installed at Hopkins River Warrnambool (jetty redevelopment adjacent the Warrnambool ski club).

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The gangway can be fitted with a gauge indicating when the gangway slope is suitable for unassisted access (i.e. 1:12 or flatter), similar to the gauge at the accessible pontoon gangway at Hopkins in Warrnambool Shire, Victoria (Figure 6-1).



Figure 6-1: Gangway gradient gauge at Hopkins in Warrnambool Shire, Vic

We request the following be required via condition 1 (amended plans generally in accordance with those submitted) of the permit:

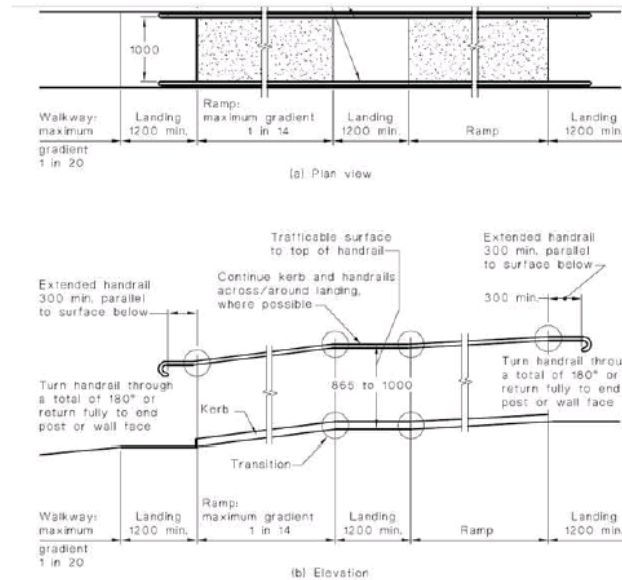
- *Compliance with AS1428.1 2009, where practical, to the satisfaction of the responsible authority.*
- *Detailed for signage, prepared in consultation with Council's Community Safety Department, that will be installed to inform users of the pontoon how to safely access and use the facility.*

The inclusion of these conditions will enable any improvements in compliance with Section 10.3 (determined through the detailed construction plans) to be implemented into the Oldfield plans endorsed under the planning permit. It will also enable signage to be installed to inform users when unassisted and assisted access is suitable according to the tidal fluctuations.

Query 4: Elevation plan must show hand rail details that comply with AS1428.1 2009 with adequate extensions provided at either ends.

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TAYLORS



Oldfield Consulting advised that these details will be provided as part of the detailed construction plans.

Accordingly, we request a condition 1 be placed on the permit requiring amended plans generally in accordance with those submitted with the application but modified to show compliance with AS1428.1 2009, where practical, to the satisfaction of the responsible authority.

Query 5: The transition plate must have a minimum width of 1m.

The updated plans provide a transition plate with a minimum width of 1m.

Other Query: Can you please confirm if the ramp has been designed to Australian Standards?

Oldfield Consulting advised that:

Some compromises, as discussed above, will need to be accepted to accommodate the varying level of the tides and the floating pontoon. Where possible, all requirements of AS 1428.1 will be complied with at detailed design stage.

The issue of a planning permit for the proposal will enable BBV to proceed with the appointment of a contractor to undertake the detailed design and construction of the pontoon.

To ensure the detailed construction plans accord with the Oldfield plans endorsed under the planning permit and to ensure all requirements of AS 1428.1 have been met where they reasonably can be met, we request a condition 1 be included in the permit requiring submission and approval of plans generally in accordance with those submitted with the application but modified to show compliance with AS1428.1 2009, where practical, to the satisfaction of the responsible authority.

Letter prepared by Kingston City Council as Committee of Management for crown allotment 19A dated 21 September 2020

Council's letter dated 21 September 2020 advises:

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Council, as Committee of Management consents to the application for planning permit being made for the proposed development and use on crown allotment 19A. The consent is subject to Better Boating Victoria submitting a construction management plan for the proposed works on crown allotment 19A to the satisfaction of the Council.

We confirm BBV agrees to a condition of permit requiring a construction management plan (or a construction environmental management plan) to be approved by Council.

Conditions of Planning Permit

We request that Council provide without prejudice conditions of planning permit, if appropriate, for review and feedback before Council's final decision on the application.

Consent for use and development of coastal land under the *Marine and Coastal Act 2018*

BBV has provided the plans accompanying this RFI response to DELWP for consent under the M & C Act. We will forward this consent to Council when received.

Should you have any queries please do not hesitate to contact the undersigned on 9501 2800 or n.robins@taylorssds.com.au.

Yours faithfully

A handwritten signature in blue ink, appearing to read "N. Robins".

NICK ROBINS
Senior Planner

Enc: As stated above.

Cc: Tom Gilbert of BBV



Urban Development | Infrastructure

Town Planning Report Mordialloc Accessible Pontoon

Application for demolition and
construction of buildings and works.

Adjacent Pier Road,
Mordialloc

Prepared by Taylors for
Better Boating Victoria

September 2020



Our Ref: 22588/P
Pier Road, Mordialloc

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Our Ref: 22588P
Pier Road, Mordialloc

1.0 Planning Summary

ADDRESS	Pier Road, Mordialloc
TITLE DETAILS	Crown Allotment 19A Section 24 Parish of Mordialloc Crown Allotment 2026 Parish of Mordialloc
ZONING	Public Park and Recreation Zone (in part) Urban Floodway Zone (in part)
OVERLAYS	Design and Development Overlay – Schedule 1 (in part) Heritage Overlay Land Subject to Inundation Overlay (in part)
PROPOSAL	Demolition and construction of an accessible boating pontoon
PLANNING PERMIT TRIGGERS	<p>A planning permit is triggered pursuant to:</p> <ul style="list-style-type: none"> ▪ Clause 36.02-2 to construct a building or construct or carry out works within the PPRZ. ▪ Clause 37.03-2 to construct a building or construct or carry out works within the UFZ. ▪ Clause 43.01-1 to demolish a building and to construct a building or construct or carry out works within HO108. ▪ Clause 44.04-2 to construct a building or construct or carry out works within the LSIO. ▪ Clause 63.05 to construct and carry out buildings and works.
RELEVANT PLANNING POLICY	<p><u>PLANNING POLICY FRAMEWORK</u></p> <ul style="list-style-type: none"> ▪ Clause 11 – Settlement. ▪ Clause 12 – Environmental and Landscape Values. ▪ Clause 13 – Environmental Risks and Amenity. ▪ Clause 14 – Natural Resource Management. ▪ Clause 15 – Built Environment and Heritage. ▪ Clause 17 – Economic Development. ▪ Clause 21.01 – Vision and Strategic Framework. ▪ Clause 21.03 – Environment and landscape Values. ▪ Clause 21.04 – Environmental Risk and Amenity. ▪ Clause 21.06 – Built Environment and Heritage. ▪ Clause 22.08 – Heritage Policy. <p><u>PROVISIONS</u></p> <ul style="list-style-type: none"> ▪ Clause 52.06 – Car Parking ▪ Clause 63 – Existing Uses ▪ Clause 65 – Decision Guidelines ▪ Clause 71.02 – Operation of the Planning Policy Framework

2.0 Introduction

Taylor's Development Strategists have been engaged by Better Boating Victoria (BBV) to prepare this planning report to accompany a planning permit application seeking the necessary permit permissions to construct an accessible boating pontoon at Mordialloc Creek, Mordialloc.

Better Boating Victoria were established in March 2019 to oversee the Victorian Government's commitment to make boating cheaper and easier. The accessible pontoon project at Mordialloc is part of an upgrade of boating facilities at six priority locations across Victoria.

The subject site is located within a Public Park and Recreation Zone (in part) and an Urban Floodway Zone (in part), and is affected by heritage Overlay 108, Design and Development Overlay – Schedule 1 (in part) and a Land Subject to Inundation Overlay.

The proposal triggers a planning permit pursuant to:

- Clause 36.02-2 to construct a building or construct or carry out works within the PPRZ.
- Clause 37.03-2 to construct a building or construct or carry out works within the UFZ.
- Clause 43.01-1 to demolish and building and to construct a building or construct or carry out works within HO108.
- Clause 44.04-2 to construct a building or construct or carryout works within the LSIO.
- Clause 63.05 to construct and carry out buildings and works.

We note that:

- The permit application requires referral to Melbourne Water under Section 55 of the *Planning and Environment Act, 1987* due to the permit triggers in the UFZ and the LSIO.
- 'Land manager's consent' has been obtained for the buildings and works trigger under the PPRZ and accompanies this application.
- The advice of Jeremy Hill, Department of Transport Heritage Advisor, indicates that a mandatory CHMP is not required.
- Consent for use and development of coastal land under the *Marine and Coastal Act 2018* will be forward to Council when received. This is expected this to be obtained before 29 September at the latest. The consent is required under Section 61(3) of the *Planning and Environment Act, 1987* before a planning permit may be issued.

This report should be read in conjunction with the following material accompanying the permit application:

- Cover letter and application form.
- Copy of Crown Folio search for each crown allotment subject of the application.
- Letter prepared by Kinston City Council dated 1 July 2020 as Land Manager consenting to the lodgement of the permit application (as required under the PPRZ).
- Proposed drawings prepared by Oldfield Consulting Australasia.
- Renders prepared by Oldfield Consulting Australasia.



Our Ref: 22588P
Pier Road, Mordialloc

- Image 'Option 4' illustrating car park changes in the Pier Road Car Park.
- Mordialloc Creek Accessible Pontoon Concept Design Report prepared by BMT outlining stakeholder consultation and investigations that informed Concept 1A subject of the permit application.
- Marine Habitat Survey, Mordialloc Creek Accessible Pontoon prepared by Australasian Marine Associates.
- Memorandum of Heritage Advice prepared by Jeremy Hill, DOT Heritage Advisor – Heritage and Native Title Practice.

This report outlines the relevant physical and planning context and assesses the proposal against the Kingston Planning Scheme. We have concluded based on the information available to us that the proposal will result in a net community benefit and accordingly a planning permit should be issued.

3.0 Physical Context

3.1 Subject Site

The subject site comprises part of Crown Allotments:

- Crown Allotment 19A, Section 24, Parish of Mordialloc,
- Crown Allotment 2026, Parish of Mordialloc,

as shown below in Figure 1.

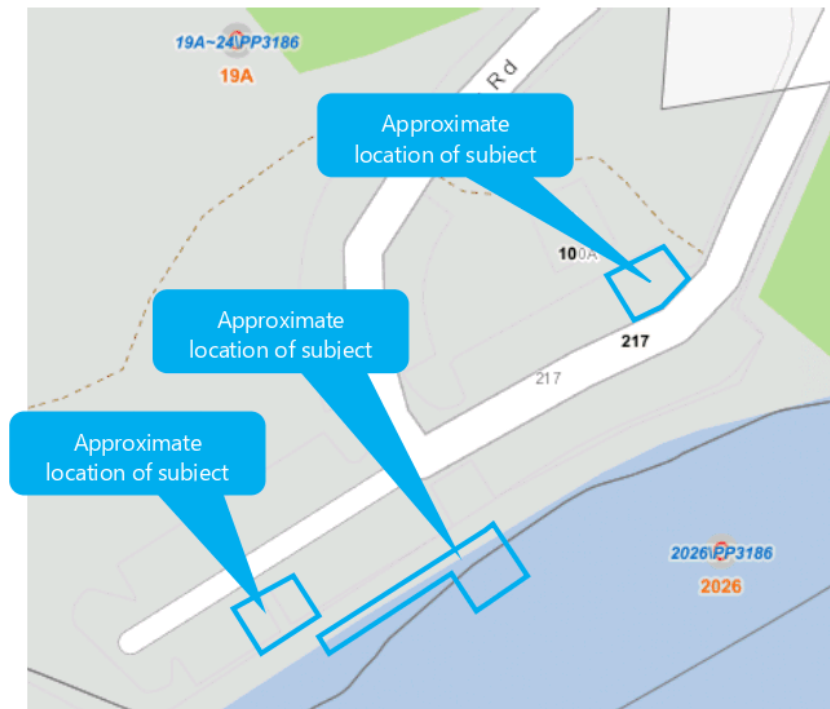


Figure 1: Cadastral Plan (LASSI, August 2020)

The subject site forms part of the Mordialloc activity node and is developed with a public car park and boating facility along Mordialloc Creek as shown in the photographs below.

Our Ref: 22588P
Pier Road, Mordialloc

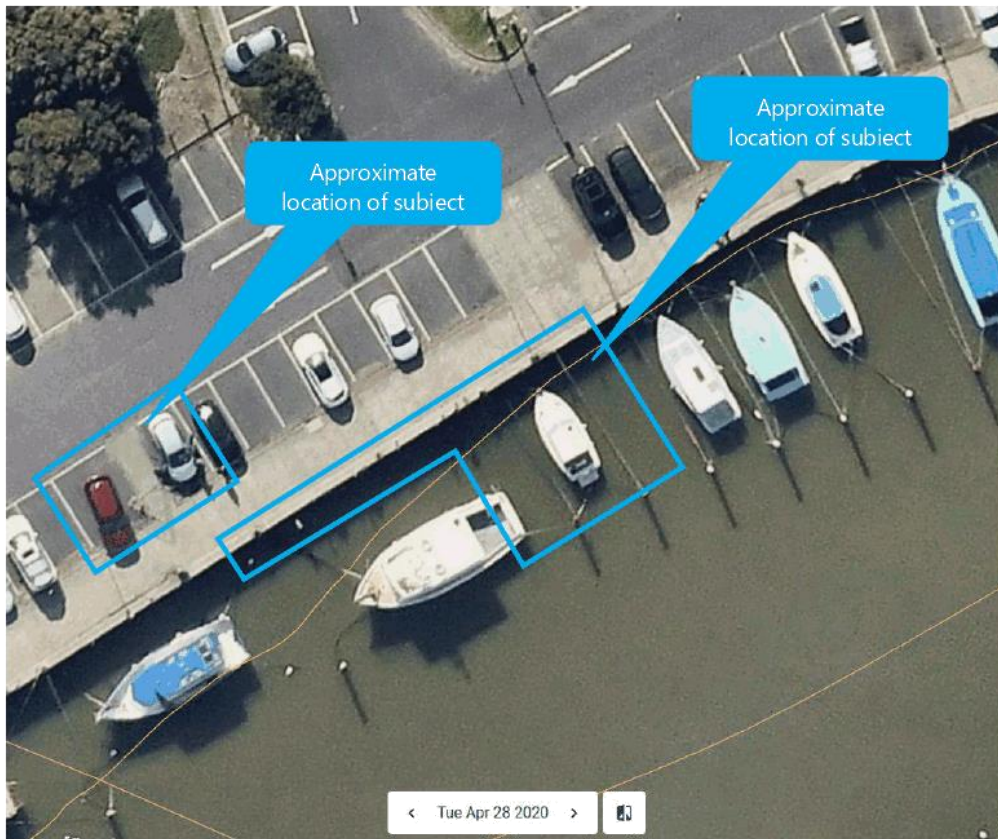


Figure 2: Aerial Photograph (Nearmap 28 April 2020)



Figure 3: Aerial Photograph (Nearmap 6 September 2020)

Our Ref: 22588P
Pier Road, Mordialloc



Figure 4: Site Photograph (4 June 2020)

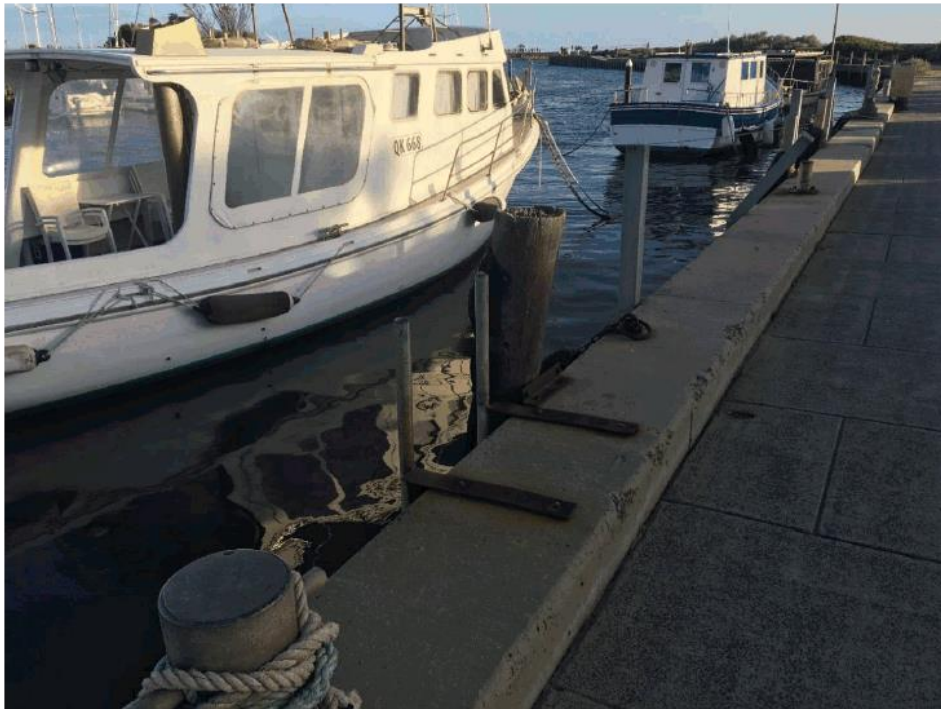


Figure 5: Site Photograph (4 June 2020)



Figure 6: Site Photograph (4 June 2020)

The Crown Folio Searches indicate that both Crown Allotments are reserved for public purposes. Kingston City Council is the public land administrator for Crown Allotment 19A and DELWP is the crown land administrator for Crown Allotment 2026. Kingston City Council is also the Committee of Management for Crown Allotment 19A.

3.2 Surround and Locality

In its wider context the subject site is located within the Mordialloc Foreshore Precinct, an activity node along the foreshore and part of the Mordialloc Major Activity Centre. The locality hosts a mix of recreation, public open space and commercial uses and is easily accessible by foot, vehicles, public transport and bicycles. A locality Plan is shown below.

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Figure 7: Locality Plan (Melways Online, August 2020)

4.0 Proposal

The proposal is to construct an accessible boating pontoon, and to undertake associated demolition and works to improve access for people with limited mobility to boating facilities in Mordialloc.

Key features of the proposal are:

- The pontoon has dimensions 8.58m width and 9m depth and will float on Mordialloc Creek on piles. The pontoon is accessed via a new disabled access ramp via the existing promenade.
- Works will be undertaken to the adjacent public car park to provide 2 disabled car spaces. The existing blue stone will be retained and there will be no loss of existing car spaces. The shared areas for the disabled spaces will utilise part of the existing pedestrian zones.
- A 2.2m wide section of the creek wall will be cut to enable accessible access to the ramp and 3 x existing mooring piles will be removed or demolished.
- The surface of the floating pontoon has 400mm freeboard above the tide level.
- The pontoon will be provided with a non-slip surface Webforge FRP Grating or similar and colors will satisfy safety and maritime requirements.

The works to the car park are illustrated below.

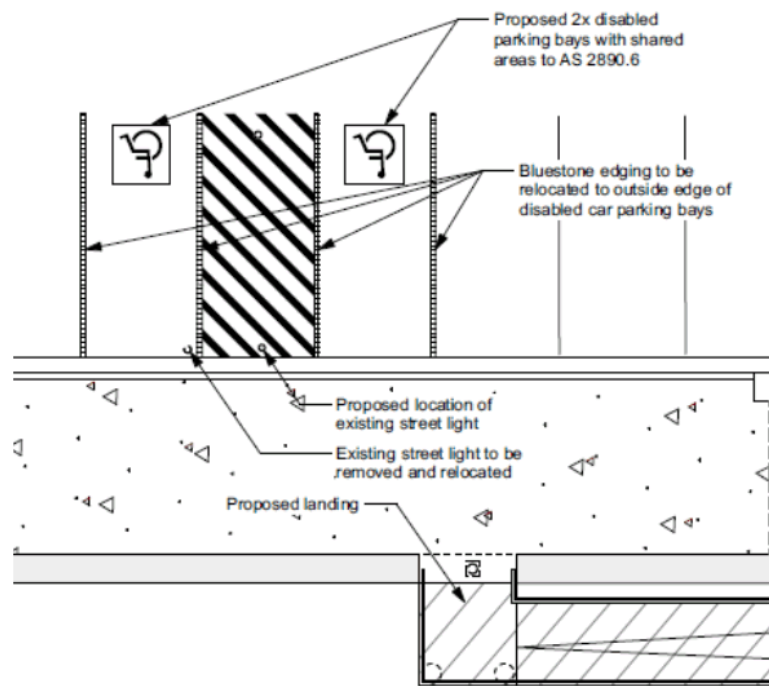


Figure 8: Extract of proposed General Plan and Layout, Revision C prepared by Oldfield Consulting Australasia

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Figure 9: Extract of image 'Option 4' marked BBV and Oldfield

The pontoon is shown below.

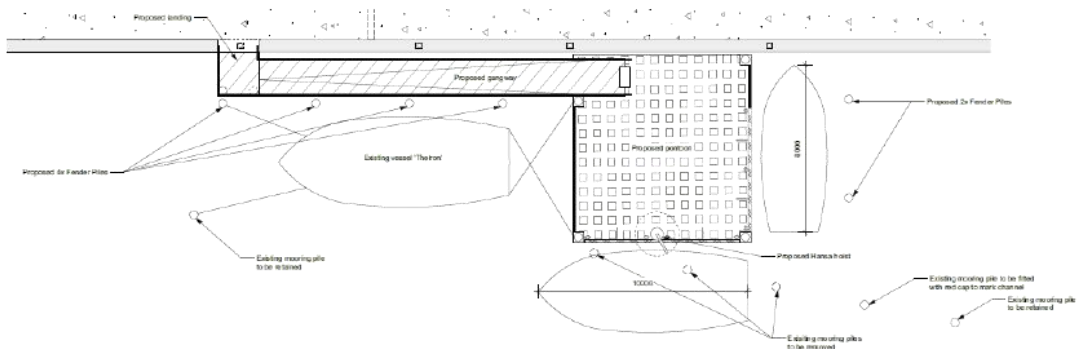


Figure 10: Extract of proposed General Plan and Layout, Revision c prepared by Oldfield Consulting Australasia

The renders below indicatively show the pontoon and proposed colors in context.

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Figure 11: Render prepared by Oldfield Consulting Australasia, looking east



Figure 12: Render prepared by Oldfield Consulting Australasia, looking west

5.0 Planning Context and Assessment

5.1 Zoning

The subject site is located within a Public Park and Recreation Zone (PPRZ) in part and within an Urban Floodway Zone (UFZ) in part.

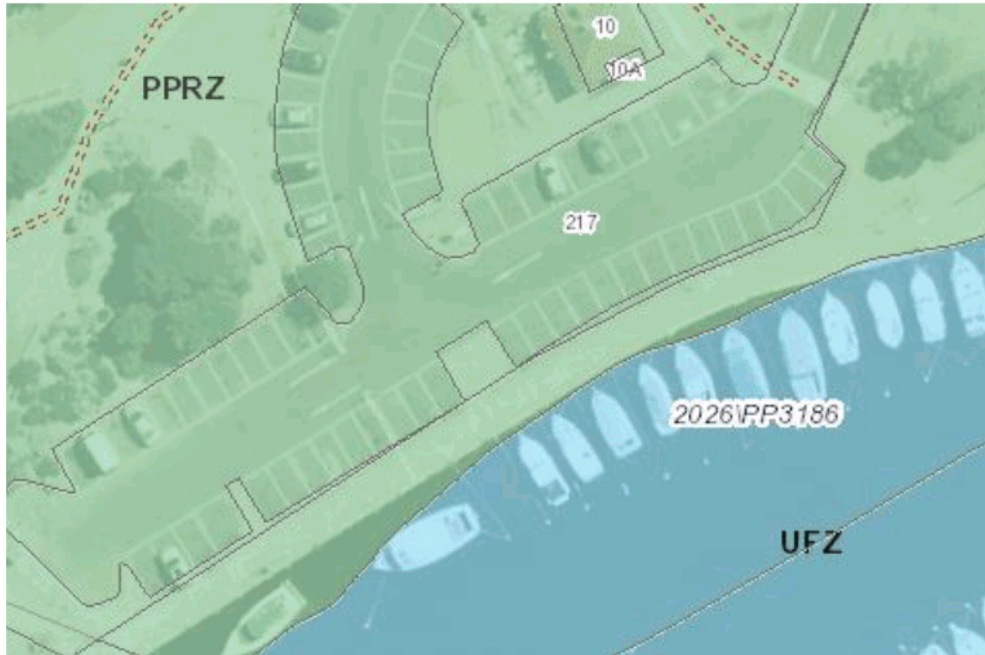


Figure 13: Zoning map overlaid with aerial photograph (VicPlan, June 2020)

Public Park and Recreation Zone (PPRZ)

The purpose of the Public Park and Recreation Zone is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To recognise areas for public recreation and open space.
- To protect and conserve areas of significance where appropriate.
- To provide for commercial uses where appropriate.

The pontoon use is a boating use ancillary to the existing boating use on Mordialloc Creek and does not trigger a planning permit for use under the PPRZ.

A permit is triggered under Clause 36.02-2, to construct a building or construct or carry out works.

The consent of Kinston City Council, as public land manager, to the application for permit being made accompanies the permit application (Clause 36.02-3).

The proposal implements the purpose of the PPRZ by enhancing public access to recreational boating facilities in Mordialloc while protecting the area's environmental values.

Urban Floodway Zone (UFZ)

The purpose of the Urban Floodway Zone is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To identify waterways, major flood paths, drainage depressions and high hazard areas within urban areas which have the greatest risk and frequency of being affected by flooding.*
- *To ensure that any development maintains the free passage and temporary storage of floodwater, minimises flood damage and is compatible with flood hazard, local drainage conditions and the minimisation of soil erosion, sedimentation and silting.*
- *To reflect any declarations under Division 4 of Part 10 of the Water Act, 1989.*
- *To protect water quality and waterways as natural resources in accordance with the provisions of relevant State Environment Protection Policies, and particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).*

The pontoon use is a boating use ancillary to the existing boating use in the locality and does not trigger a planning permit for use under the UFZ.

A planning permit is triggered under Clause 37.03-2 to construct a building or construct or carry out works.

Refer to the Report: *Mordialloc Creek Accessible Pontoon Concept Design Report prepared by BMT* for consideration of marine and coastal factors that led to the selection of the proposed pontoon design as the preferred option.

Refer to the Report: *Marine Habitat Survey, Mordialloc Creek Accessible Pontoon, Australasian marine Associates*.

It is noted the pontoon will float atop the tide level with freeboard of 400mm and as a boating pontoon is suitably located in the Urban Floodway Zone.

The application requires referral to Melbourne Water as the flood plain management authority. Subject to Melbourne Water's advice, it is considered the proposal is appropriate.

5.2 Overlays

Design and Development Overlay – Schedule 1

Part of the subject site is located within Design and Development Overlay – Schedule 1 as shown below.

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Figure 14: Design and Development Overlay map overlaid with aerial photograph (VicPlan, May 2020)

We note Council's advice that:

A planning permit is not required to construct a building with a floor to ceiling height of less than 3.5m or works under 6m. A pontoon is defined as being a building, not works. It has a floor to ceiling height of 0 and therefore a permit is not required for the building. The works involved in the proposal comprise a disabled access ramp, which is exempt from planning permission under Cl. 62.02-2. Therefore, I don't believe a permit is required under the provisions of the Overlay.

We agree with this assessment. A permit is not triggered under DDO1.

Heritage Overlay 108

The site is located within Heritage Overlay 108 as shown below.

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TAYLORS

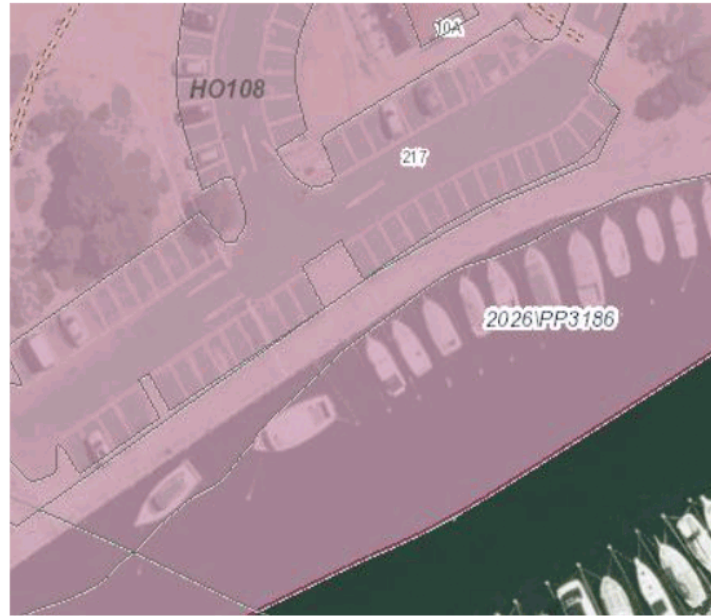


Figure 15: Heritage Overlay map overlaid with aerial photograph (VicPlan, June 2020)

The purpose of the Heritage Overlay is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To conserve and enhance heritage places of natural or cultural significance.
- To conserve and enhance those elements which contribute to the significance of heritage places.
- To ensure that development does not adversely affect the significance of heritage places.
- To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

HO108 is a heritage precinct control relating to the heritage place 'Mordialloc Creek and Foreshore Precinct'. External paint and tree controls apply. The proposal does not necessitate the removal of any trees. External colors are illustrated on the renders prepared by Oldfield Consulting Australasia.

The Heritage Overlay 108 requires a planning permit for the proposal to:

- Construct a building or construct or carry out works including a non-domestic disabled access ramp.
- Demolish or remove a building (part of the Mordialloc Creek wall and removal of boating piles).

We note Council's advice that:

I have read the heritage citation for the area and I don't believe that the part of the sea wall to be demolished is likely to be the sea wall that is described as being contributory to the heritage place. Given the minor nature of the demolition, the low scale of the new buildings and works and their limited impact on the vista, I don't believe that it is necessary for a heritage consultant to be specially engaged

for this project. However, we would like to retain the bluestone paving in situ where possible and an assessment against Clause 43.01 will be necessary.

The key considerations under HO108 are:

- *Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.*
- *Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.*
- *Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.*
- *Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.*

The Statement of Significant for the Mordialloc Creek and Foreshore Precinct heritage place¹ is:

The Mordialloc Creek and Foreshore Precinct is of social, historical and architectural significance at a local level. It is socially significant as a focus of the local community. It is historically significant as a reasonably nineteenth intact example of a late nineteenth and early twentieth century seaside resort and the precinct remains legible as an early recreational centre. The area is architectural significant for a number of unusual structures which survive from the early development of place, most notably the pier but including less prominent structures such as the sea wall, band rotunda and toilet block.

The History and Description in the citation indicates that:

*The Mordialloc Creek and Foreshore Precinct is a **large and diverse area** to the north of the Mordialloc Creek sandwiched between Beach Road and Port Phillip Bay. This section of the bay was a popular nineteenth century seaside destination and **still retains the early fishing, boat building and tourism activities that have traditionally been central to Mordialloc's identity and income.** Since the earliest days of white settlement, the creek has been popular with both visitors and locals for fishing and boating pursuits while the beach was popular for sea bathing. A pier was constructed near the mouth of creek before 1870 and a walled breakwater was built at the shoreward end of the pier before 1900. The pier has since been replaced by a considerably larger timber structure...*

....

*Through the early 1930s works to the creek became the focus of the committee's attention. In 1931, valuable area of land on the northern bank of the Creek was reclaimed and the creek was dredged to a uniform depth to improve its amenity. **The north and south banks of the creek were sheet piled between 1931 and 1933. It is likely that the sheet piling on site today is part of more recent refurbishment of the creek walls.***

...

¹ City of Kingston Heritage Study 2001 prepared by Bryce Raworth Pty Ltd.

The public toilet at the northern end of the precinct dates from c. 1930s...

A large public shelter is located adjacent to the toilet block at the northern end of the precinct....,

Other elements of interest in the precinct are concrete benches in front of the bandstand, which appear to date from the construction of the bandstand rotunda, a horse trough, a war memorial and a row of palm trees.

The largest and most significant structure in the precinct is the pier...

*The foreshore reserve is known today as the Peter Scullin Reserve after the Councillor (1971- 1975) and Mayor (1974). **It area has been continuously refurbished to provide increased amenity largely in the form of increased parking and children's play areas.** The more formal lawned and structured interwar character engendered by the beach lawn, ordered paths and formal plantings has to some extent been lost through recent works. Nonetheless the ongoing use of the place and the large number and highly intact state of much of the early building stock allow the precinct to remain legible as an early recreation area.*

The proposed demolition and buildings and works are considered to be in keeping with the heritage values of HO108.

The Citation indicates the creek wall was sheet piled in the 1930s and it is likely the sheet piling on site today is part of more recent refurbishment of the creek walls. The adjacent car park is finished in asphalt and apart from the bluestone pavers and street light (which will be relocated) is clearly the result of modern maintenance works. As the demolition will not affect fabric that has identified heritage significance, the demolition will not adversely impact the heritage values of the heritage place.

It is considered the relocation of the bluestone pavers and street light will not adversely impact the heritage values of the heritage place as the intactness of the bluestone pavers and street light will be maintained given this fabric will be relocated rather than altered. Additionally, the relocation of these elements is required to provide two accessible car parking spaces adjacent to the pontoon that meet the current Australian Standard for accessible car parking spaces. This will provide a positive heritage outcome as it enables the on-going use of the heritage place into the future while meeting present day standards for accessible car parking spaces.

It is considered the new built form will not adversely impact the heritage values of the precinct for the following reasons:

- The pontoon will improve access to recreational boating facilities for people with limited mobility and is therefore compatible with the precinct's social heritage significance as "a focus of the local community".
- The pontoon maintains the focus of the creek for fishing and boating pursuits by both visitors and locals. Is therefore does not detract for the precinct heritage significance as a late nineteenth and early twentieth century seaside resort.
- The pontoon design is low scale and by its boating nature is in keeping with the area's maritime character. It is remote from significant heritage fabric and utilises colors and materials suitable for the

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coastal environment consistent with other coastal structures in the area. It does not dominate or block views to any heritage fabric.

It is therefore considered the demolition, buildings and works will not adversely impact the heritage values of the heritage place.

Land Subject to Inundation Overlay

The subject site is affected, in part, by a LSIO as shown below:



Figure 16: Land subject to inundation Overlay map overlaid with aerial photograph

The purpose of the LSIO is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify land in a flood storage or flood fringe area affected by the 1 in 100 year flood or any other area determined by the floodplain management authority.
- To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.
- To reflect any declaration under Division 4 of Part 10 of the Water Act, 1989 where a declaration has been made.
- To protect water quality in accordance with the provisions of relevant State Environment Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).



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- *To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.*

Pursuant to Clause 44.04-2, a permit is triggered to construct a building or construct or carry out works including a non-domestic disabled access ramp.

Refer to the Report: *Mordialloc Creek Accessible Pontoon Concept Design Report prepared by BMT* for consideration of marine and coastal factors that led to the selection of the proposed pontoon design as the preferred option.

Refer to the Report: *Marine Habitat Survey, Mordialloc Creek Accessible Pontoon, Australasian marine Associates.*

It is noted the pontoon will float atop the tide level with freeboard of 400mm and as a boating pontoon is suitably located in the Land Subject to Inundation Overlay.

The application requires referral to Melbourne Water as the flood plain management authority. Subject to Melbourne Water's advice, it is considered the proposal is appropriate.

5.3 Particular Provisions

Clause 52.06 Car Parking

The purpose of Clause 52.06 includes:

- *To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enabled easy and efficient use.*

The disabled car parking spaces are designed to satisfy AS2890.6 as shown on the plans.

The alterations to car parking spaces within the Pier Road car park are appropriate as:

- It results in no reduction in the number of standard car spaces
- It results in an increase of one disabled space, noting the pontoon to expected to increase the need for disabled spaces compared to current conditions.
- The area is noted to become a destination point for accessible users that encourages a safe, connected shared space for different users and multiple activities.
- It retains a disabled space near the café and locates 2 spaces near the pontoon and pier / promenade which are expected to be key destinations for disabled people.

5.4 General Provisions

Clause 63 Existing Uses

Use of land for a recreational boating facility is a prohibited use within the Urban Floodway Zone, however, the boating use of the subject site is an existing use that will not change by the proposal.

Boating has been occurring along the northern bank of Mordialloc Creek for an extended period of time. This is common knowledge and is acknowledged as having occurred since the earliest days of white settlement in the Citation for the Mordialloc Creek and Foreshore Precinct heritage place.

A review of the 1945 Melbourne Aerial photography (below) shows boats moored along the northern bank and this use continues today.



Figure 17: Photograph of Mordialloc Creek during 1945 (Melbourne 1945 Website)



Figure 18: Photograph dated 28 April 2020 (Nearmaps)

In the circumstances, the boating use along Mordialloc Creek benefits from existing use rights pursuant to Clause 63.11.

Clause 63.05 provides that a use in Section 2 or 3 for which an existing use right is established may continue provided:

- *No building or works are constructed or carried out without a permit. A permit must not be granted unless the building or works complies with any other building or works requirement in this scheme.*

The proposal triggers a permit under Clause 63.05. This planning report assesses the proposal against the applicable buildings and works requirements in the Scheme.

- *Any condition or restriction to which the use was subject continues to be met. This includes any implied restriction on the extent of the land subject to the existing use right or the extent of activities within the use.*

The pontoon is located where boat mooring has evidently occurred for many years.

- The amenity of the area is not damaged or further damaged by a change in the activities beyond the limited purpose of the use preserved by the existing use right (Clause 63.05).

The proposal does not change the existing use of Mordialloc Creek for boat mooring.

Clause 63.12 provides the decision guideline:

Before deciding on an application under Clause 63.05, 63.08 or 63.10, in addition to the decision guidelines in Clause 65 and any other requirements of the Act, the responsible authority must consider the extent to which compliance can be achieved with all scheme requirements that can reasonably be met.

This planning report assesses the proposal against the requirements of the Kingston Planning Scheme.

Overall, the grant of a permit pursuant to Clause 63.05 is appropriate.

5.5 Planning Policy Framework

The following PPF is considered relevant to the proposal:

- Clause 11 – Settlement.
- Clause 12 – Environmental and Landscape Values.
- Clause 13 – Environmental Risks and Amenity.
- Clause 14 – Natural Resource Management.
- Clause 15 – Built Environment and Heritage.
- Clause 17 – Economic Development.
- Clause 21.01 – Vision and Strategic Framework.
- Clause 21.03 – Environment and landscape Values.
- Clause 21.04 – Environmental Risk and Amenity.
- Clause 21.06 – Built Environment and Heritage.
- Clause 22.08 – Heritage Policy.

An outline of these policies is provided in Appendix A.

The applicable policy matrix includes a range of policies that deal with settlement and coastal crown land, the environment, tourism, recreation and economic considerations and built form and heritage matters.

These policy themes are considered below with reference to applicable policies in the Planning Policy Framework.

Settlement Policy

The pontoon is suitably located within the Mordialloc Major Activity Centre and the Mordialloc Foreshore Area. There is a laying of policy that strongly encourages infrastructure and growth in defined settlements and activity nodes, such as Mordialloc. These policies include:

- Coastal Settlement policy at Clause 11.03-4, which “directs” *...infrastructure to locations within defined settlement boundaries of existing settlements that are capable of accommodating growth.*
- Coastal Areas policy at Clause 21.03-2, which seeks to *sensitively manage tourism / development opportunities to recognised ‘activity notes’*. That same policy recognises Mordialloc at the top of the hierarchy of foreshore activity nodes in the municipality where it states: *Reinforce the hierarchy of*

activity nodes along the foreshore recognising Mordialloc as the primary activity node and Aspendale, Edithvale, Chelsea, Bonbeach and Carrum as secondary activity nodes.

- The Victorian Coastal Strategy (Victorian Coastal Council, 2014) states that *in coastal communities, recreation and tourism developments are focused around activity and recreation nodes. These create efficient relationships between buildings and infrastructure and they minimise development impacts on the coast. ...Activity nodes provide for community recreation facilities and tourism activities. They are within settlements and are adjacent to the activity centres identified in planning schemes.* It is policy in the Victorian Coastal Strategy that *buildings and infrastructure on coastal Crown land is located in activity nodes and recreation nodes, consistent with any relevant master plan.*

As such, the proposal receives strong policy support from settlement policy.

Environmental Values and Climate Change

Other policies in the PPF seek to protect environmental values of coastal and estuarine environments such as Mordialloc Creek and to manage the impacts of climate change. This is evident in policies such as:

- *To recognise the value of coastal areas to the community, conserve and enhance coastal areas and ensure sustainable use of natural coastal resources* (Clause 12.02-1S - Protection of Coastal Areas). Strategies under this clause seek to coordinate land use and planning with the requirements of the Coastal Management Act 1995, to apply the hierarchy of principles for coastal planning and management.
- *To protect and enhance river corridors, waterways, lakes and wetlands* (Clause 12.03-1S - River Corridors, Waterways, Lakes and Wetlands).
- *To protect and conserve environmentally sensitive areas* (Clause 12.05-1S - Environmentally Sensitive Areas).
- *To minimise the impacts of natural hazards and adapt to the impacts of climate change through risk-based planning* (Clause 13.01-1S - Natural hazards and climate change).
- *To plan for and manage the potential coastal impacts of climate change* (Clause 13.01-2S - Coastal Inundation and Erosion).
- *To assist the protection and restoration of catchments, water bodies, groundwater, and the marine environment* (Clause 14.02-1S - Catchment planning and management).
- *To protect and where possible restore the integrity of natural ecosystems, coastal processes and scenic landscape or the coastal environment* (Clause 21.03-2 - Coastal Areas).
- *To mitigate the impacts of climate change* (Clause 21.04-1 - Climate Change Impacts). Decision guidelines under this clause include *Any relevant and up-to-date information relating to climate change impacts including predicted sea level rise, storm surges, increased peak flows and coastal erosion, particularly for areas along the foreshore area and adjacent to the Mordialloc Creek.*

The pontoon will float on the tide level and can accommodate a range of tide levels / sea level rise.

The Marine and Habitat Survey report prepared by Australasian Marine Associates undertook a marine survey in the location of the pontoon. This report concluded that:



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The proposed Accessible Pontoon includes installation of piles and a floating pontoon structure. The marine environment within the vicinity of the pontoon footprint is a highly modified environment dominated by a combination of native and introduced species.

The only potentially sensitive marine communities reported were associated with the artificial rocky subtidal habitats present at the breakwater entrance to Mordialloc Creek, approximately 170m downstream. The proposed works however, are restricted to the floating pontoon footprint and therefore, there is unlikely to be any direct impact on these sensitive marine communities.

Any turbidity generated from the pile driving activities will also be localised and will unlikely influence water quality conditions at the entrance to Mordialloc Creek. No dredging of the seabed within the pontoon footprint is proposed and so, remobilisation of any contaminants present in sediments is also highly unlikely.

The new pontoon structure will provide additional artificial habitat for the surrounding marine flora and fauna communities...

The Marine and Habitat Survey report recommended a construction environmental management plan (CEMP) be completed. The CEMP will be completed by the contractor appointed to construct the pontoon. The implementation of the CEMP can be required either through the consent under the *Marine and Coastal Act 2018* or the planning permit. We will advise Council when consent under the MCA Act has been obtained.

Refer to the report Mordialloc Creek Accessible Pontoon Concept Design Report prepared by BMT outlining stakeholder consultation and investigations that informed Concept 1A subject of the permit application. With reference to the recommendations in Section 9.2 of the Report:

- An assessment of wave penetration is presently being undertaken. This will inform the structural design of the pontoon for the detailed construction drawings and will be considered separate to the planning permit process.
- Sediment quality testing is not recommended for the selected site.
- BBV has discussed the maintenance program with DELWP and Parks Victoria. This is not relevant to the planning application. The ramp and pontoon are not fixed to the creek bank and can be removed to enable maintenance of the creek bank.
- The pontoon has been designed to accommodate a removable hoist.
- An upgrade of the toilet block is outside the scope of the project and planning considerations for the proposal. A landscape plan is not required as the project does not impact existing landscaping areas and new landscaping areas are not proposed.

Subject to the preparation of a CEMP addressing the matters recommended in the Marine and Habitat Survey Report, it is considered the pontoon responds appropriately to policies in the Scheme that seek to protect the area's environmental attributes.

Recreation, Economic and Tourism Policy



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The PPF also seeks to support sustainable management of growth around coastal environments for tourism, economic and recreational benefits. These policies include:

- Clause 11.03-4, which emphasises to *support the sustainable management of growth around coastal, estuary and marine assets to protect environmental values, and to achieve regional economic and community benefits.*
- Clause 12.03-1S which seeks to *ensure development responds to and respects the significant environmental, conservation, cultural, aesthetic, open space, recreation and tourism assets of water bodies and wetlands.*
- Clause 12.02-2S, which includes the objective: *To achieve coastal crown land development that provides an environmental, social and economic balance.* This will be implemented through strategies that include: *The purpose for which land is reserved under the Crown Land (Reserves) Act 1978.*
- Clause 17.04-2S has the objective: *to encourage suitably located and designed coastal, marine and maritime tourism and recreational opportunities.* Strategies under this objective include: *Maintain and expand boating and recreational infrastructure around the bays in maritime precincts at Frankston, Geelong, Hastings, Hobsons Bay, Mordialloc, Mornington, Patterson River, Portarlington, Queenscliff, St Kilda, Stony Point/Cowes and Wyndham.*
- Strategies in clause 21.03-2 include:
 - *Consolidate new recreational/tourism/commercial development opportunities within identified activity nodes along the foreshore, compatible with the long term protection of the coastal environment.*
 - *Promote a wide range of social, recreational and coastal experiences across the foreshore area.*
 - *Improve the range of transport/access options to the foreshore including boat, private motor vehicle, public transport, bicycle, walking and disabled access.*
- Policy at Clause 21.11-10 (Mordialloc Activity Centre) includes *Ensure that mooring and commercial and community recreational boating will continue to be provided within the creek and Mordialloc Island.*

The Crown Folio searches indicate that the purpose of the Crown land reservations subject of this application are for public purposes. The pontoon will enable accessible access to boating facilities by the community and is therefore consistent with the purpose of the reservations.

The pontoon is ideally located in the Mordialloc activity node where State policy at Clause 17.04-2S specifically seeks to maintain and expand boating and recreational infrastructure. Local policy similarly seeks to *consolidate new recreational/tourism/commercial development opportunities within identified activity nodes along the foreshore.* The Mordialloc activity node is at the top of the hierarchy of activity notes in the Kingston municipality.

The proposal directly implements the strategy at Clause 21.03-2 to ***improve the range of transport/access options to the foreshore including boat, private motor vehicle, public transport, bicycle, walking and disabled access.***



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The proposal implements tourism, recreation and economic development policy.

Built Form and Heritage Policy

A range of policies in the Scheme require that new built form respond to the area's built form and heritage values. Notably:

- Clause 15.01-1S (Urban Design) seeks: *To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.*
- Clause 15.01-2S (Building Design) seeks: *To achieve building design outcomes that contribute positively to the local context and enhance the public realm.*
- Clause 15.03-1S (Heritage Conservation) seeks: *To ensure the conservation of places of heritage significance.*
- Clause 15.03-2S (Aboriginal cultural heritage) has the objective: *To ensure the protection and conservation of places of Aboriginal cultural heritage significance.*
- Clause 21.6-1 (Urban Environment) seeks: *To project a positive image of the City through a high standard of urban design.*
- Clause 21.06-4 (Heritage) seeks:
 - *To identify, conserve and enhance places of built and cultural heritage, including significant buildings, places, trees, monuments and landscapes.*
 - *To ensure new development contributes positively to identified heritage values.*

The pontoon has been located and designed in consultation with a range of stakeholders (discussed in BMT Engineering Report) and with the input of engineering, planning, environmental and heritage area's of expertise.

The structure itself is low scale and its open nature minimises the impact of the structure on the area's open landscape character. The maritime style of the structure is in fitting with other maritime structures in the area and the foreshore character of the area.

The pontoon will not adversely impact on the heritage significance of the Mordialloc Creek and Foreshore Precinct Heritage Place as discussed earlier.

The advice of Jeremy Hill, Department of Transport Heritage Advisor, indicates that a mandatory CHMP is not required and provides contingencies should Aboriginal heritage be found during construction.

The pontoon provides a functional design that responds to the area's coastal conditions and will improve access for people with limited mobility to boating facilities.

Overall, the pontoon responds appropriately to built form and heritage planning policies.



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6.0 Net Community Benefit

Clause 71.02-3 states that planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations.

It is considered the pontoon will deliver a net community benefit in the form of:

- Improved access to boating facilities for a wider segment of the community and supporting recreation and tourism objectives.
- Site responsive design that respects the area's character and heritage values.
- Ensuring the area's environmental values have been considered and protected.



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7.0 Conclusion

It is summary, subject to Melbourne Water's referral advice and first obtaining consent for the use and development under the Marine and Coastal Act 2018, we conclude that a planning permit should be issued for the proposal on the basis that:

- The proposal complies with the applicable zoning and overlay controls.
- The proposal implements policies in the scheme that encourage sustainable tourism and recreation in coastal areas.
- The proposal will not adversely impact on the area's heritage values.
- The design is well considered and site responsive.
- The area's environmental values will be protected, subject to the preparation of a CEMP. This can be managed through either the planning permit or the consent under the *Marine and Coastal Act 2018*.
- The delivery of the project will result in a net community benefit.

Taylors Development Strategists Pty Ltd

September 2020

Appendix A: Outline of Planning Policy Framework, Policy Guidelines and Documents

Clause 11.03-4S (Coastal Settlement) including strategies:

- *Direct...infrastructure to locations within defined settlement boundaries of existing settlements that are capable of accommodating growth.*
- *Support the sustainable management of growth around coastal, estuary and marine assets to protect environmental values, and to achieve regional economic and community benefits.*

Clause 12.02-1S (Protection of Coastal Areas), seeks: *To recognise the value of coastal areas to the community, conserve and enhance coastal areas and ensure sustainable use of natural coastal resources.* Strategies under this clause seek to coordinate land use and planning with the requirements of the Coastal Management Act 1995, to apply the hierarchy of principles for coastal planning and management and to:

- *Ensure development protects and seeks to enhance coastal biodiversity and ecological values.*
- *Ensure development is sensitively sited and designed and respects the character of coastal settlements.*
- *Encourage revegetation of cleared land abutting coastal reserves.*
- *Maintain the natural drainage patterns, water quality and biodiversity in and adjacent to coastal estuaries, wetlands and waterways.*
- *Avoid disturbance of coastal acid sulfate soils.*
- *Protect cultural heritage places, including Aboriginal places*

Clause 12.02-2S (Coastal Crown Land), which seeks: *To achieve coastal crown land development that provides an environmental, social and economic balance.* Policy guidelines under Clause 12.02-2S are:

- *The purpose for which land is reserved under the Crown Land (Reserves) Act 1978.*
- *Any relevant coastal action plan or management plan approved under the Coastal Management Act 1995 or National Parks Act 1975.*

Clause 12.03-1S (River Corridors, Waterways, Lakes and Wetlands), seeks: *To protect and enhance river corridors, waterways, lakes and wetlands.* Strategies include:

- *Protect the environmental, cultural and landscape values of all water bodies and wetlands*
- *Ensure development responds to and respects the significant environmental, conservation, cultural, aesthetic, open space, recreation and tourism assets of water bodies and wetlands.*
- *Ensure development does not compromise bank stability, increase erosion or impact on a waterbody or wetland's natural capacity to manage flood flow*

Clause 12.05-1S (Environmentally Sensitive Areas), which seeks: *To protect and conserve environmentally sensitive areas.*

Clause 13.01-1S (Natural hazards and climate change), which seek: *To minimise the impacts of natural hazards and adapt to the impacts of climate change through risk-based planning.* Applicable strategies include:

- *Consider the risks associated with climate change in planning and management decision making processes.*
- *Site and design development to minimise risk to life, property, the natural environment and community infrastructure from natural hazards.*

Clause 13.01-2S (Coastal Inundation and Erosion) seeks: *To plan for and manage the potential coastal impacts of climate change.* Applicable strategies include:

- *Plan for sea level rise of not less than 0.8 metres by 2100 and allow for the combined effects of tides, storm surges, coastal processes and local conditions such as topography and geology when assessing risks and coastal impacts associated with climate change.*
- *In planning for sea level rise, an increase of 0.2 metres over current 1 in 100 year flood levels by 2040 may be used for new development in close proximity to existing development (urban infill).*
- *Avoid development in identified coastal hazard areas susceptible to inundation (both river and coastal), erosion, landslip/landslide, acid sulfate soils, bushfire and geotechnical risk*

Clause 14.02-1S (Catchment planning and management) seeks: *To assist the protection and restoration of catchments, water bodies, groundwater, and the marine environment.*

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

Clause 15.01-2S (Building Design) seeks: *To achieve building design outcomes that contribute positively to the local context and enhance the public realm.*

Clause 15.03-1S (Heritage Conservation) seeks: *To ensure the conservation of places of heritage significance.*

Clause 15.03-2S (Aboriginal cultural heritage) has the objective: *To ensure the protection and conservation of places of Aboriginal cultural heritage significance.*

Clause 17.04-2S (Coastal and Marine Tourism and Recreation) seeks: *To encourage suitably located and designed coastal, marine and maritime tourism and recreational opportunities.* Strategies under this objective include:

- *Maintain and expand boating and recreational infrastructure around the bays in maritime precincts at Frankston, Geelong, Hastings, Hobsons Bay, Mordialloc, Mornington, Patterson River, Portarlington, Queenscliff, St Kilda, Stony Point/Cowes and Wyndham.*

The Strategic Framework Plan at Clause 21.01 designates Mordialloc Foreshore area. Mordialloc Creek is designated "Wetland Recreation along Mordialloc Creek" for its length extending to the creek mouth. Key issues within the municipality include:

- *Balancing tourism, recreational and commercial related opportunities so as to enhance the overall foreshore experience while protecting the integrity of natural coastal ecosystems.*

Clause 21.03-2 (Coastal Areas) includes the objectives:

- *To protect and where possible restore the integrity of natural ecosystems, coastal processes and scenic landscape or the coastal environment.*
- *To retain the high value of Kingston's coastal environment.*
- *To ensure sustainable social, economic and recreational use of the coast and foreshore.*
- *To optimise community enjoyment of the foreshore.*

Relevant strategies in clause 21.03-2 include:

- *Sensitively manage tourism / development opportunities to recognised 'activity nodes'.*
- *Encourage, where appropriate, the re-use of existing foreshore structures or the relocation of existing building envelopes.*
- *Reinforce the hierarchy of activity nodes along the foreshore recognising Mordialloc as the primary activity node and Aspendale, Edithvale, Chelsea, Bonbeach and Carrum as secondary activity nodes.*
- *Consolidate new recreational/tourism/commercial development opportunities within identified activity nodes along the foreshore, compatible with the long term protection of the coastal environment*
- *Promote a wide range of social, recreational and coastal experiences across the foreshore area.*
- *Improve the range of transport/access options to the foreshore including boat, private motor vehicle, public transport, bicycle, walking and disabled access.*

Clause 21.04-1 (Climate Change Impacts) seeks: *To mitigate the impacts of climate change.* Relevant strategies include: *Apply the precautionary principle to decision making in areas likely to be impacted by sea level rise or extreme weather events.* Decision guidelines include:

- *Any relevant and up-to-date information relating to climate change impacts including predicted sea level rise, storm surges, increased peak flows and coastal erosion, particularly for areas along the foreshore area and adjacent to the Mordialloc Creek.*

Clause 21.6-1 (Urban Environment) seeks: *To project a positive image of the City through a high standard of urban design.*

Clause 21.06-4 (Heritage) seeks:

- *To identify, conserve and enhance places of built and cultural heritage, including significant buildings, places, trees, monuments and landscapes.*
- *To ensure new development contributes positively to identified heritage values.*

Policy at Clause 21.11-10 (Mordialloc Activity Centre) is based on the principles outlines in the Mordialloc Pride of the Bay: A Structure Plan for the Future of Mordialloc, 2004 and draws upon some elements of the Kingston Foreshore Strategy, 1999 and Siting and Design Guidelines for Structures on the Victorian Coast, 1998.

The subject site is located within Precinct 4 'Pier, Creek and Foreshore'. It is policy in this precinct to (amongst others):

- *Ensure that mooring and commercial and community recreational boating will continue to be provided within the creek and Mordialloc Island.*

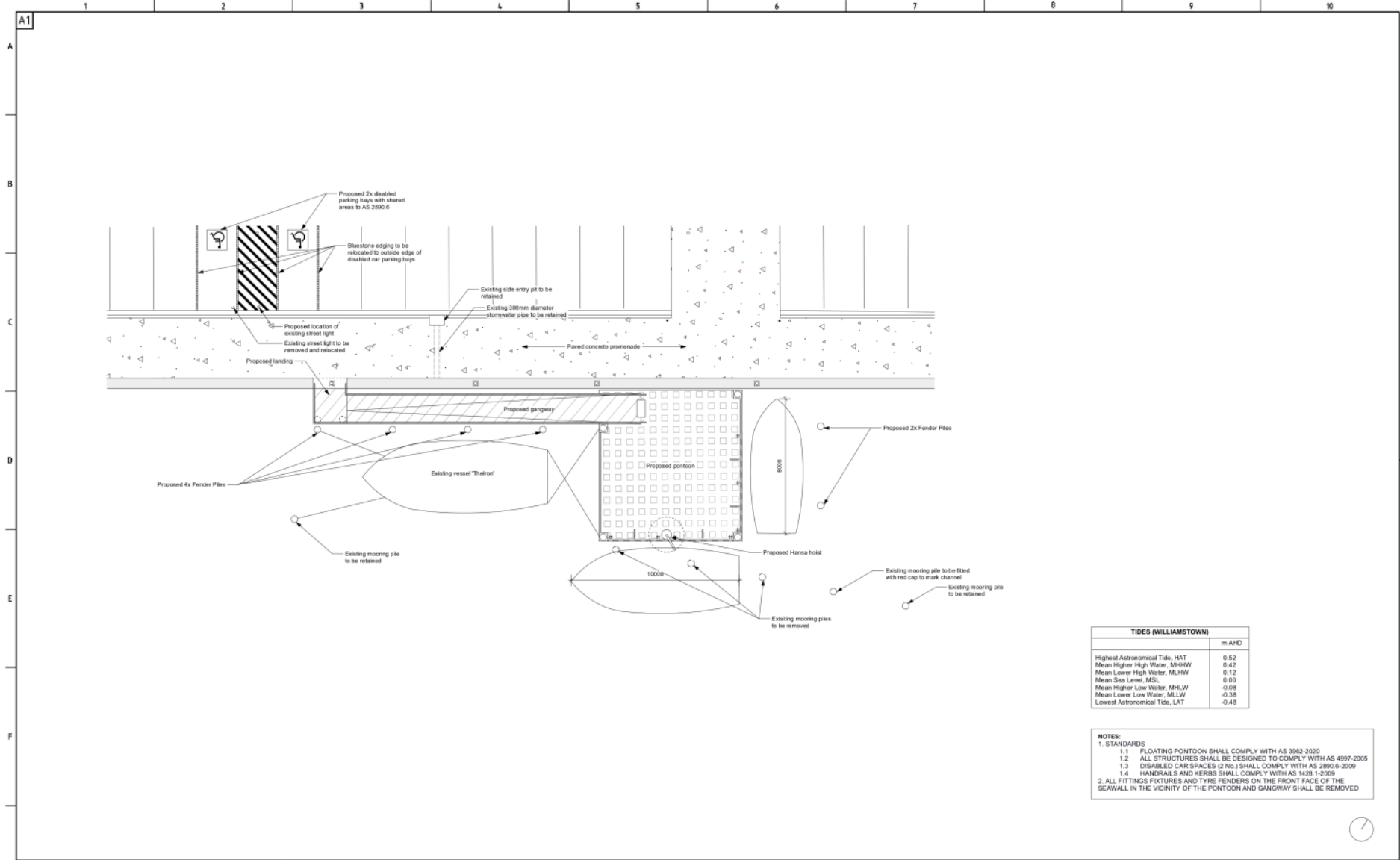


Our Ref: 22588P
Pier Road, Mordialloc

Clause 22.08 (Heritage Policy) provides detailed guidance for the assessment of permit applications in heritage places.

Guideline and Reference Documents:

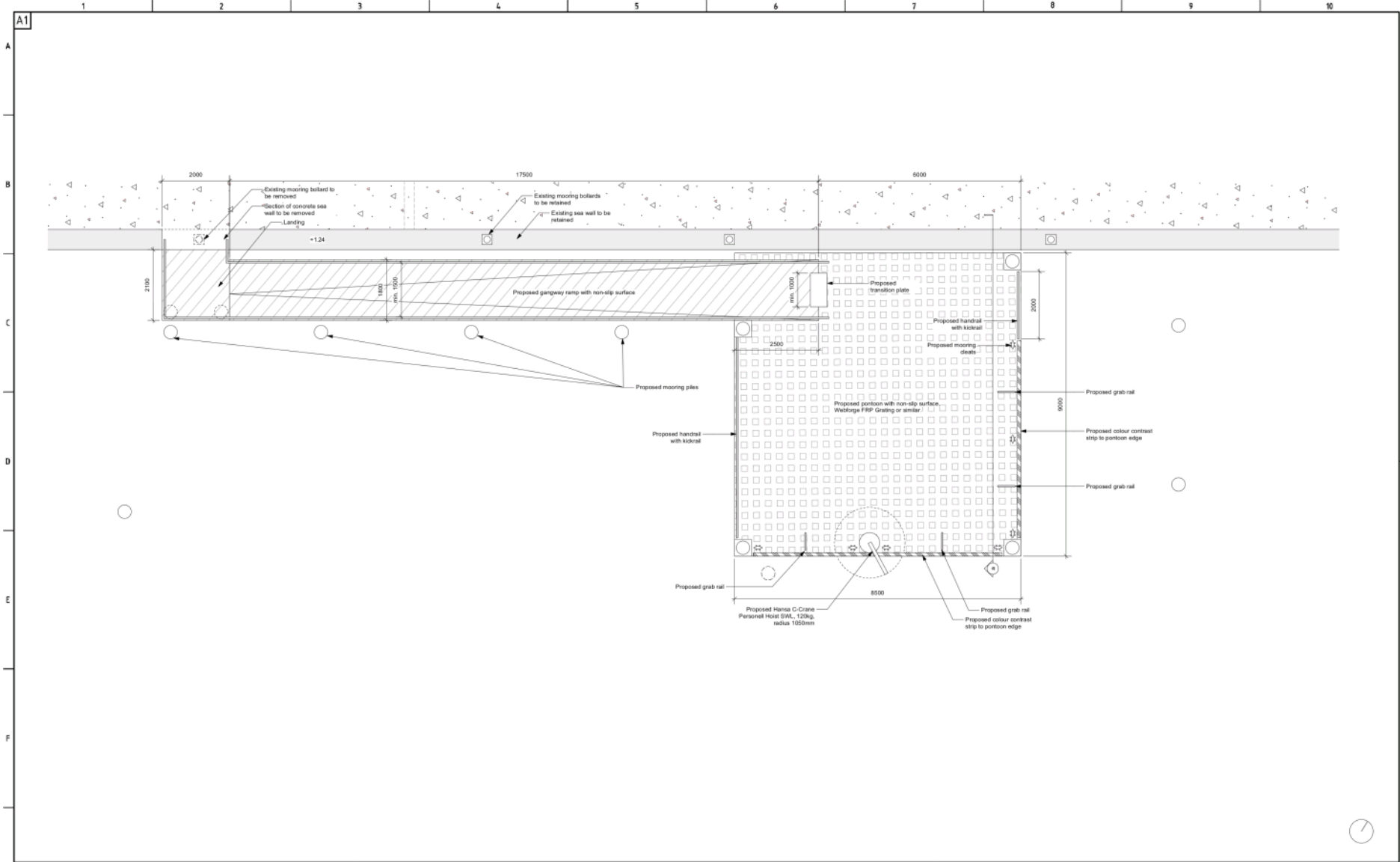
- The Victorian Coastal Strategy (Victorian Coastal Council, 2014).
- The Marine and Coastal Policy (Victorian Government, 2020).
- Coastal Management Plan (City of Kingston, 2014).
- Boating Coastal Action Plan (Central Coastal Board, 2007).
- The Recreational Boasting Facilities Framework (Central Coastal Board and Victorian Government, February 2014).
- Central Region Coastal Plan (2015-2020).
- Draft Guidelines for the assessment of heritage planning applications (August 2000).
- Siting and Design Guidelines for Structures on the Victorian Coast (May 1998).
- Mordialloc Pride of the Bay: A Structure Plan for the Future of Mordialloc, 2004.



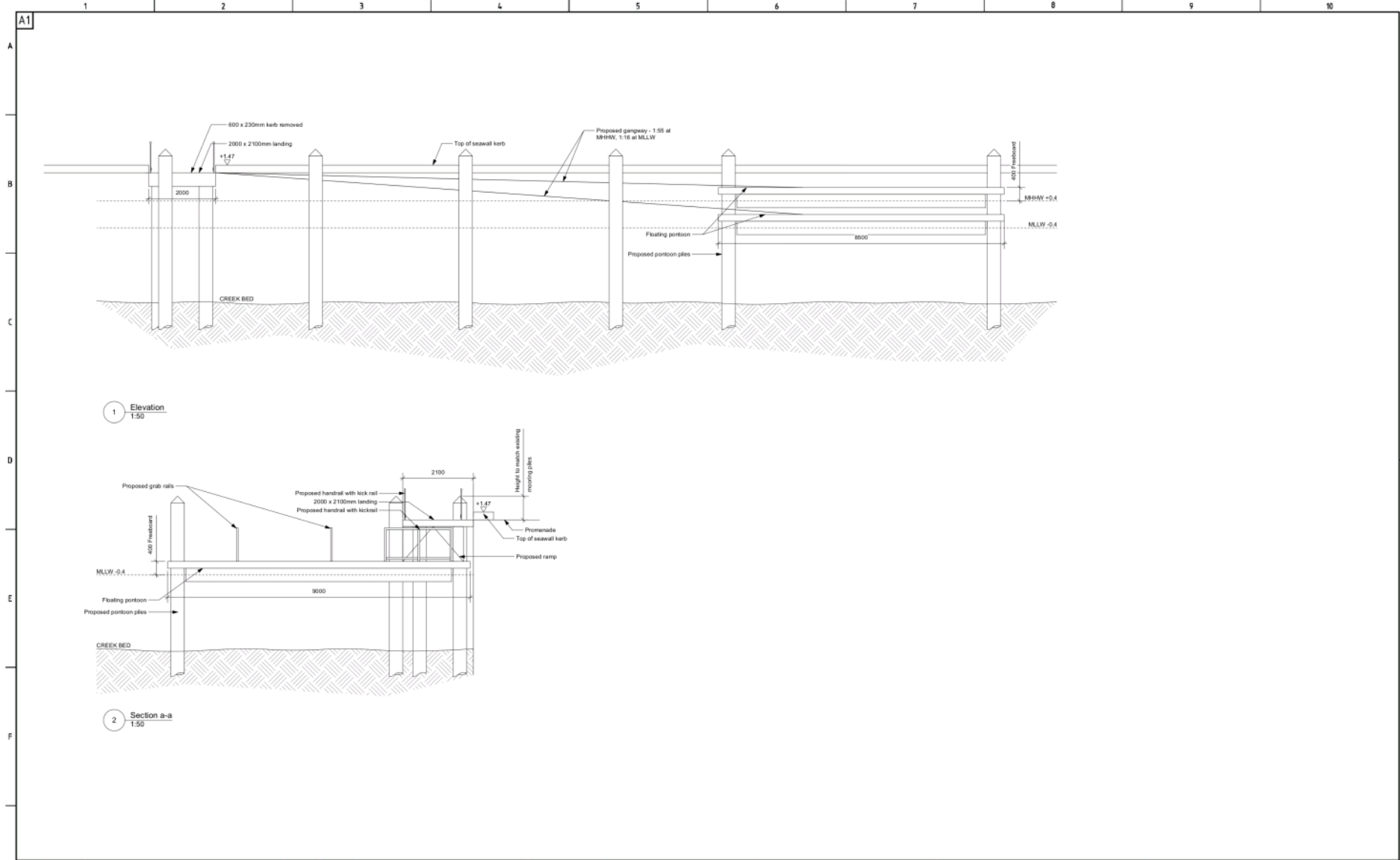
TIDES (WILLIAMSTOWN)		m AHD
Highest Astronomical Tide, HAT		0.52
Mean Higher High Water, MHHW		0.42
Mean Lower High Water, MLHW		0.12
Mean Sea Level, MSL		0.00
Mean Higher Low Water, MHLW		-0.08
Mean Lower Low Water, MLLW		-0.38
Lowest Astronomical Tide, LAT		-0.48

- NOTES:**
1. STANDARDS
 - 1.1 FLOATING PONTOON SHALL COMPLY WITH AS 3962-2020
 - 1.2 ALL STRUCTURES SHALL BE DESIGNED TO COMPLY WITH AS 4997-2005
 - 1.3 DISABLED CAR SPACES (2 No.) SHALL COMPLY WITH AS 2890-2009
 - 1.4 HANDRAILS AND KERBS SHALL COMPLY WITH AS 1428.1-2009
 2. ALL FITTINGS, FIXTURES AND TYRE FENDERS ON THE FRONT FACE OF THE SEAWALL IN THE VICINITY OF THE PONTOON AND GANGWAY SHALL BE REMOVED

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<p>Drawn: ADS Approved for Construction: DO</p> <p>Checked: DO</p> <p>Scale: 1:100</p> <p>Date: 23.09.2020</p>				<p>MORDIALLOC CREEK ACCESSIBLE BOAT LANDING</p> <p>GENERAL PLAN AND LAYOUT</p>		<p>Job No. Drawing No. Drg 12010-01</p> <p>Revision C</p>	
Revision	Date	Description	Revision	Date	Description	Drawing No.	Reference Drawings



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				Drawn: AOS Checked: DO Scale: 1:50 Date: 23.09.2020		Designed: DO Approved for Construction		MORDIALLOC CREEK ACCESSIBLE BOAT LANDING DRG 12010-02		Revision C																																			
<table border="1"> <thead> <tr> <th>Revision</th> <th>Date</th> <th>Description</th> <th>Revision</th> <th>Date</th> <th>Description</th> <th>Drawing No.</th> <th>Reference Drawings</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>				Revision	Date	Description	Revision	Date	Description	Drawing No.	Reference Drawings																									MORDIALLOC CREEK ACCESSIBLE BOAT LANDING DETAILED PLAN				Job No.		Drawing No.		Revision	
Revision	Date	Description	Revision	Date	Description	Drawing No.	Reference Drawings																																						



1 Elevation
1:50

2 Section a-a
1:50

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				Drawn: ADS Checked: DO Scale: 1:50 Date: 23.09.2020		Designed: DO Approved for Construction		MORDIALLOC CREEK ACCESSIBLE BOAT LANDING ELEVATIONS		Job No.	Drawing No. DRG 12010-03	Revision C
Revision	Date	Description	Revision	Date	Description	Drawing No.	Reference Drawings					

OPTION 4

1. Add 2 no. disabled spaces adjacent to accessible pontoon ramp
2. Convert 2 no. disabled spaces to 1 disabled and 2 normal spaces behind cafe building
3. Retain existing disabled space on north side for Changing Places facility



MORDIALLOC CREEK - ACCESSIBLE PONTOON PARKING
OPTION 4 - FOUR DISABLED CAR SPACES





1 July 2020

Email: peter.gillieron@kingston.vic.gov.au
Telephone: 9581 4316

509560

Mr N Robins
Senior Planner
Taylors
8/270 Femtree Gully Road
NOTTING HILL VIC 3168

By email transmission: n.robins@taylorsds.com.au

Dear Mr Robins

Re: Crown Allotment 19A Section 24 parish of Mordialloc

I confirm Council is the Committee of Management for the crown land on the north side of Mordialloc Creek. As Land Manager of the above property I hereby authorise Taylors to proceed with a planning permit for Better Boating Victoria Project.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Peter Gillieron', with a long, sweeping flourish extending upwards and to the right.

Peter Gillieron
TEAM LEADER - PROPERTY SERVICES, CITY OF KINGSTON

community inspired leadership

HPE 20/144256 PAGE 1



RS 1819/9

21 September 2020

Mr N Robins
Senior Planner
Taylors
By email transmission n.robins@taylorsds.com.au

Dear Mr Robins

Re: Proposed works at the Mordialloc Creek for Accessible Floating Pontoon

I refer to your email transmission dated 18 September 2020.

I confirm that Council is the Committee of Management for crown allotment 19A being part as the Mordialloc-Mentone Beach Park. The Park excludes the Mordialloc Creek and supporting creek wall, part of which is in crown allotment 2026 and for which the Crown is responsible.

I confirm the proposal shown on the two attachments and recognise the community benefit that it will provide.

Council, as Committee of Management consents to the application for planning permit being made for the proposed development and use on crown allotment 19A. The consent is subject to Better Boating Victoria submitting a construction management plan for the proposed works on crown allotment 19A to the satisfaction of the Council

Please contact me for any further information that you may require.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Peter Gillieron', with a long, sweeping flourish extending upwards and to the right.

Peter Gillieron
Team Leader-Property Services

T. 9581 4316

c.c. Better Boating Victoria

community inspired leadership

TRIM XX/XXXX PAGE 1



MARINE HABITAT SURVEY

MORDIALLOC CREEK ACCESSIBLE PONTOON



Prepared for: Department of Transport

Date: 17th July 2020

**Prepared by:**

Australasian Marine Associates Pty Ltd
 42 Barkly Street, St Kilda 3182.
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 Email: adam@marineassociates.com.au

Cover Photo: Mordialloc Marina, 2020.

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Australasian Marine Associates (AMA) has prepared this document for the Department of Transport. The sole purpose of this document is to provide a Marine Habitat Survey to support the Mordialloc Creek Accessible Pontoon installation works. This document was prepared in collaboration with J Diversity Pty Ltd. No other party should rely or access this information without prior written consent of AMA. This document has been prepared based on confidential information provided from the client and its description of what is required. AMA may have also relied on other information provided by third parties to prepare this document, some of which may not have been verified. Subject to the above conditions, this document may be transmitted, reproduced or disseminated only in its entirety.

Document Control:

Document Version	Author/Reviewer	Date	Comment	Approved (AMA Director)
Rev 0	AC/JB/DS	17/7/2020	Final	Dr A. Cohen

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1.0 INTRODUCTION

Better Boating Victoria (BBV) proposes to install an Accessible Pontoon on Mordialloc Creek. This Marine Habitat Survey has been prepared for the proposed Mordialloc Creek Accessible Pontoon installation works. The proposed Pontoon is located in the lower reaches of Mordialloc Creek (see **Figure 1**). The new Pontoon will replace a series of berth pockets and associated piles, which will be removed prior to installation of the new structure.

The objectives of the Marine Habitat Survey were to describe the marine habitat within the vicinity of the Pontoon footprint and quantify any potential marine environmental risks posed by installation of new piles, a floating gangway and floating pontoon.

The Marine Habitat Survey will accompany an application for Marine and Coastal Act 2018 (MACA) consent to the Department of Environment, Land, Water and Planning (DELWP), which will need to be submitted and approved. This will contribute to both City of Kingston planning applications and the approval of a Parks Victoria works permit.



Figure 1 Mordialloc Creek Accessible Pontoon location (reference Google Earth pro).

The pontoon will be designed to provide safe and un-obstructed access to members of the boating community with disability and mobility difficulties. The accessible pontoon will offer the elderly boating community and their family members assisted access to recreational boats in Mordialloc Creek and a safe haven to disembark vessels in deteriorating weather.

BBV in association with BMT Engineering (BMT) have been working in close consultation with government and community stakeholders to identify opportunities and constraints of individual concept designs and locations in Mordialloc Creek. The feedback from this

engagement identified the preferred location and design, which is suitable and supported by stakeholders (see **Figure 2**).

The proposed Pontoon installation works include:

- Installation of a floating Pontoon approx. 9 x 8.5m;
- Driving of 5-8 (indicative) piles into creek bed;
- Floating gangway (including boardwalk);
- Provision of line marked disabled parking;
- Provision of bench seating; and
- Boardwalk curb removal.



Figure 2 Proposed Mordialloc Creek Accessible Pontoon.

2.0 EXISTING MARINE ENVIRONMENT

2.1 Benthic survey (June 2020)

2.1.1 Methods

The benthic survey was undertaken on 23rd June 2020, one hour before high tide. Photographs were taken representing the habitats of the entire pontoon footprint, and then along the western breakwater (containing a sheet pile wall), to the rocky point on the western side of the entrance to Mordialloc Creek. Visibility appeared poor from the surface due to catchment runoff following several days of rain. The visibility however, was good below a lens of turbid, fresh water (**Plate 1**). Common names listed in this report follow Edgar (2008).

2.1.2 Results

The seafloor within the pontoon footprint was unvegetated silt (**Plate 2**). An area extending variable distances from the sheet pile wall (3–15 m) was covered by a mat of detached (“drift”) macroalgae, generally less than 10 cm thickness (**Plate 3**). Composition of the mat included *Sargassum* spp., the pest species *Undaria pinnatifida*, *Ulva* spp., *Caulerpa* spp. and various red macroalgae. Patches with a thin layer of leaf litter were also observed (**Plate 4**).

The sheet pile wall was covered predominantly by the pest species Pacific Oyster *Magallana gigas* (**Plate 5**), ropes were covered with clusters of mussels *Mytilus* spp. (**Plate 6**), often covered with red filamentous algae, and the dominant species on piles and other hard substrates (generally debris) were mussels and/or oysters (**Plate 7**). There were isolated clusters of the solitary ascidian *Cunjevoi Pyura stolonifera* (**Plate 8**) on pieces of debris, and a single specimen of the pest species European fan worm *Sabella spallanzanii* (**Plate 9**).

A school of about 20 black bream *Acanthopagrus butcheri* was observed around the stern of a moored vessel, and a single juvenile near the seafloor (**Plate 10**). Other fish observed included a smooth toadfish *Tetractenos glaber* (**Plate 11**) and a southern fiddler ray *Trygonorrhina dumerilii* (**Plate 12**), the latter about 20 metres south of the pontoon footprint.

Along the inside of the western breakwater, the sediment transitioned to fine sand with a thin, patchy layer of seagrass fragment detritus (**Plate 13**), and the sheet piles forming the breakwater wall were dominated by solitary ascidians, most likely the species *Pyura stolonifera* (**Plate 14**). A solitary European fan worm was recorded about half way along the breakwater and removed.

The macroalgal communities of the shallow rocky point at the southern end of the western breakwater included filamentous and coralline turfs (**Plate 15**), red encrusting and membranous algae (**Plate 16**), the membranous green macroalga *Ulva* sp. (**Plate 17**) and the pest species Wakame *Undaria pinnatifida* (**Plate 18**).

Invertebrate communities were characterised by dense aggregations of solitary ascidians, most likely *Pyura stolonifera* (**Plate 19**), white striped anemone *Anthothoe albicincta* (**Plate**

Marine Habitat Survey

20), European fan worms (**Plate 21**) and the eight-armed seastar *Meridiastra calcar* (**Plate 22**) and the warrener *Turbo undulatus* (**Plate 23**). Other mobile invertebrates included gastropods blacklip abalone *Haliotis rubra* and lined cominella *Cominella lineolata* (**Plate 23**) and the eleven-armed sea star *Coscinasterias muricata* (**Plate 24**).

Numerous items of debris were recorded adjacent to the sheet pile wall, at the entrance to Mordialloc Creek, including cans, food wrappers, bags, pipes, timber, a parking sign, car tyres (**Plate 25**), shopping trollies (**Plate 25**), a traffic cone (**Plate 27**), a sheet of corflute (**Plate 28**), golf balls (**Plate 28**), bucket and rope (**Plate 29**) and tree branch (**Plate 30**). A squid jig and fishing rod were found near the rocky point at the south end of the breakwater.

Marine Habitat Survey



Plate 1. View upwards to lens of turbid fresh water

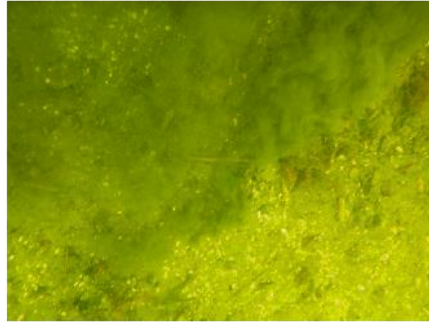


Plate 2. Silty substrate



Plate 3. Mat of drift macroalgae



Plate 4. Leaf litter

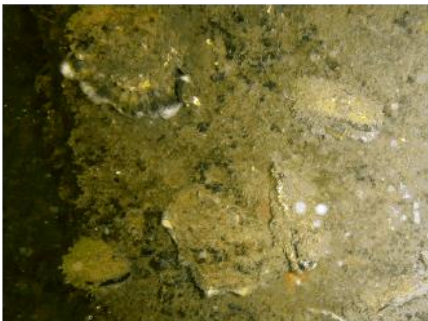


Plate 5. Pacific oyster *Magallana gigas* on pier wall



Plate 6. Mussels *Mytilus* sp. on mooring line.

Marine Habitat Survey

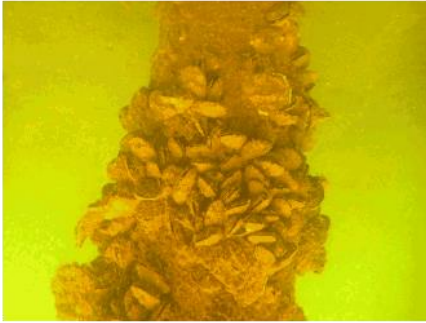


Plate 7. Pacific oysters and mussels on pile.



Plate 8. Cluster of Cunjevoi *Pyura stolonifera*



Plate 9. European fan worm *Sabella spallanzanii*



Plate 10. Juvenile black bream *Acanthopagrus butcheri*



Plate 11. Smooth toadfish *Tectactenos glaber*

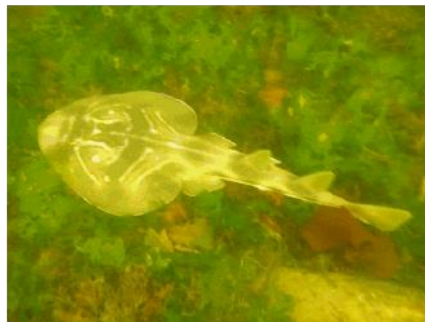


Plate 12. Southern fiddler ray *Trygonorrhina dumerilii*

Marine Habitat Survey

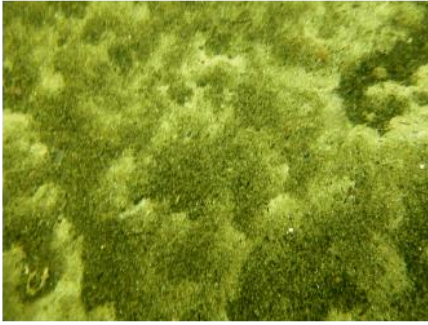


Plate 13. Sand with seagrass fragment detritus

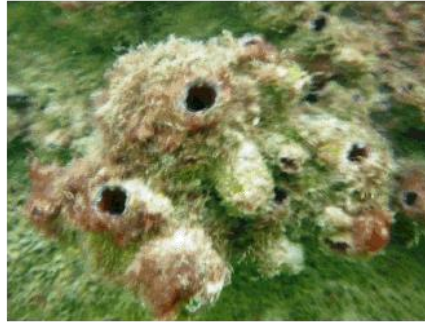


Plate 14. Solitary ascidians on breakwater wall

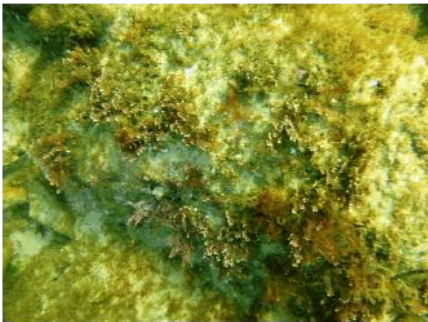


Plate 15. Filamentous and coralline turfing algae



Plate 16. Encrusting and membranous red macroalgae

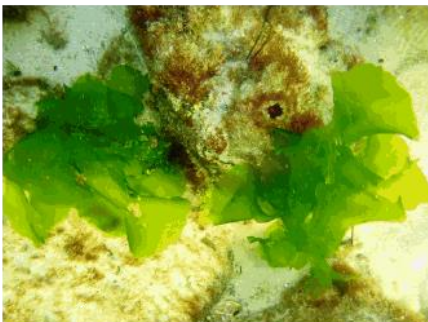


Plate 17. Green membranous macroalgae *Ulva* sp.



Plate 18. Pest species Wakame *Undaria pinnatifida*

Marine Habitat Survey



Plate 19. Cluster of solitary ascidians



Plate 20. White striped anemone
Anthothoe albocincta



Plate 21. Pest species European fan
worm *Sabella spallanzanii*

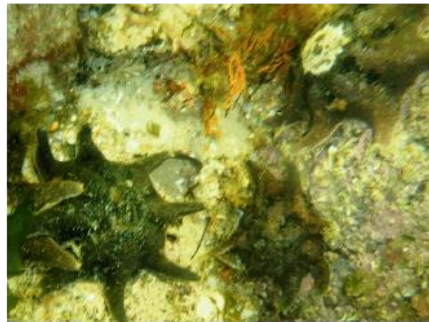


Plate 22. Eight-armed seastar
Meridiastra calcar

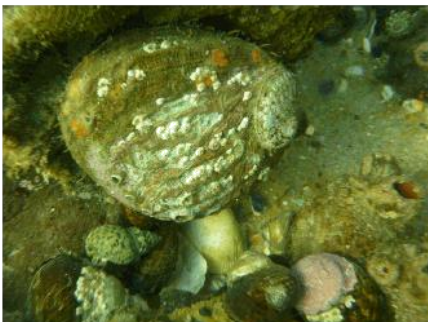


Plate 23. Gastropods including blacklip
abalone *Haliotis rubra* (top), lined
cominella *Cominella lineolata* (below left
side of abalone) and warrener *Turbo*
undulatus (across bottom).



Plate 24. Eleven-armed sea star
Coscinasterias muricata

Marine Habitat Survey



Plate 25. Car tyre



Plate 26. Shopping trolley



Plate 27. Traffic cone

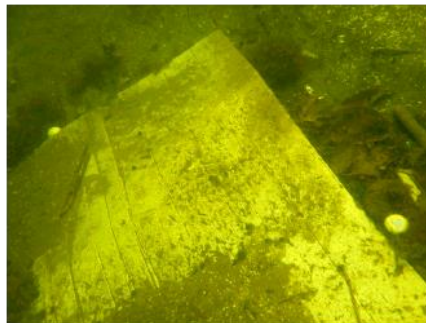


Plate 28. Sheet of corflute



Plate 29. Bucket and rope



Plate 30. Tree branch

2.2 Species of conservation significance

A search of Victorian Biodiversity Atlas database was undertaken within a five kilometre radius of the study area and identified the following listed marine species (see **Appendix A**):

- Little Penguin, *Eudyptula minor*
- Crabeater Seal, *Lobodon carcinophagus*
- Common Bottle-nosed dolphin, *Tursiops truncatus*
- Short-beaked Common Dolphin, *Delphinus delphis*
- Burrunan Dolphin, *Tursiops australis*
- Otariidae spp. Eared Seals

A search of the EPBC database was undertaken within a five kilometre radius of the study area and identified 58 listed threatened species and 49 listed migratory species (See **Appendix A**). These included the following fish species:

- Dwarf Galaxias, *Galaxiella pusilla*
- Yarra Pygmy Perch *Nannoperca obscura*
- Australian Grayling, *Prototocres maraena*

the following whales (and cetaceans):

- Pygmy Right whale, *Caperea marginata*
- Common Dolphin, Short-beaked Common Dolphin, *Delphinus delphis*
- Southern Right Whale, *Eubalaena australis*,
- Risso's Dolphin, *Grampus griseus*,
- Dusky Dolphin, *Lagenorhynchus obscurus*
- Humpback Whale, *Megaptera novaeangliae*
- Spotted Bottlenose Dolphin, *Tursiops aduncus*
- Bottlenose Dolphin, *Tursiops truncatus*

and the following marine mammals:

- Long-nosed Fur-seal, New Zealand Fur-seal, *Arctocephalus forsteri*
- Australian Fur-seal, *Arctocephalus pusillus*

2.3 Areas of conservation significance

There are no marine parks or sanctuaries in close to proximity to the entrance to Mordialloc Creek. The closest marine sanctuary to the study area is the Ricketts Point Marine Sanctuary which is located approximately 5 km northwest of the entrance.

An EPBC search identified one nationally important wetland, the Edithvale-Seaford Wetlands, which are located approximately 4km southeast of Mordialloc Creek. Neither area will be affected by the proposed works inside Mordialloc Creek.

3.0 LEGISLATION AND BEST PRACTICE GUIDELINES

The legislative requirements that apply to obtaining environmental approvals in Victorian Waters are discussed in this section of the Marine Habitat Survey. All proposed marine construction activities need to be undertaken in compliance with the relevant International Conventions and Agreements, as well as Commonwealth and State legislative requirements.

3.1 International Conventions and Agreements

International agreements applicable to the proposed Accessible Pontoon installation works may include, but are not limited to:

- The International convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 (MARPOL 73/78) (International Maritime Organisation);
- The International Convention for the Control and Management of Ships' Ballast Water and Sediments (International Maritime Organisation (IMO));
- United Nations Convention of the Law of the Sea;
- ANZECC Code of Practice for Antifouling and In-water Cleaning and Maintenance; and
- The Convention on the Conservation of Migratory Species of Wild Animals (Secretariat of the Convention for the Conservation of Migratory Species of Wild Animals 1979).

3.2 Commonwealth legislation

Environmental Protection and Biodiversity Conservation (EPBC) Act 1999

The EPBC Act establishes a process for the assessment and approval of proposed actions that are likely to have a significant impact on matters of national environmental significance or on Commonwealth land. Possible impacts on endangered species or listed migratory species may trigger the Act. This Marine Habitat Survey has been prepared to identify sensitive marine communities and assist to manage and mitigate impacts to marine flora and fauna communities.

Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZECC/ARMCANZ 2000)

The Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZECC/ARMCANZ 2000) provide guidance for activities that may affect water quality. These guidelines provide criteria for establishing levels of ecological protection for marine areas, based on existing levels of disturbance, but also recommend deferring to local site-specific guidelines, where they exist and are relevant. Default trigger values are required to be adopted for various water quality parameters (i.e. turbidity), as prescribed in the ANZECC/ARMCANZ (2000) guidelines if there is considered to be the potential for water quality conditions to be modified in the marine receiving environment.

3.3 State Legislation

Marine & Coastal Act (2018)

The *Marine and Coastal Act (2018)* provided the basis for guiding principles for protecting the Victorian coastal and marine environments. The proposed works will need to be executed in line with the ecosystem based considerations, including:

- (a) avoiding detrimental cumulative or incremental ecosystem impacts;
- (b) working with natural processes where practical; and
- (c) building ecosystem resilience to climate change impacts where possible

The proposed Accessible Pontoon installation works will aid in improving the total quality of life of Victorians, across current and future generations, in a way that maintains the ecological processes on which life depends (*Marine and Coastal Act 2018*, No. 26 OF 2018 - Sect 10).

Environment Effects Act 1978

In Victoria, environment assessment of the potential environmental impacts or effects of a proposed development may be required under the Environment Effects Act 1978. If the Minister for Planning decides that an Environment Effects Statement (EES) is required, the project proponent is responsible for preparing the EES and undertaking the necessary investigations.

If a project requires assessment under both the Environment Effects Act and the Commonwealth Environment Protection and Biodiversity Conservation Act 1999, the relevant process can be accredited under the new Assessment Bilateral Agreement between the Commonwealth and Victoria. This means that proponents will not have to undertake two separate assessment processes, minimising duplication and saving them time and resources. An Environment Effects Statement (EES) if required, usually contains:

- A description of the proposed development;
- An outline of public and stakeholder consultation undertaken during investigations and the issues raised;
- A description of the existing environment that may be affected;
- Predictions of significant environmental effects of the proposal and relevant alternatives;
- Proposed measures to avoid, minimise or manage adverse environmental effects; and
- A proposed program for monitoring and managing environmental effects during project implementation.

Flora and Fauna Guarantee Act 1988

Victoria's biodiversity target is a net improvement in the outlook for all species by 2037. The Flora and Fauna Guarantee Act 1988 (the FFG Act) is a key tool in achieving this target. It is the key piece of Victorian legislation for the conservation of threatened species and communities and for the management of potentially threatening processes (DELWP, 2020).

The FFG Act places importance on prevention to ensure that more species do not become threatened in the future. The Act emphasises the importance of cooperative approaches to biodiversity conservation and recognises that all government agencies and the community need to participate in the conservation effort. The Act's objectives aim to conserve all of Victoria's native plants and animals (DELWP, 2020).

This Marine Habitat Assessment considered the potential for listed species to be present within the vicinity of the site and recommends appropriate measures for protecting any listed marine flora and fauna species and communities.

Victorian Coastal Strategy (2014)

The Victorian Coastal Strategy (2014) promotes the importance of the Victorian coastal environment and presents a vision for a healthy coast, appreciated by all, now and in the future. To achieve this vision, it is acknowledged that access to coast and infrastructure management are central pillars of the strategy. The strategy also includes important context around the impact of climate change and the potential impacts it may have on the coastline.

4.0 IMPACT ASSESSMENT

The proposed Mordialloc Creek Accessible Pontoon installation works involve driving of approximately 5-8 piles into the creek bed and the installation of a floating pontoon and a floating gangway (including abonnement with boardwalk) in the entrance to Mordialloc Creek.

The benthic habitat in the vicinity of the proposed floating pontoon is predominantly unvegetated silty seabed, which is covered by drift macroalgae, including *Sargassum* spp., the pest species *Undaria pinnatifida*, *Ulva* spp., *Caulerpa* spp. and various red macroalgae, as well as (terrestrial) leaf litter.

The sheet pile wall was covered by the pest species Pacific Oyster *Magallana gigas* and the ropes associated with the vessel berths were covered with clusters of mussels *Mytilus* spp., and red filamentous algae. Single specimens of the European fan worm *Sabella spallanzanii* were reported on the seabed and on the western breakwater sheet pile wall. A school of black bream, a toadfish and a southern fiddler ray were reported around the existing berth infrastructure, within the vicinity of the new Accessible Pontoon. Recreational anglers on the day of survey were also retrieving mullet, *Aldrichetta forsteri* from the creek.

The rocky subtidal marine communities at the entrance to Mordialloc Creek contained reasonably high biodiversity, namely filamentous and coralline algae, encrusting algae and the macroalga, namely *Ulva* sp., as well as diverse invertebrate communities including ascidians, anemones, seastars and gastropods. The pest species Wakame *Undaria pinnatifida* and the European fan worm *Sabella spallanzanii* were also recorded.

The proposed Accessible Pontoon installation works will involve driving piles into the seabed. There will be some direct loss of soft sediment habitat within the immediate vicinity of the piles; however, no existing benthic communities were reported within the project footprint. The new piles and pontoon structure will however create artificial structures/ habitat for the surrounding marine flora and fauna communities to colonise.

There is also the potential for noise generated from pile driving activities to impact marine species. A number of cetacean and pinniped species have been previously documented from Port Phillip Bay, however these species are unlikely to inhabit the entrance to Mordialloc Creek, including the breakwater and are most likely infrequent visitors. Despite this, recommendations have been provided to manage potential underwater noise impacts to marine fauna during pile driving activities, as described in Section 5.

The greatest risk from the Accessible Pontoon installation activities is the potential for translocation of marine pest species, namely the Japanese kelp, *Undaria pinnatifida*, which was reported growing at the entrance to Mordialloc Creek and the incidental sightings of the European Fan Worm, *Sabella spallanzanii* reported on the seabed and on the sheet pile wall. *Undaria* was reported in the drift algae present on the seabed within the vicinity of the new pontoon footprint, however no live specimens were reported.

Given the presence of *Undaria pinnatifida* and *Sabella spallanzanii* inside the creek and elsewhere in Port Phillip Bay, it is likely that recolonization of the new hard structures will

Marine Habitat Survey

include both native and introduced species. These pest species should be monitored to understand their distribution on the existing marina infrastructure in Mordialloc Creek and the species removed using divers prior to any construction works and during operation of the pontoon facility.

5.0 CONCLUSIONS AND RECOMMENDATIONS

The proposed Accessible Pontoon includes installation of piles and a floating pontoon structure. The marine environment within the vicinity of the pontoon footprint is a highly modified environment dominated by a combination of native and introduced species.

The only potentially sensitive marine communities reported were associated with the artificial rocky subtidal habitats present at the breakwater entrance to Mordialloc Creek, approximately 170m downstream. The proposed works however, are restricted to the floating pontoon footprint and therefore, there is unlikely to be any direct impact on these sensitive marine communities.

Any turbidity generated from pile driving activities will also be localised and will unlikely influence water quality conditions at the entrance to Mordialloc Creek. No dredging of the seabed within the pontoon footprint is proposed and so, remobilisation of any contaminants present in sediments is also highly unlikely.

The new pontoon structure will provide additional artificial habitat for the surrounding marine flora and fauna communities. In order to limit impacts to the marine environment from installation of the new pontoon structure the following is recommended:

- A Construction Environmental Management Plan (CEMP) should be prepared for managing the marine environment in and around Mordialloc Creek;
- The CEMP should include measures to avoid direct disturbance of the seabed during pile installation works, which include avoiding dragging mooring lines and driving rather than drilling the piles into the seabed, to avoid turbid plume generation;
- The CEMP should also include pile driving procedures, which include soft starts, to avoid any impacts to marine fauna;
- A survey should be completed for target pest species prior to any construction works, including documenting the presence of the Japanese kelp, *Undaria pinnatifida* and eradicating the adult plants and any sporophytes detected on the existing pile structures to be removed prior to the pontoon installation works; and
- Any pile driving plant, or other marine vessels associated with the pontoon installation works should be inspected for marine pest species prior to the commencement of works and any ballast water discharges should occur outside of the Mordialloc Creek and Port Phillip Bay, in accordance with State and Commonwealth ballast water management requirements (Commonwealth of Australia, 2017).

6.0 REFERENCES

Commonwealth of Australia (2017). Australian Ballast Water Management Requirements. Version 7. Department of Agriculture and Water Resources. Canberra, ACT.

DELWP (2020). Website address. <https://www.environment.vic.gov.au/conserving-threatened-species/victorias-framework-for-conserving-threatened-species>.

Edgar, GJ (2008), *Australian Marine Life – The Plants and Animals of Temperate Waters*, 2nd Edition, New Holland, Sydney.

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Appendix A EPBC and Victorian Biodiversity Atlas Database Searches



EPBC Act Protected Matters Report

This report provides general guidance on matters of national environmental significance and other matters protected by the EPBC Act in the area you have selected.

Information on the coverage of this report and qualifications on data supporting this report are contained in the caveat at the end of the report.

Information is available about [Environment Assessments](#) and the EPBC Act including significance guidelines, forms and application process details.

Report created: 17/07/20 14:27:33

[Summary](#)

[Details](#)

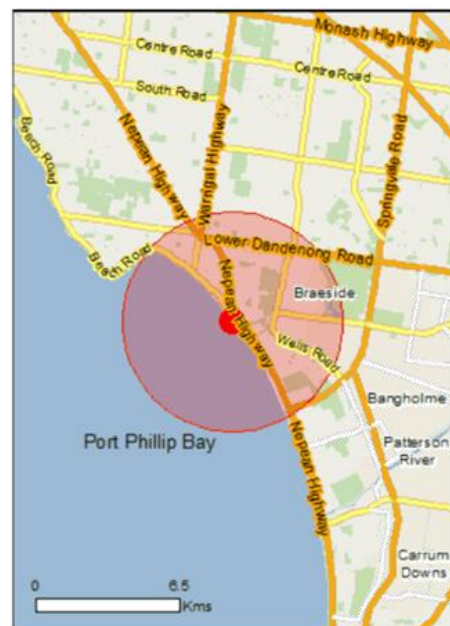
[Matters of NES](#)

[Other Matters Protected by the EPBC Act](#)

[Extra Information](#)

[Caveat](#)

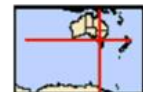
[Acknowledgements](#)



This map may contain data which are
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[Coordinates](#)

Buffer: 5.0Km



Summary

Matters of National Environmental Significance

This part of the report summarises the matters of national environmental significance that may occur in, or may relate to, the area you nominated. Further information is available in the detail part of the report, which can be accessed by scrolling or following the links below. If you are proposing to undertake an activity that may have a significant impact on one or more matters of national environmental significance then you should consider the [Administrative Guidelines on Significance](#).

World Heritage Properties:	None
National Heritage Places:	None
Wetlands of International Importance:	1
Great Barrier Reef Marine Park:	None
Commonwealth Marine Area:	None
Listed Threatened Ecological Communities:	2
Listed Threatened Species:	58
Listed Migratory Species:	49

Other Matters Protected by the EPBC Act

This part of the report summarises other matters protected under the Act that may relate to the area you nominated. Approval may be required for a proposed activity that significantly affects the environment on Commonwealth land, when the action is outside the Commonwealth land, or the environment anywhere when the action is taken on Commonwealth land. Approval may also be required for the Commonwealth or Commonwealth agencies proposing to take an action that is likely to have a significant impact on the environment anywhere.

The EPBC Act protects the environment on Commonwealth land, the environment from the actions taken on Commonwealth land, and the environment from actions taken by Commonwealth agencies. As heritage values of a place are part of the 'environment', these aspects of the EPBC Act protect the Commonwealth Heritage values of a Commonwealth Heritage place. Information on the new heritage laws can be found at <http://www.environment.gov.au/heritage>

A [permit](#) may be required for activities in or on a Commonwealth area that may affect a member of a listed threatened species or ecological community, a member of a listed migratory species, whales and other cetaceans, or a member of a listed marine species.

Commonwealth Land:	1
Commonwealth Heritage Places:	None
Listed Marine Species:	61
Whales and Other Cetaceans:	8
Critical Habitats:	None
Commonwealth Reserves Terrestrial:	None
Australian Marine Parks:	None

Extra Information

This part of the report provides information that may also be relevant to the area you have nominated.

State and Territory Reserves:	None
Regional Forest Agreements:	None
Invasive Species:	46
Nationally Important Wetlands:	1
Key Ecological Features (Marine)	None

Details

Matters of National Environmental Significance

Wetlands of International Importance (Ramsar) [[Resource Information](#)]

Name	Proximity
Edithvale-seaford wetlands	Within Ramsar site

Listed Threatened Ecological Communities [[Resource Information](#)]

For threatened ecological communities where the distribution is well known, maps are derived from recovery plans, State vegetation maps, remote sensing imagery and other sources. Where threatened ecological community distributions are less well known, existing vegetation maps and point location data are used to produce indicative distribution maps.

Name	Status	Type of Presence
Natural Damp Grassland of the Victorian Coastal Plains	Critically Endangered	Community likely to occur within area
Seasonal Herbaceous Wetlands (Freshwater) of the Temperate Lowland Plains	Critically Endangered	Community likely to occur within area

Listed Threatened Species [[Resource Information](#)]

Name	Status	Type of Presence
Birds		
Anthochaera phrygia Regent Honeyeater [82338]	Critically Endangered	Foraging, feeding or related behaviour likely to occur within area
Botaurus poiciloptilus Australasian Bittern [1001]	Endangered	Species or species habitat known to occur within area
Calidris canutus Red Knot, Knot [855]	Endangered	Species or species habitat known to occur within area
Calidris ferruginea Curlew Sandpiper [856]	Critically Endangered	Species or species habitat known to occur within area
Diomedea antipodensis Antipodean Albatross [64458]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Diomedea antipodensis gibsoni Gibson's Albatross [82270]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Diomedea epomophora Southern Royal Albatross [89221]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Diomedea exulans Wandering Albatross [89223]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Diomedea sanfordi Northern Royal Albatross [64456]	Endangered	Foraging, feeding or related behaviour likely to occur within area
Falco hypoleucos Grey Falcon [929]	Vulnerable	Species or species

Name	Status	Type of Presence
		habitat likely to occur within area
Grantiella picta Painted Honeyeater [470]	Vulnerable	Species or species habitat likely to occur within area
Hirundapus caudacutus White-throated Needletail [682]	Vulnerable	Species or species habitat known to occur within area
Lathamus discolor Swift Parrot [744]	Critically Endangered	Species or species habitat likely to occur within area
Limosa lapponica baueri Bar-tailed Godwit (baueri), Western Alaskan Bar-tailed Godwit [86380]	Vulnerable	Species or species habitat likely to occur within area
Limosa lapponica menzbieri Northern Siberian Bar-tailed Godwit, Bar-tailed Godwit (menzbieri) [86432]	Critically Endangered	Species or species habitat may occur within area
Macronectes giganteus Southern Giant-Petrel, Southern Giant Petrel [1060]	Endangered	Species or species habitat may occur within area
Macronectes halli Northern Giant Petrel [1061]	Vulnerable	Species or species habitat may occur within area
Neophema chrysogaster Orange-bellied Parrot [747]	Critically Endangered	Species or species habitat likely to occur within area
Numenius madagascariensis Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat known to occur within area
Pachyptila turtur subantarctica Fairy Prion (southern) [64445]	Vulnerable	Species or species habitat known to occur within area
Phoebastria fusca Sooty Albatross [1075]	Vulnerable	Species or species habitat likely to occur within area
Pterodroma leucoptera leucoptera Gould's Petrel, Australian Gould's Petrel [26033]	Endangered	Species or species habitat may occur within area
Rostratula australis Australian Painted Snipe [77037]	Endangered	Species or species habitat known to occur within area
Sternula nereis nereis Australian Fairy Tern [82950]	Vulnerable	Species or species habitat known to occur within area
Thalassarche bulleri Buller's Albatross, Pacific Albatross [64460]	Vulnerable	Species or species habitat may occur within area
Thalassarche bulleri platei Northern Buller's Albatross, Pacific Albatross [82273]	Vulnerable	Species or species habitat may occur within area
Thalassarche cauta Shy Albatross [89224]	Endangered	Foraging, feeding or related behaviour likely to occur within area
Thalassarche chrysostoma Grey-headed Albatross [66491]	Endangered	Species or species habitat may occur within

Name	Status	Type of Presence area
Thalassarche impavida Campbell Albatross, Campbell Black-browed Albatross [64459]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Thalassarche melanophris Black-browed Albatross [66472]	Vulnerable	Species or species habitat may occur within area
Thalassarche salvini Salvin's Albatross [64463]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Thalassarche steadi White-capped Albatross [64462]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Thinornis cucullatus cucullatus Hooded Plover (eastern), Eastern Hooded Plover [90381]	Vulnerable	Species or species habitat likely to occur within area
Fish		
Galaxiella pusilla Eastern Dwarf Galaxias, Dwarf Galaxias [56790]	Vulnerable	Species or species habitat likely to occur within area
Nannoperca obscura Yarra Pygmy Perch [26177]	Vulnerable	Species or species habitat likely to occur within area
Prototroctes maraena Australian Grayling [26179]	Vulnerable	Species or species habitat likely to occur within area
Frogs		
Litoria raniformis Growling Grass Frog, Southern Bell Frog, Green and Golden Frog, Warty Swamp Frog, Golden Bell Frog [1828]	Vulnerable	Species or species habitat known to occur within area
Insects		
Synemon plana Golden Sun Moth [25234]	Critically Endangered	Species or species habitat may occur within area
Mammals		
Antechinus minimus maritimus Swamp Antechinus (mainland) [83086]	Vulnerable	Species or species habitat may occur within area
Dasyurus maculatus maculatus (SE mainland population) Spot-tailed Quoll, Spotted-tail Quoll, Tiger Quoll (southeastern mainland population) [75184]	Endangered	Species or species habitat may occur within area
Eubalaena australis Southern Right Whale [40]	Endangered	Species or species habitat known to occur within area
Isoodon obesulus obesulus Southern Brown Bandicoot (eastern), Southern Brown Bandicoot (south-eastern) [68050]	Endangered	Species or species habitat may occur within area
Megaptera novaeangliae Humpback Whale [38]	Vulnerable	Species or species habitat may occur within area
Petauroides volans Greater Glider [254]	Vulnerable	Species or species habitat may occur within area
Pteropus poliocephalus Grey-headed Flying-fox [186]	Vulnerable	Foraging, feeding or related behaviour known to occur within area

Name	Status	Type of Presence
Plants		
Amphibromus fluitans River Swamp Wallaby-grass, Floating Swamp Wallaby-grass [19215]	Vulnerable	Species or species habitat known to occur within area
Dianella amoena Matted Flax-lily [64886]	Endangered	Species or species habitat likely to occur within area
Glycine latrobeana Clover Glycine, Purple Clover [13910]	Vulnerable	Species or species habitat likely to occur within area
Prasophyllum frenchii Maroon Leek-orchid, Slaty Leek-orchid, Stout Leek-orchid, French's Leek-orchid, Swamp Leek-orchid [9704]	Endangered	Species or species habitat likely to occur within area
Pterostylis chlorogramma Green-striped Greenhood [56510]	Vulnerable	Species or species habitat likely to occur within area
Pterostylis cucullata Leafy Greenhood [15459]	Vulnerable	Species or species habitat likely to occur within area
Senecio psilocarpus Swamp Fireweed, Smooth-fruited Groundsel [64976]	Vulnerable	Species or species habitat likely to occur within area
Thelymitra epipactoides Metallic Sun-orchid [11896]	Endangered	Species or species habitat may occur within area
Xerochrysum palustre Swamp Everlasting, Swamp Paper Daisy [76215]	Vulnerable	Species or species habitat known to occur within area
Reptiles		
Caretta caretta Loggerhead Turtle [1763]	Endangered	Species or species habitat known to occur within area
Chelonia mydas Green Turtle [1765]	Vulnerable	Species or species habitat known to occur within area
Dermochelys coriacea Leatherback Turtle, Leathery Turtle, Luth [1768]	Endangered	Species or species habitat known to occur within area
Sharks		
Carcharodon carcharias White Shark, Great White Shark [64470]	Vulnerable	Species or species habitat known to occur within area
Listed Migratory Species		[Resource Information]
* Species is listed under a different scientific name on the EPBC Act - Threatened Species list.		
Name	Threatened	Type of Presence
Migratory Marine Birds		
Apus pacificus Fork-tailed Swift [678]		Species or species habitat likely to occur within area
Ardenna carneipes Flesh-footed Shearwater, Fleshy-footed Shearwater [82404]		Foraging, feeding or related behaviour likely to occur within area
Ardenna grisea Sooty Shearwater [82651]		Species or species habitat may occur within area

Name	Threatened	Type of Presence
Diomedea antipodensis Antipodean Albatross [64458]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Diomedea epomophora Southern Royal Albatross [89221]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Diomedea exulans Wandering Albatross [89223]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Diomedea sanfordi Northern Royal Albatross [64456]	Endangered	Foraging, feeding or related behaviour likely to occur within area
Macronectes giganteus Southern Giant-Petrel, Southern Giant Petrel [1060]	Endangered	Species or species habitat may occur within area
Macronectes halli Northern Giant Petrel [1061]	Vulnerable	Species or species habitat may occur within area
Phoebastria fusca Sooty Albatross [1075]	Vulnerable	Species or species habitat likely to occur within area
Sternula albifrons Little Tern [82849]		Species or species habitat may occur within area
Thalassarche bulleri Buller's Albatross, Pacific Albatross [64460]	Vulnerable	Species or species habitat may occur within area
Thalassarche cauta Shy Albatross [89224]	Endangered	Foraging, feeding or related behaviour likely to occur within area
Thalassarche chrysostoma Grey-headed Albatross [66491]	Endangered	Species or species habitat may occur within area
Thalassarche impavida Campbell Albatross, Campbell Black-browed Albatross [64459]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Thalassarche melanophris Black-browed Albatross [66472]	Vulnerable	Species or species habitat may occur within area
Thalassarche salvini Salvin's Albatross [64463]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Thalassarche steadi White-capped Albatross [64462]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Migratory Marine Species		
Balaena glacialis australis Southern Right Whale [75529]	Endangered*	Species or species habitat known to occur within area
Caperea marginata Pygmy Right Whale [39]		Species or species habitat may occur within area
Carcharodon carcharias White Shark, Great White Shark [64470]	Vulnerable	Species or species habitat known to occur within area

Name	Threatened	Type of Presence
Caretta caretta Loggerhead Turtle [1763]	Endangered	Species or species habitat known to occur within area
Chelonia mydas Green Turtle [1765]	Vulnerable	Species or species habitat known to occur within area
Dermochelys coriacea Leatherback Turtle, Leathery Turtle, Luth [1768]	Endangered	Species or species habitat known to occur within area
Lagenorhynchus obscurus Dusky Dolphin [43]		Species or species habitat may occur within area
Lamna nasus Porbeagle, Mackerel Shark [83288]		Species or species habitat likely to occur within area
Megaptera novaeangliae Humpback Whale [38]	Vulnerable	Species or species habitat may occur within area
Migratory Terrestrial Species		
Hirundapus caudacutus White-throated Needletail [682]	Vulnerable	Species or species habitat known to occur within area
Monarcha melanopsis Black-faced Monarch [609]		Species or species habitat known to occur within area
Motacilla flava Yellow Wagtail [644]		Species or species habitat likely to occur within area
Myiagra cyanoleuca Satin Flycatcher [612]		Species or species habitat known to occur within area
Rhipidura rufifrons Rufous Fantail [592]		Species or species habitat known to occur within area
Migratory Wetlands Species		
Actitis hypoleucos Common Sandpiper [59309]		Species or species habitat known to occur within area
Calidris acuminata Sharp-tailed Sandpiper [874]		Species or species habitat known to occur within area
Calidris canutus Red Knot, Knot [855]	Endangered	Species or species habitat known to occur within area
Calidris ferruginea Curlew Sandpiper [856]	Critically Endangered	Species or species habitat known to occur within area
Calidris melanotos Pectoral Sandpiper [858]		Species or species habitat known to occur within area
Calidris ruficollis Red-necked Stint [860]		Species or species habitat known to occur within area
Calidris subminuta Long-toed Stint [861]		Species or species habitat known to occur

Name	Threatened	Type of Presence
Charadrius bicinctus Double-banded Plover [895]		within area Species or species habitat known to occur within area
Gallinago hardwickii Latham's Snipe, Japanese Snipe [863]		Species or species habitat known to occur within area
Limosa lapponica Bar-tailed Godwit [844]		Species or species habitat known to occur within area
Limosa limosa Black-tailed Godwit [845]		Species or species habitat known to occur within area
Numenius madagascariensis Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat known to occur within area
Pandion haliaetus Osprey [952]		Species or species habitat likely to occur within area
Philomachus pugnax Ruff (Reeve) [850]		Species or species habitat known to occur within area
Tringa glareola Wood Sandpiper [829]		Species or species habitat known to occur within area
Tringa nebularia Common Greenshank, Greenshank [832]		Species or species habitat known to occur within area
Tringa stagnatilis Marsh Sandpiper, Little Greenshank [833]		Species or species habitat known to occur within area

Other Matters Protected by the EPBC Act

Commonwealth Land [\[Resource Information \]](#)

The Commonwealth area listed below may indicate the presence of Commonwealth land in this vicinity. Due to the unreliability of the data source, all proposals should be checked as to whether it impacts on a Commonwealth area, before making a definitive decision. Contact the State or Territory government land department for further information.

Name
Defence - Airport Building

Listed Marine Species [\[Resource Information \]](#)

* Species is listed under a different scientific name on the EPBC Act - Threatened Species list.

Name	Threatened	Type of Presence
Birds		
Actitis hypoleucos Common Sandpiper [59309]		Species or species habitat known to occur within area
Apus pacificus Fork-tailed Swift [678]		Species or species habitat likely to occur within area
Ardea alba Great Egret, White Egret [59541]		Species or species habitat known to occur within area

Name	Threatened	Type of Presence
Ardea ibis Cattle Egret [59542]		Species or species habitat may occur within area
Calidris acuminata Sharp-tailed Sandpiper [874]		Species or species habitat known to occur within area
Calidris canutus Red Knot, Knot [855]	Endangered	Species or species habitat known to occur within area
Calidris ferruginea Curlew Sandpiper [856]	Critically Endangered	Species or species habitat known to occur within area
Calidris melanotos Pectoral Sandpiper [858]		Species or species habitat known to occur within area
Calidris ruficollis Red-necked Stint [860]		Species or species habitat known to occur within area
Calidris subminuta Long-toed Stint [861]		Species or species habitat known to occur within area
Charadrius bicinctus Double-banded Plover [895]		Species or species habitat known to occur within area
Charadrius ruficapillus Red-capped Plover [881]		Species or species habitat known to occur within area
Chrysococcyx osculans Black-eared Cuckoo [705]		Species or species habitat known to occur within area
Diomedea antipodensis Antipodean Albatross [64458]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Diomedea epomophora Southern Royal Albatross [89221]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Diomedea exulans Wandering Albatross [89223]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Diomedea gibsoni Gibson's Albatross [64466]	Vulnerable*	Foraging, feeding or related behaviour likely to occur within area
Diomedea sanfordi Northern Royal Albatross [64456]	Endangered	Foraging, feeding or related behaviour likely to occur within area
Gallinago hardwickii Latham's Snipe, Japanese Snipe [863]		Species or species habitat known to occur within area
Haliaeetus leucogaster White-bellied Sea-Eagle [943]		Species or species habitat known to occur within area
Himantopus himantopus Pied Stilt, Black-winged Stilt [870]		Species or species habitat known to occur within area

Name	Threatened	Type of Presence
Hirundapus caudacutus White-throated Needletail [682]	Vulnerable	Species or species habitat known to occur within area
Lathamus discolor Swift Parrot [744]	Critically Endangered	Species or species habitat likely to occur within area
Limosa lapponica Bar-tailed Godwit [844]		Species or species habitat known to occur within area
Limosa limosa Black-tailed Godwit [845]		Species or species habitat known to occur within area
Macronectes giganteus Southern Giant-Petrel, Southern Giant Petrel [1060]	Endangered	Species or species habitat may occur within area
Macronectes halli Northern Giant Petrel [1061]	Vulnerable	Species or species habitat may occur within area
Merops ornatus Rainbow Bee-eater [670]		Species or species habitat may occur within area
Monarcha melanopsis Black-faced Monarch [609]		Species or species habitat known to occur within area
Motacilla flava Yellow Wagtail [644]		Species or species habitat likely to occur within area
Myiagra cyanoleuca Satin Flycatcher [612]		Species or species habitat known to occur within area
Neophema chrysogaster Orange-bellied Parrot [747]	Critically Endangered	Species or species habitat likely to occur within area
Numenius madagascariensis Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat known to occur within area
Pachyptila turtur Fairy Prion [1066]		Species or species habitat known to occur within area
Pandion haliaetus Osprey [952]		Species or species habitat likely to occur within area
Philomachus pugnax Ruff (Reeve) [850]		Species or species habitat known to occur within area
Phoebastria fusca Sooty Albatross [1075]	Vulnerable	Species or species habitat likely to occur within area
Puffinus carneipes Flesh-footed Shearwater, Fleshy-footed Shearwater [1043]		Foraging, feeding or related behaviour likely to occur within area
Puffinus griseus Sooty Shearwater [1024]		Species or species habitat may occur within area

Name	Threatened	Type of Presence
Recurvirostra novaehollandiae Red-necked Avocet [871]		Species or species habitat known to occur within area
Rhipidura rufifrons Rufous Fantail [592]		Species or species habitat known to occur within area
Rostratula benghalensis (sensu lato) Painted Snipe [889]	Endangered*	Species or species habitat known to occur within area
Sterna albifrons Little Tern [813]		Species or species habitat may occur within area
Thalassarche bulleri Buller's Albatross, Pacific Albatross [64460]	Vulnerable	Species or species habitat may occur within area
Thalassarche cauta Shy Albatross [89224]	Endangered	Foraging, feeding or related behaviour likely to occur within area
Thalassarche chrysostoma Grey-headed Albatross [66491]	Endangered	Species or species habitat may occur within area
Thalassarche impavida Campbell Albatross, Campbell Black-browed Albatross [64459]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Thalassarche melanophris Black-browed Albatross [66472]	Vulnerable	Species or species habitat may occur within area
Thalassarche salvini Salvin's Albatross [64463]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Thalassarche sp. nov. Pacific Albatross [66511]	Vulnerable*	Species or species habitat may occur within area
Thalassarche steadi White-capped Albatross [64462]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Thinornis rubricollis Hooded Plover [59510]		Species or species habitat may occur within area
Thinornis rubricollis rubricollis Hooded Plover (eastern) [66726]	Vulnerable*	Species or species habitat likely to occur within area
Tringa glareola Wood Sandpiper [829]		Species or species habitat known to occur within area
Tringa nebularia Common Greenshank, Greenshank [832]		Species or species habitat known to occur within area
Tringa stagnatilis Marsh Sandpiper, Little Greenshank [833]		Species or species habitat known to occur within area
Mammals		
Arctocephalus forsteri Long-nosed Fur-seal, New Zealand Fur-seal [20]		Species or species habitat may occur within area

Name	Threatened	Type of Presence
Arctocephalus pusillus Australian Fur-seal, Australo-African Fur-seal [21]		Species or species habitat may occur within area
Reptiles		
Caretta caretta Loggerhead Turtle [1763]	Endangered	Species or species habitat known to occur within area
Chelonia mydas Green Turtle [1765]	Vulnerable	Species or species habitat known to occur within area
Dermochelys coriacea Leatherback Turtle, Leathery Turtle, Luth [1768]	Endangered	Species or species habitat known to occur within area
Whales and other Cetaceans		[Resource Information]
Name	Status	Type of Presence
Mammals		
Caperea marginata Pygmy Right Whale [39]		Species or species habitat may occur within area
Delphinus delphis Common Dolphin, Short-beaked Common Dolphin [60]		Species or species habitat may occur within area
Eubalaena australis Southern Right Whale [40]	Endangered	Species or species habitat known to occur within area
Grampus griseus Risso's Dolphin, Grampus [64]		Species or species habitat may occur within area
Lagenorhynchus obscurus Dusky Dolphin [43]		Species or species habitat may occur within area
Megaptera novaeangliae Humpback Whale [38]	Vulnerable	Species or species habitat may occur within area
Tursiops aduncus Indian Ocean Bottlenose Dolphin, Spotted Bottlenose Dolphin [68418]		Species or species habitat likely to occur within area
Tursiops truncatus s. str. Bottlenose Dolphin [68417]		Species or species habitat may occur within area

Extra Information

Invasive Species		[Resource Information]
Weeds reported here are the 20 species of national significance (WoNS), along with other introduced plants that are considered by the States and Territories to pose a particularly significant threat to biodiversity. The following feral animals are reported: Goat, Red Fox, Cat, Rabbit, Pig, Water Buffalo and Cane Toad. Maps from Landscape Health Project, National Land and Water Resources Audit, 2001.		
Name	Status	Type of Presence
Birds		
Acridotheres tristis Common Myna, Indian Myna [387]		Species or species habitat likely to occur within area

Name	Status	Type of Presence
Alauda arvensis Skylark [656]		Species or species habitat likely to occur within area
Anas platyrhynchos Mallard [974]		Species or species habitat likely to occur within area
Carduelis carduelis European Goldfinch [403]		Species or species habitat likely to occur within area
Carduelis chloris European Greenfinch [404]		Species or species habitat likely to occur within area
Columba livia Rock Pigeon, Rock Dove, Domestic Pigeon [803]		Species or species habitat likely to occur within area
Passer domesticus House Sparrow [405]		Species or species habitat likely to occur within area
Passer montanus Eurasian Tree Sparrow [406]		Species or species habitat likely to occur within area
Pycnonotus jocosus Red-whiskered Bulbul [631]		Species or species habitat likely to occur within area
Streptopelia chinensis Spotted Turtle-Dove [780]		Species or species habitat likely to occur within area
Sturnus vulgaris Common Starling [389]		Species or species habitat likely to occur within area
Turdus merula Common Blackbird, Eurasian Blackbird [596]		Species or species habitat likely to occur within area
Turdus philomelos Song Thrush [597]		Species or species habitat likely to occur within area
Mammals		
Bos taurus Domestic Cattle [16]		Species or species habitat likely to occur within area
Canis lupus familiaris Domestic Dog [82654]		Species or species habitat likely to occur within area
Capra hircus Goat [2]		Species or species habitat likely to occur within area
Felis catus Cat, House Cat, Domestic Cat [19]		Species or species habitat likely to occur within area
Lepus capensis Brown Hare [127]		Species or species habitat likely to occur within area
Mus musculus House Mouse [120]		Species or species habitat likely to occur within area

Name	Status	Type of Presence
<i>Oryctolagus cuniculus</i> Rabbit, European Rabbit [128]		Species or species habitat likely to occur within area
<i>Rattus norvegicus</i> Brown Rat, Norway Rat [83]		Species or species habitat likely to occur within area
<i>Rattus rattus</i> Black Rat, Ship Rat [84]		Species or species habitat likely to occur within area
<i>Sus scrofa</i> Pig [6]		Species or species habitat likely to occur within area
<i>Vulpes vulpes</i> Red Fox, Fox [18]		Species or species habitat likely to occur within area
Plants		
<i>Alternanthera philoxeroides</i> Alligator Weed [11620]		Species or species habitat likely to occur within area
<i>Anredera cordifolia</i> Madeira Vine, Jalap, Lamb's-tail, Mignonette Vine, Anredera, Gulf Madeiravine, Heartleaf Madeiravine, Potato Vine [2643]		Species or species habitat likely to occur within area
<i>Asparagus aethiopicus</i> Asparagus Fern, Ground Asparagus, Basket Fern, Sprengi's Fern, Bushy Asparagus, Emerald Asparagus [62425]		Species or species habitat likely to occur within area
<i>Asparagus asparagoides</i> Bridal Creeper, Bridal Veil Creeper, Smilax, Florist's Smilax, Smilax Asparagus [22473]		Species or species habitat likely to occur within area
<i>Asparagus scandens</i> Asparagus Fern, Climbing Asparagus Fern [23255]		Species or species habitat likely to occur within area
<i>Carrichtera annua</i> Ward's Weed [9511]		Species or species habitat may occur within area
<i>Chrysanthemoides monilifera</i> Bitou Bush, Boneseed [18983]		Species or species habitat may occur within area
<i>Chrysanthemoides monilifera</i> subsp. <i>monilifera</i> Boneseed [16905]		Species or species habitat likely to occur within area
<i>Chrysanthemoides monilifera</i> subsp. <i>rotundata</i> Bitou Bush [16332]		Species or species habitat likely to occur within area
<i>Cytisus scoparius</i> Broom, English Broom, Scotch Broom, Common Broom, Scottish Broom, Spanish Broom [5934]		Species or species habitat likely to occur within area
<i>Genista linifolia</i> Flax-leaved Broom, Mediterranean Broom, Flax Broom [2800]		Species or species habitat likely to occur within area
<i>Genista monspessulana</i> Montpellier Broom, Cape Broom, Canary Broom, Common Broom, French Broom, Soft Broom [20126]		Species or species habitat likely to occur within area
<i>Genista</i> sp. X <i>Genista monspessulana</i> Broom [67538]		Species or species habitat may occur within area

Name	Status	Type of Presence
Lycium ferocissimum African Boxthorn, Boxthorn [19235]		Species or species habitat likely to occur within area
Nassella neesiana Chilean Needle grass [67699]		Species or species habitat likely to occur within area
Nassella trichotoma Serrated Tussock, Yass River Tussock, Yass Tussock, Nassella Tussock (NZ) [18884]		Species or species habitat likely to occur within area
Olea europaea Olive, Common Olive [9160]		Species or species habitat may occur within area
Opuntia spp. Prickly Pears [82753]		Species or species habitat likely to occur within area
Rubus fruticosus aggregate Blackberry, European Blackberry [68406]		Species or species habitat likely to occur within area
Salix spp. except S.babylonica, S.x calodendron & S.x reichardtii Willows except Weeping Willow, Pussy Willow and Sterile Pussy Willow [68497]		Species or species habitat likely to occur within area
Salvinia molesta Salvinia, Giant Salvinia, Aquarium Watermoss, Kariba Weed [13665]		Species or species habitat likely to occur within area
Ulex europaeus Gorse, Furze [7693]		Species or species habitat likely to occur within area
Nationally Important Wetlands		[Resource Information]
Name		State
Edithvale-Seaford Wetlands		VIC

Caveat

The information presented in this report has been provided by a range of data sources as acknowledged at the end of the report.

This report is designed to assist in identifying the locations of places which may be relevant in determining obligations under the Environment Protection and Biodiversity Conservation Act 1999. It holds mapped locations of World and National Heritage properties, Wetlands of International and National Importance, Commonwealth and State/Territory reserves, listed threatened, migratory and marine species and listed threatened ecological communities. Mapping of Commonwealth land is not complete at this stage. Maps have been collated from a range of sources at various resolutions.

Not all species listed under the EPBC Act have been mapped (see below) and therefore a report is a general guide only. Where available data supports mapping, the type of presence that can be determined from the data is indicated in general terms. People using this information in making a referral may need to consider the qualifications below and may need to seek and consider other information sources.

For threatened ecological communities where the distribution is well known, maps are derived from recovery plans, State vegetation maps, remote sensing imagery and other sources. Where threatened ecological community distributions are less well known, existing vegetation maps and point location data are used to produce indicative distribution maps.

Threatened, migratory and marine species distributions have been derived through a variety of methods. Where distributions are well known and if time permits, maps are derived using either thematic spatial data (i.e. vegetation, soils, geology, elevation, aspect, terrain, etc) together with point locations and described habitat; or environmental modelling (MAXENT or BIOCLIM habitat modelling) using point locations and environmental data layers.

Where very little information is available for species or large number of maps are required in a short time-frame, maps are derived either from 0.04 or 0.02 decimal degree cells; by an automated process using polygon capture techniques (static two kilometre grid cells, alpha-hull and convex hull); or captured manually or by using topographic features (national park boundaries, islands, etc). In the early stages of the distribution mapping process (1999-early 2000s) distributions were defined by degree blocks, 100K or 250K map sheets to rapidly create distribution maps. More reliable distribution mapping methods are used to update these distributions as time permits.

Only selected species covered by the following provisions of the EPBC Act have been mapped:

- migratory and
- marine

The following species and ecological communities have not been mapped and do not appear in reports produced from this database:

- threatened species listed as extinct or considered as vagrants
- some species and ecological communities that have only recently been listed
- some terrestrial species that overfly the Commonwealth marine area
- migratory species that are very widespread, vagrant, or only occur in small numbers

The following groups have been mapped, but may not cover the complete distribution of the species:

- non-threatened seabirds which have only been mapped for recorded breeding sites
- seals which have only been mapped for breeding sites near the Australian continent

Such breeding sites may be important for the protection of the Commonwealth Marine environment.

Coordinates

-38.00992 145.08539

Acknowledgements

This database has been compiled from a range of data sources. The department acknowledges the following custodians who have contributed valuable data and advice:

- [Office of Environment and Heritage, New South Wales](#)
- [Department of Environment and Primary Industries, Victoria](#)
- [Department of Primary Industries, Parks, Water and Environment, Tasmania](#)
- [Department of Environment, Water and Natural Resources, South Australia](#)
- [Department of Land and Resource Management, Northern Territory](#)
- [Department of Environmental and Heritage Protection, Queensland](#)
- [Department of Parks and Wildlife, Western Australia](#)
- [Environment and Planning Directorate, ACT](#)
- [Birdlife Australia](#)
- [Australian Bird and Bat Banding Scheme](#)
- [Australian National Wildlife Collection](#)
- [Natural history museums of Australia](#)
- [Museum Victoria](#)
- [Australian Museum](#)
- [South Australian Museum](#)
- [Queensland Museum](#)
- [Online Zoological Collections of Australian Museums](#)
- [Queensland Herbarium](#)
- [National Herbarium of NSW](#)
- [Royal Botanic Gardens and National Herbarium of Victoria](#)
- [Tasmanian Herbarium](#)
- [State Herbarium of South Australia](#)
- [Northern Territory Herbarium](#)
- [Western Australian Herbarium](#)
- [Australian National Herbarium, Canberra](#)
- [University of New England](#)
- [Ocean Biogeographic Information System](#)
- [Australian Government, Department of Defence Forestry Corporation, NSW](#)
- [Geoscience Australia](#)
- [CSIRO](#)
- [Australian Tropical Herbarium, Cairns](#)
- [eBird Australia](#)
- [Australian Government – Australian Antarctic Data Centre](#)
- [Museum and Art Gallery of the Northern Territory](#)
- [Australian Government National Environmental Science Program](#)
- [Australian Institute of Marine Science](#)
- [Reef Life Survey Australia](#)
- [American Museum of Natural History](#)
- [Queen Victoria Museum and Art Gallery, Inveresk, Tasmania](#)
- [Tasmanian Museum and Art Gallery, Hobart, Tasmania](#)
- Other groups and individuals

The Department is extremely grateful to the many organisations and individuals who provided expert advice and information on numerous draft distributions.

Please feel free to provide feedback via the [Contact Us](#) page.

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Victorian Biodiversity Atlas, Species Summary List
(Date: 17/07/2020 02:48 PM)



Selected Area

Type: User Polygon Value: POLYGON ((145.079019 -38.003135,145.093723 -38.018142,145.067747 -38.030674,145.055374 -38.008095,145.054093 -38.006486,145.079019 -38.003135))

Common Filter

Scientific Name :
 VBA Taxon ID :
 Taxon Level :
 Other Agency Codes :
 Date Since : (dd/mm/yyyy)

Common Name :
 Conservation Status :
 Taxon Type :
 Discipline :
 Date To : (dd/mm/yyyy)

Last Review Date: 01 Jul 2020

Taxon ID	Scientific Name	Common Name	Victorian Advisory List	Conservation Status	Discipline	Taxon Origin	Short Name	Count of Sightings	Last Record
10100	<i>Hicoria melanoleuca</i>	Little Red Cormorant			Terrestrial fauna			1	01/01/1990
10005	<i>Eudyptula minor</i>	Little Penguin			Marine, Terrestrial fauna			2	08/07/2004
10009	<i>Gallinula pectoralis</i>	Scrubble Quail			Terrestrial fauna			1	01/01/1990
10034	<i>Phaps chalcoptera</i>	Common Brushewing			Terrestrial fauna			1	20/11/1999
10061	<i>Tachypterus novaehollandiae</i>	Australian Grebe			Terrestrial fauna			1	01/01/1990
10062	<i>Pelecanus porocephalus</i>	Honey-headed Grebe			Terrestrial fauna			1	01/01/1990
10065	<i>Pelecanoma minima</i>	White-faced Storm-Petrel	Vulnerable	VU	Terrestrial fauna			1	01/01/1990
10068	<i>Puffinus gavia</i>	Flucting Shearwater			Terrestrial fauna			1	01/01/1990
10071	<i>Ardenna tenuirostris</i>	Shore-Lined Shearwater			Terrestrial fauna			1	01/01/1990
10074	<i>Fulmarus glacialis</i>	Southern Fulmar			Terrestrial fauna			1	01/01/1990
10080	<i>Daption capense</i>	Cape Petrel			Terrestrial fauna			1	01/01/1990
10083	<i>Pachyptila cucullata</i>	Fairy Plover	Vulnerable	VU	Terrestrial fauna			1	01/01/1990
10084	<i>Pachyptila desolata</i>	Antarctic Plover			Terrestrial fauna			1	01/01/1990
10085	<i>Pelecanoides urinator</i>	Common Diving-Petrel	Near threatened	NT	Terrestrial fauna			1	01/01/1990
10091	<i>Thalassarche cauta</i>	Silly Albatross	Vulnerable	VU VU L	Terrestrial fauna			1	01/01/1990
10096	<i>Phalacrocorax carbo</i>	Great Cormorant			Terrestrial fauna			1	01/01/1990
10097	<i>Phalacrocorax sulcirostris</i>	Little Black Cormorant			Terrestrial fauna			1	01/01/1990
10099	<i>Phalacrocorax varius</i>	Red Cormorant	Near threatened	NT	Terrestrial fauna			5	29/09/2018
10104	<i>Morus beronai</i>	Australian Gannet			Terrestrial fauna			2	23/08/2004
10106	<i>Pelecanus conspicillatus</i>	Australian Pelican			Terrestrial fauna			2	24/07/2018
10114	<i>Sterna striata</i>	White-fronted Tern	Near threatened	NT	Terrestrial fauna			2	20/10/2010
10115	<i>Thalasseus bergii</i>	Crested Tern			Terrestrial fauna			1	01/01/1990
10125	<i>Chroicocephalus novaehollandiae</i>	Silver Gull			Terrestrial fauna			5	29/09/2018
10133	<i>Varellus miles</i>	Massted Lapping			Terrestrial fauna			1	01/01/1990
10179	<i>Threskiornis moluccus</i>	Australian White Ibis			Terrestrial fauna			1	01/01/1990
10180	<i>Threskiornis spinicollis</i>	Scrub-necked Ibis			Terrestrial fauna			1	01/01/1990
10188	<i>Egretta novaehollandiae</i>	White-faced Heron			Terrestrial fauna			1	01/01/1990
10203	<i>Cygnus atratus</i>	Black Swan			Terrestrial fauna			1	01/01/1990
10210	<i>Anas castanea</i>	Cherry J. Teal			Terrestrial fauna			1	01/01/1990
10211	<i>Anas garhles</i>	Grey Teal			Terrestrial fauna			1	01/01/1990
10221	<i>Accipiter fasciatus</i>	Brown Goshawk			Terrestrial fauna			1	01/01/1990
10232	<i>Buteo swainsoni</i>	Black-shinned Kite			Terrestrial fauna			1	01/01/1990
10235	<i>Falco longipennis</i>	Australian Hobby			Terrestrial fauna			1	01/01/1990
10239	<i>Falco beronai</i>	Brown Falcon			Terrestrial fauna			1	01/01/1990
10240	<i>Falco cerechinoides</i>	Ham-bone Kestrel			Terrestrial fauna			1	01/01/1990
10249	<i>Tyto alba</i>	Barn Owl			Terrestrial fauna			1	01/01/1990
10273	<i>Buteo swainsoni</i>	Galah			Terrestrial fauna			1	01/01/1990
10334	<i>Hirundo neoholae</i>	White-throated Needletail	Vulnerable	VU VU L	Terrestrial fauna			1	01/01/1990
10342	<i>Chrysocolaptes lasialis</i>	Hartfield's Bronze-Cuckoo			Terrestrial fauna			1	01/01/1990
10357	<i>Hirundo neovena</i>	Wedge-tailed Swallow			Terrestrial fauna			1	01/01/1990
10361	<i>Rhipidura flabiceps</i>	Grey Fantail			Terrestrial fauna			1	01/01/1990
10364	<i>Rhipidura leucophrys</i>	Willie Wagtail			Terrestrial fauna			1	01/01/1990
10392	<i>Eopsaltria australis</i>	Eastern Yellow Robin			Terrestrial fauna			2	01/01/1990
10415	<i>Gallinula cyanoleuca</i>	Maggie-lark			Terrestrial fauna			2	08/09/2018
10475	<i>Acantopiza pusilla</i>	Brown Thornbill			Terrestrial fauna			2	01/01/1990
10488	<i>Sericornis frontalis</i>	White-browed Scrubwren			Terrestrial fauna			1	01/01/1990
10529	<i>Melanurus cyaneus</i>	Superb Fairywren			Terrestrial fauna			1	01/01/1990

Firefox

<https://vba.dse.vic.gov.au/vba/reports/printFrame.html?id=vbaPri...>

10564	<i>Otocoris himantopus</i>	Histioethalid			Terrestrial fauna	1	01/01/1990
10574	<i>Zosterops lateralis</i>	Silvereye			Terrestrial fauna	1	01/01/1990
10591	<i>Acantopneuste tenuirostris</i>	Eastern Spinebill			Terrestrial fauna	1	01/01/1990
10625	<i>Ptilinopus penicillata</i>	White-plumed Honeyeater			Terrestrial fauna	1	01/01/1990
10637	<i>Artrocercus chrysateris</i>	Little Warbler			Terrestrial fauna	2	01/01/1990
10638	<i>Artrocercus coromaculata</i>	Red Warbler			Terrestrial fauna	1	01/01/1990
10648	<i>Muscicapa javanica</i>	Hoopoe's Bushlark			Terrestrial fauna	1	25/09/1997
10702	<i>Cardicus torquatus</i>	Grey Butcherbird			Terrestrial fauna	1	01/01/1990
10705	<i>Gymnohina gibberna</i>	Australian Magpie			Terrestrial fauna	1	01/01/1990
10929	<i>Macrocercus giganteus</i>	Southern Giant-Petrel	Valuable	EN v L	Terrestrial fauna	1	01/01/1990
10935	<i>Aphrodroma brevirostris</i>	Kerguelen Petrel			Terrestrial fauna	1	13/08/1994
10942	<i>Pachypelia brachyri</i>	Slender-billed Plover			Terrestrial fauna	1	01/01/1990
10952	<i>Sterna paradiacoma</i>	Arctic Tern			Terrestrial fauna	3	20/10/2010
10953	<i>Sterna hiundo</i>	Common Tern			Terrestrial fauna	1	01/01/1990
10954	<i>Corvus melanocephalus</i>	Little Raven			Terrestrial fauna	1	01/01/1990
10957	<i>Columba livia</i>	Domestic Pigeon			Terrestrial fauna	1	01/01/1990
10989	<i>Spilopelia chinensis</i>	Spotted Dove			Terrestrial fauna	1	01/01/1990
10991	<i>Turdus merula</i>	Common Blackbird			Terrestrial fauna	1	01/01/1990
10993	<i>Alauda arvensis</i>	European Skylark			Terrestrial fauna	1	01/01/1990
10995	<i>Passer domesticus</i>	House Sparrow			Terrestrial fauna	1	01/01/1990
10997	<i>Chloris chloris</i>	European Greenfinch			Terrestrial fauna	1	01/01/1990
10998	<i>Acridotheres tristis</i>	Common Myna			Terrestrial fauna	1	01/01/1990
10999	<i>Sturnus vulgaris</i>	Common Starling			Terrestrial fauna	1	01/01/1990
11324	<i>Tadarida australis</i>	White-striped Freetail Bat			Terrestrial fauna	1	01/01/1990
11408	<i>Rattus rattus</i>	Black Rat			Terrestrial fauna	1	01/01/1990
11409	<i>Rattus norvegicus</i>	Brown Rat			Terrestrial fauna	1	01/01/1990
11412	<i>Mus musculus</i>	House Mouse			Terrestrial fauna	1	01/01/1990
11555	<i>Uodobon carinophagus</i>	Cowbocker Seal			Marine, Terrestrial fauna	1	28/11/1954
11612	<i>Tursiops truncatus</i>	Common Bottle-nosed Dolphin			Marine, Terrestrial fauna	1	01/01/1990
11616	<i>Delphinus delphis</i>	Short-beaked Common Dolphin			Marine, Terrestrial fauna	1	01/01/1990
11617	<i>Tursiops australis</i>	Burian's Dolphin	Endangered	en L	Marine, Terrestrial fauna	1	25/09/2015
11838	subo. Caniformia fam. Otariidae	Eared Seals			Marine, Terrestrial fauna	1	06/10/2018
50253	Otariidae spp.	Eared Seals			Marine	2	04/10/2015
60126	<i>Larus pacificus</i>	Pacific Gull	Near Threatened	nt	Terrestrial fauna	12	27/01/2019
60032	<i>Illeis galbula</i>	Fungus-eating Ladybird			Aquatic/invertebrates, Terrestrial fauna	1	02/01/2019
500142	<i>Thymophyllum junceaforme</i>	Sea Wheat-grass			Flora	1	26/12/1999
528559	<i>Carduelis carduelis</i>	European Goldfinch			Terrestrial fauna	1	01/01/1990

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Mordialloc pontoon installation

Date: 4 August 2020

Author: Jeremy Hill – Department of Transport Heritage Advisor – Heritage and Native Title Practice

Heritage memo

Introduction

This heritage memo outlines cultural heritage advice in relation to the proposed works at the Mordialloc jetty (the activity area). The activity area is in the Kingston local government area, Mordialloc.

Scope of works

The following works for the upgrade are as follows:

- Creating an accessible pontoon to Mordialloc Creek for recreational boating and boating for people with disabilities and mobility difficulties.
- The installation of approximately 5-8 new pylons, driven into the creek bed.



Figure 1 General location of the activity area

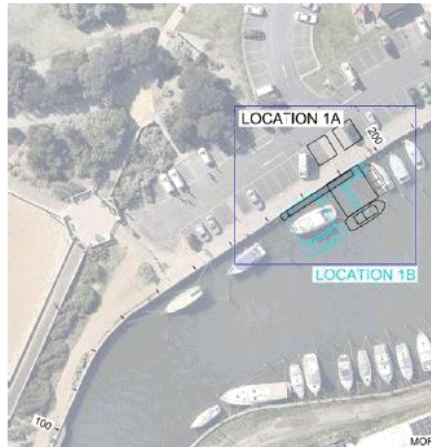


Figure 2 Proposed design installation

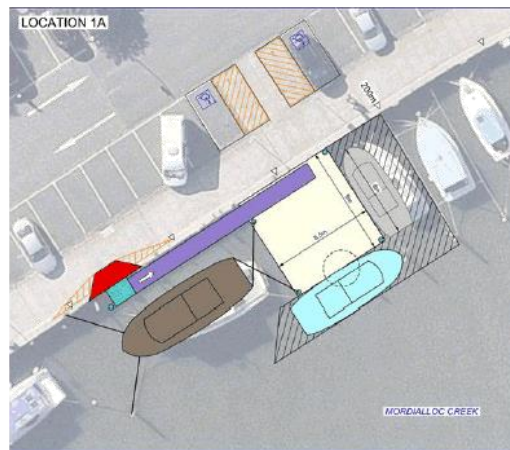


Figure 3 Proposed designs

Aboriginal cultural heritage

Aboriginal Heritage Act and Aboriginal Heritage Regulations

The Aboriginal Heritage Act 2006 provides blanket protection for Aboriginal cultural heritage. If any Aboriginal objects (artefacts), sites, places or skeletal material are identified before or during an activity, they cannot be harmed until the appropriate approval has been prepared and approved.

Is the proposed activity an exempt activity?

As the proposed works will be either pylon driving into the creek bed or works associated with a high impact activity (r.15(2)(c)), the works are considered exempt.

Exempt activities do not remove the Department of Transport's obligation under the act to not impact on any unrecorded heritage identified during works. Additionally, this exemption does not remove the Department of Transport's obligations to impact on natural surfaces under the car park surface.

Does the activity trigger a mandatory CHMP?

With reference to r.7 of the regulations, a CHMP is required if:

- All or part of the activity is located within a defined **area of cultural heritage sensitivity**; and,
- All of part of the activity is defined as a **high impact activity** (that would result in **significant ground disturbance**).

Note: *Significant ground disturbance* is defined in the regulations as the disturbance of –

- a) The topsoil or surface rock layer of the ground; or,
- b) A waterway –

By machinery in the course of digging, dredging, or deep ripping, but does not include ploughing other than deep ripping.

It is important to note that **both triggers must be met** for a mandatory CHMP to be prepared.

High impact activities

The proposed works are not considered high impact, as it will not result in significant ground disturbance.

Areas of cultural heritage sensitivity

Areas of cultural heritage sensitivity are defined in the Aboriginal heritage regulations (r.23 to r.44). It should be noted that most of these regulations dictate that if they have been subjected to significant ground disturbance, that area of cultural heritage sensitivity is *no longer* an area of cultural heritage sensitivity.

The activity area is located on four areas of cultural heritage sensitivity. These are:

- R.26 – land within 200m of a waterway, being Mordialloc Creek
- R.30 – Coastal Crown land
- R.31 – Coastal land
- R.40 – Dune (Qdl1) – Coastal dune deposit

These areas of cultural heritage sensitivity indicate that there is a high potential for Aboriginal cultural heritage material. However, as the works are physically located within the flowing creek, it is considered that there is no potential impact to heritage.

A review of historic aerials from 1931 indicate that there has been significant historic significant ground disturbance. Since then, there has been extensive development of the mouth of Mordialloc Creek. However, this does not preclude the presence of natural soil layers.

Should a voluntary CHMP be undertaken?

A mandatory CHMP is not triggered by the proposed activity. The preparation of a voluntary CHMP is considered unwarranted and can be suitably managed by following the heritage contingencies outlined below. This should suitably manage potential risk to unrecorded Aboriginal cultural heritage material.

Historic heritage

Heritage Act

The Heritage Act 2017 provides the framework for historic heritage assessment, management and approvals in Victoria. The Victorian Heritage Database (VHD) includes state significant heritage items (buildings, structures, archaeological sites, landscapes or other features). State significant archaeological sites are listed on the Victorian Heritage Inventory (VHI), while all other state significant sites are listed on the Victorian Heritage Register (VHR). All items listed on the VHR or VHI

are protected under the Heritage Act 2017 and cannot be harmed or modified without consent from the Victorian Heritage Council (VHC).

Results of historic heritage searches

There were no sites of state significance (VHI or VHR sites) in or near the activity area and therefore no heritage approvals are required for the proposed project to proceed.

Planning and Environment Act

Heritage overlays are part of local council planning schemes and include places of local significance as well as places of state significance (see above). Local councils are responsible for issuing permits for the use and development of these locally listed heritage places under the Planning and Environment Act 1987. The Kingston city council planning scheme was accessed via Planning Maps Online on 15 May 2020 which indicated that there one local heritage site in the activity area. The activity area is situated within HO108, which includes the Pier, Seawall, boulevard, toilet block, bandstand, shelter rotunda, horse trough and war memorial.

The Kingston City Council has confirmed that a permit will be required for the proposed works, however a specialist technical report will not be required. The proposed works will be sympathetic to the current fabric and that no existing fabric will be removed.

Recommendations

Recommendation 1

A mandatory CHMP is not triggered by the proposed activity. Preparing a voluntary CHMP is considered unwarranted as the risk to potentially unrecorded heritage is very low. These risks can be managed by the contingencies outlined below.

Recommendation 2

The following should be undertaken where practicable:

- a) Where necessary to establish parking or set down areas, these areas must be located on previously disturbed areas (e.g. stack sites, established driveways, adjacent roads, etc).
- b) Where necessary to establish turning areas, these areas must be located on previously disturbed areas (e.g. stack sites, established driveways, adjacent roads, etc).
- c) Under no circumstances should vehicles, plant, equipment or materials be driven, parked, transported or stored on any road reserve outside the previously disturbed areas identified in points a) & b) above. These activities must be confined within these defined areas of disturbance and/or confined to previously disturbed areas (e.g. stack sites, established driveways, adjacent roads, etc).
- d) Designated 'no go' zones should be established to delineate the extent of work areas identified in points a) – c) above. Any unnecessary disturbance and exposure of earth, in previously undisturbed areas, will increase the risk of harm to heritage values.

Recommendation 3

Should suspected human remains be identified during the activity, the Skeletal Remains Contingency in Attachment A - Contingency for the discovery of human skeletal remains **must** be followed.



Recommendation 4

Should suspected Aboriginal cultural heritage be identified during the activity, the Aboriginal Cultural Heritage Contingency in Attachment B – Contingency for the discovery of Aboriginal cultural heritage material **must** be followed.

Recommendation 5

Should suspected historic heritage places or objects be identified during the activity, the Historic Heritage Contingency in Attachment C – Contingency for the discovery of historic heritage material **must** be followed.

Recommendation 6

The Department of Transport contingency measures for the discovery of historic and Aboriginal cultural heritage should be incorporated into employee inductions, workplace toolbox meetings and as a component of the broader project environmental plan.

Attachment A - Contingency for the discovery of human skeletal remains

Where there is no approved CHMP or CHP in place and in the event human skeletal remains are found during the activity, **the activity must cease**, and the following five step contingency plan implemented:

1. Discovery:
 - If suspected human remains are discovered, all activity in the vicinity **must stop**; and,
 - The remains must be left in place and protected from harm or damage.
2. Notification
 - Once suspected human remains have been found, the Coroners Office and Victoria Police must be notified immediately;
 - If there are reasonable grounds to believe the remains are Aboriginal ancestral remains, the Coronial Admissions and Enquiries hotline must be contact on 1300 888 544; and,
 - All details of the location and nature of the human remains must be provided to the relevant authorities; and,
 - If it is confirmed by these authorities that the discovered remains are Aboriginal ancestral remains, the person responsible for the activity must, as soon as practicable, report the existence of the Aboriginal ancestral remains to the Victorian Aboriginal Heritage Council in accordance with s.17 of the Act.
3. Impact mitigation or salvage
 - The Victorian Aboriginal Heritage Council, after taking reasonable steps to consult with any Aboriginal person or body with an interest in the Aboriginal ancestral remains, will determine the appropriate course of action as required by s.18(2)(b) of the Act; and,
 - An appropriate impact mitigation or salvage as determined by the Victorian Aboriginal Heritage Council must be implement by the sponsor.
4. Curation and analysis
 - The treatment of the salvage Aboriginal ancestral remains must be in accordance with the direction of the Victorian Aboriginal Heritage council
5. Reburial
 - Any reburial site(s) must be fully documented by an experience and qualified archaeologist, clearly marked and all details provided to AV;
 - Appropriate management measures must be implemented to ensure that the remains are not disturbed in the future.

Attachment B – Contingency for the discovery of Aboriginal cultural heritage material

Where there is no approved CHMP or CHP in place, and in the event that Aboriginal cultural heritage material is identified during the activity, **these works must cease**, and the following contingency plan implemented:

- Any person who discovered suspected Aboriginal cultural heritage during the activity (if not the supervisor/manager of the activity) **must immediately stop work** and notify the supervisor/manager of the activity.
- The supervisor/manager of the activity must report the discovery as soon as practicable to the appropriate Department of Transport Heritage Advisor.
- Where confirmed as Aboriginal cultural heritage, the Department of Transport Heritage Advisor will organise notification to Department of Transport, Aboriginal Victoria and a Registered Aboriginal Party (where one exists) or any other relevant Aboriginal community/s. This must occur within **two** business days of identification.
- The supervisor/manager of the activity must also ensure that the works at the location of the discovery are suspended and an appropriate buffer established around the suspected heritage sit and/or object (i.e. 25 metres)
- If necessary to prevent any further disturbance, the location should be isolated by a fence, safety webbing, or other suitable barrier, with clear 'no-go zone' or similar signage. All relevant personnel must be advised of the established exclusion zone.
- Works may recommence outside of this area of exclusion. Should additional Aboriginal cultural heritage material be identified, this must be addressed as per the above steps.
- A RAP representative or other relevant Aboriginal community representative (whichever is relevant and required) and a Heritage Advisor will evaluate the Aboriginal cultural heritage to determine if it is part of a previously registered Aboriginal place or should be registered as a new Aboriginal place. This must occur within two business days of identification.
- If it necessary to recommence work within the area of exclusion, those works can commence:
 - ✓ Where the relevant Aboriginal cultural heritage records have been updated and/or completed; and,
 - ✓ Where all parties agree there is no other prudent or feasible course of action; and,
 - ✓ Only when all necessary approvals and/or authorisations have been granted (i.e. a *Cultural Heritage Management Plan or Cultural Heritage Permit*).

Attachment C – Contingency for the discovery of historic heritage material

In Victoria, the Heritage Act 2017 specifies that an archaeological place or relic must be at least 75 years old. A historical archaeological site may include above ground features such as ruins and below ground features such as buried building foundations and objects associated with non-Aboriginal settlement and activity in Victoria.

In the event that a suspected historical archaeological site or relic (meeting the definition above) is found during work activities, **these works must cease**, and the following contingency plan implemented:

- A person who discovers the suspected historical archaeological site or relic during the activity (if not the supervisor/manager of the activity) will immediately notify the supervisor/manager of the activity.
- The site supervisor/manager must report the discovery as soon as practicable to the appropriate Department of Transport Heritage Advisor. Where confirmed as an archaeological place or relic, Department of Transport will attend and assess the site and notify Heritage Victoria and any other relevant organisation.
- The supervisor/manager must also ensure that works at the location of the discovery are suspended and an appropriate buffer established around the heritage site and/or object (i.e. 25 metres).
- If necessary to prevent any further disturbance, the location should be isolated by a fence, safety webbing, or other suitable barrier.
- Works may recommence outside this area of exclusion, unless other suspected sites or relics are identified.
- If it is necessary to recommence work within the area of exclusion, those works can commence:
 - ✓ Where any necessary heritage records have been updated, and;
 - ✓ Only when all necessary approvals and/ or authorisations have been granted.





Council Meeting

30 November 2020

Agenda Item No: 8.3

KP-2020/402 - CHADWICK RESERVE, 100-116 HOWARD ROAD, DINGLEY VILLAGE

Contact Officer: Girija Shrestha, Senior Statutory Planner

Purpose of Report

This report is for Council to consider Planning Permit Application No. KP-2020/402 - Chadwick Reserve, 100-116 Howard Road, Dingley Village

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That Council determine to support the proposal and issue a Planning Permit for buildings and works comprising of a sports pavilion on land affected by the Special Building Overlay at Chadwick Reserve, 100-116 Howard Road, Dingley Village subject to the conditions contained within this report.

EXECUTIVE SUMMARY

Address	Chadwick Reserve, 100-116 Howard Road, Dingley Village		
Legal Description	Lot 1 on TP52064F		
Applicant	City of Kingston		
Planning Officer	Girija Shrestha		

PLANNING REQUIREMENTS

Planning Scheme	Kingston
Zoning	Clause 36.02 – Public Park and Recreation Zone
Overlays	Clause 45.05 – Special Building Overlay
Permit Trigger/s	Clause 45.05 – 1 – To construct a building or to construct or carry out works (SBO)

APPLICATION / PROCESS

Proposal	Buildings and works comprising a sports pavilion in the Special Building Overlay		
Reference No.	KP-2020/402	RFI Received	N/A
App. Received	16 July 2020	App. Amended	9 October 2020
Site inspection	Yes		
S.52 Advertising	Exempt	Advertising Completed	N/A
S.55 Referrals	Melbourne Water		
Internal referrals	Yes		
Objection(s)	N/A		

LEGISLATIVE

Covenant/other Restriction	Yes (listed Lot 1 on TP52064F)	Complies: Yes
Aboriginal Cultural Heritage Sensitivity Area	Yes	
CHMP	CHMP 16844- approved by the Secretary of the Department of Premier and Cabinet on 19 February 2020	
Considered Plans	Plans prepared by dwp (design worldwide partnership) Drawing No AA1001 Issue F, AA1101, Issue J, AA1204 Issue E, AA1025 Issue K, AA1210 Issue E, AA2001 Issue E, AA2002 – Issue E, AA2003 Issue F, AA3001 Issue E and AA9001 Issue D submitted to Council on 9 October 2020	

1.0 SITE & SURROUNDS

- 1.1. The site is located on the western side of Howard Road. The site is irregular in shape and comprises a total site area of approximately 3.7 hectares. The eastern portion of the site, fronting Howard Road, comprises of a junior training sporting field. The western portion of the site contains an oval, where new flood lights, fencing and coach box improvement works have recently been undertaken by Council.





Existing pavilion to be demolished



Vehicle Access via Howard Road

- 1.2. Vehicle access is from the Howard Road frontage, leading to a central, at-grade car parking area. The car park acts as a delineation between the oval and junior training sporting field. A small children's playground is also located to the north of the car parking area. The existing pavilion comprises of a brown brick building located centrally on the site, adjacent the southern boundary. A rainwater tank is also located in this area. Direct pedestrian access is provided from the surrounding residential area, with pathways from Twofold Close (south) and Torquay Close (north).
- 1.3. There is existing vegetation on the site, including mature canopy trees around the perimeter of the site. A Melbourne Water Asset easement extends along the southern boundary.
- 1.4. The following map illustrates the subject site in its surrounding context.



- 1.5. Land to the north, east and south of the subject site is an established residential setting, featuring low scale, detached dwellings generally with rear private open space. Chadwick Paddock Reserve is located to the immediate west of the Oval. Further beyond is an industrial area adjacent to Moorabbin Airport.

2.0 TITLE DETAILS

- 2.1. There is a restriction listed on the Certificate of Title (M053416N), which relates to creation of easement by the Gas and Fuel Corporation of Victoria. The restriction relates to an agreement in relation to the construction, operation and maintenance of a pipeline.
- 2.2. The application does not seek to modify any existing easements on site. The proposed development is not considered to result in any breach of restriction.

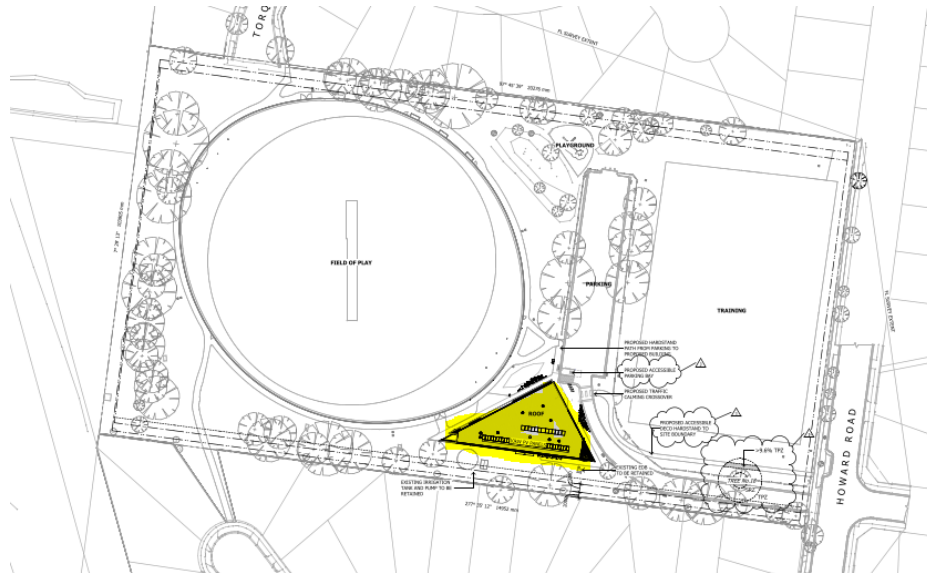
3.0 PROPOSAL

- 3.1. The proposal seeks to construct a new single storey sports pavilion, in the same location as the existing sports pavilion.
- 3.2. Key details of proposal include:
 - The internal floor area of 677.8m², consisting of:
 - two function rooms
 - kiosks
 - change rooms
 - an office
 - first aid room
 - time keeper room
 - store rooms
 - amenities
 - Covered viewing areas with garden beds
 - A ground level finished floor level of 11.43m AHD;
 - Pedestrian access provided via a pathway along the north-east side from the existing car park
 - Traffic calming crossover
 - 2 x accessible parking bays
 - 8 x bicycle parking spaces
 - 2 x 10KL rainwater tank and 32 x 10kW Solar Panels
 - Increased landscaping area
 - The signs with Council's logo identifying the Council facility as the Chadwick Reserve Pavilion
 - Below are extracts from the submitted plans providing further details of the proposal:

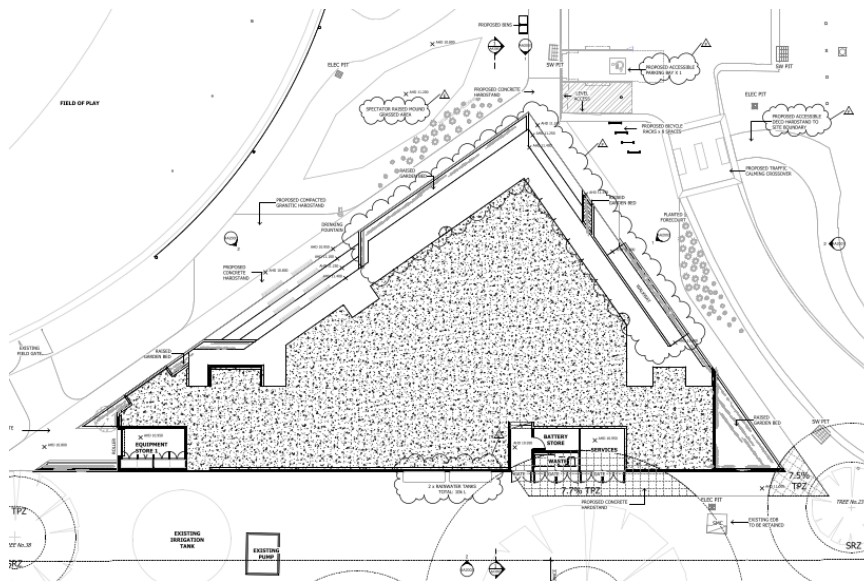


AA_HOWARD ROAD ENTRY

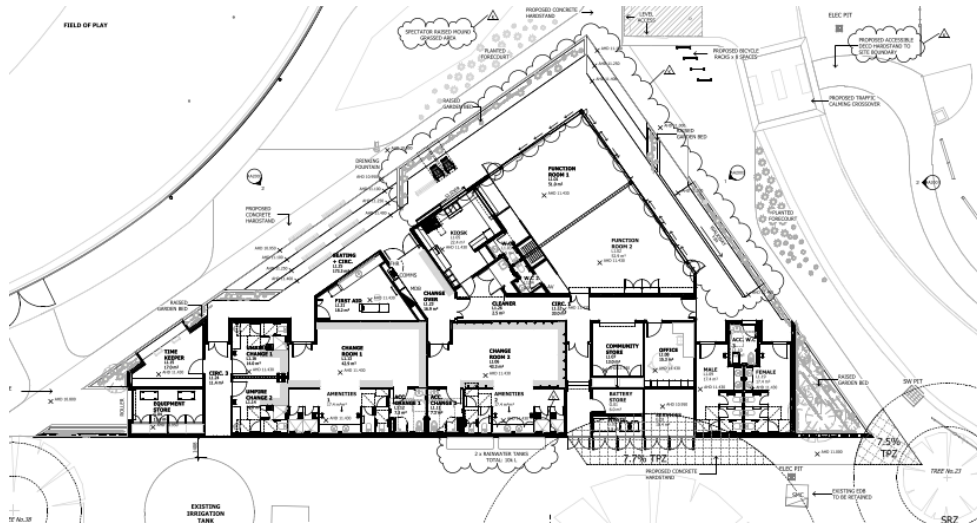
Artistic Impression of the proposed works



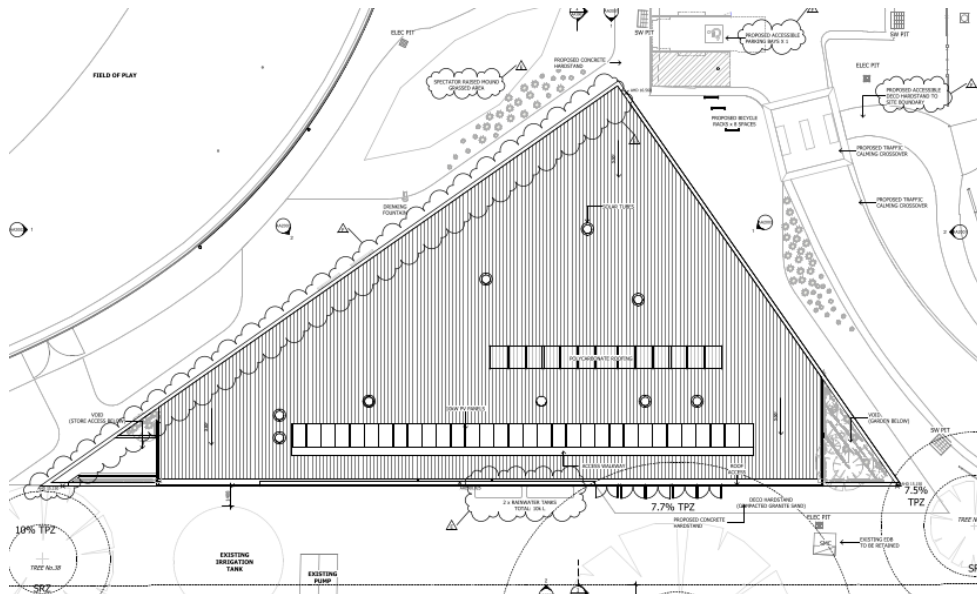
SITE PLAN (proposed building is highlighted above)



PODIUM /GROUND FLOOR PLAN



INTERNAL GROUND FLOOR PLAN



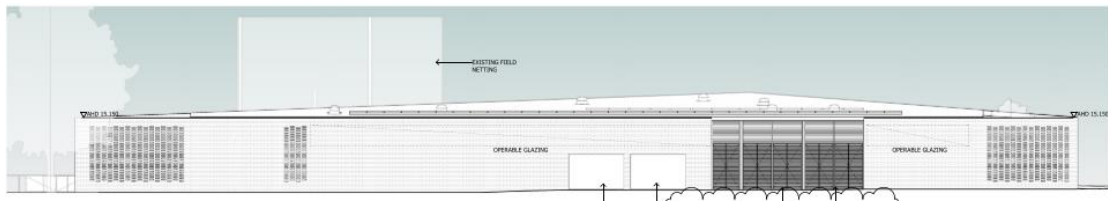
ROOF PLAN



EAST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION



WEST ELEVATION

4.0 PLANNING CONTROLS

- 4.1. The proposed pavilion is located within a Public Park and Recreation Zone. A small portion of site is located within a General Residential Zone – Schedule 3 shown below in the highlighted area, which is outside of the works area.



- 4.2. The subject site is also subject to a Special Building Overlay.

5.0 PLANNING PERMIT REQUIREMENTS

- 5.1. Pursuant to Clause 44.05 – Special Building Overlay, a Planning Permit is required to construct a building or construct and carry out works.
- 5.2. It is noted that pursuant to Clause 36.02-1 – Public Park and Recreation Zone, a Planning Permit is not required to use the site for open sports grounds where the works are being conducted by or on behalf of the public land manager.
- 5.3. Pursuant to Clause 36.02-2 – Public Park and Recreation Zone, a Planning Permit is not required to construct a building or construct or carry out works where the works are being carried out by or on behalf of the public land manager.
- 5.4. Pursuant to Clause 52.06-6 – Car Parking applies to an increase in the floor area of an existing use, as the car parking rate for open sports grounds is not specified in the Table to Clause 52.06-5, car parking must be to the satisfaction of the responsible authority. It is noted that the gross floor area of pavilion will increase by approximately 330m².
- 5.5. Pursuant to Clause 52.05-10 (Signs not requiring a permit), a permit is not required for - a *sign*

identifying the functions or property of a government department, public authority or municipal council, but not a promotion sign displayed at the direction of any of these bodies".

6.0 RELEVANT HISTORY

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

7.0 AMENDMENT TO THE APPLICATION

7.1. Amendments to the application were made by the applicant on 9 October 2020. The amendments were largely made in response to Council's Vegetation Department's on concerns on tree protection zone and revised Arborist report.

7.2. An amendment to the application by Council pursuant to Section 50A of the Planning and Environment Act 1987 was agreed to by the applicant on 14 September 2020. The amendment includes as indicated by the applicant:

- The arborist report has been updated and includes reference to the proposed design. It notes that no trees within proximity of the proposal will be unreasonable impacted upon with only minor TPZ encroachments. As such, no trees are proposed for removal as part of the proposal.
- The encroachment into the TPZ of Trees 23 and 24 is only minor that can be reasonably tolerated by the trees. The updated report outlines a number of measures to be implemented during construction.
- The alignment of the footpath connecting to the street entrance has been altered to avoid encroachment into the TPZs of the trees along the southern side of the driveway. The new alignment to the north of the driveway encroaches into the TPZ of one tree by 9.6%. This is considered to be acceptable by the project arborist who has also included a number of recommended measures for construction.
- Further, the response states 'While the construction of services do not trigger a planning permit, the arborist report also provides guidance on the construction of underground services.'

8.0 ADVERTISING

8.1. Pursuant to Clause 44.05-5 an application under the Special Building Overlay is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the *Planning and Environment Act 1987*.

8.2. Notwithstanding that the application is made by the City of Kingston, which normally requires notification, in this instance pursuant to Clause 67.02 – Notice Requirements, the application is exempt from the notice requirements of Section 52(1)(c) of the *Planning and Environment Act 1987* by virtue of a Planning Permit only being required under the Special Building Overlay.

9.0 REFERRALS

9.1. The application was referred to the following external determining referral authorities:

- Melbourne Water.

9.2. The above-mentioned referral authority had no objection to the proposal, subject to conditions being included on any permit issued.

9.3. The application was referred to an external Ecologist in relation to any impacts to biodiversity from the proposed development. The Ecologist responded with no objection stating "*The four trees that may have their tree protection zones encroached by greater than 10% are near the southern boundary. From the absence of these trees on historical aerial photography*

(Melbourne 1945, below) it appears they are planted. Two of the trees (Bracelet Honey-myrtle) are Victorian and thus subject to Clause 52.17. However, they are exempt under the Planted vegetation exemption unless the trees were planted and managed with public funding for the purpose of land protection or enhancing biodiversity. As the trees are not indigenous to Kingston they were likely planted as landscaping as per the 'Australian native' theme rather than for the purpose of land protection or enhancing biodiversity, so the Planted vegetation exemption applies. As per the aerial photography the stand of red gum trees to the north around the carpark may be remnant (non-planted) trees but they are not affected by the application. There is no Clause 52.17 trigger."

9.4. The application was referred to the following internal departments within Council:

- Council's Development Approvals Engineer who advised of no objection, subject to the inclusion of a standard condition
- Council's Traffic Engineer who advised of no objection, subject to the inclusion of a condition in relation to the traffic management of the function rooms associated with the pavilion on site. This is recommended to form a condition of any permit issued.
- Council's Vegetation Management Officer who advised of no objection, subject to the inclusion of a number of conditions on any permit issued, particularly stating
 - "The Arborist's report submitted with the application has incorrectly identified Tree 24 as a *Eucalyptus nicholii* (Narrow-leaved Black Peppermint), the tree is a *Eucalyptus viminalis* subsp. *pyoriana* (Coast Manna Gum). As such the tree is subject to the provisions of clause 52.17 of the Kingston planning scheme.
 - As the encroachment into the TPZ is less than 10% of the TPZ the works don't trigger a requirement to offset the loss of biodiversity that an encroachment greater than 10% would. This is dependant on tree protection being in place prior to demolition and until the completion of works. There can also be no further encroachment into the TPZ for landscaping, pathways etc..
 - Pruning (lopping) of the tree is likely to be a 52.17 permit trigger, as is any further encroachment into the tree's TPZ.
 - The tree protection conditions below have been condensed from the recommendations made by the applicant's arborist (Treelogic, 12/09/2020) in the report dated September 2018."

10.0 PLANNING CONSIDERATIONS:

10.1 Clause 15.03-2 – Aboriginal Cultural Heritage

10.2 Clause 15.03-2 – *seeks to ensure the protection and conservation of places of Aboriginal cultural heritage significance.* The subject Land is identified in an area of Aboriginal Cultural Heritage Sensitivity.

10.1. 'The *Aboriginal Heritage Act 2006* and *Aboriginal Heritage Regulations 2018* provides for the protection and management of Victoria's Aboriginal heritage with processes linked to the Victorian planning system. In this instance, the proposed activity is not exempt and the Permit Applicant is required to prepare and submit a Cultural Heritage Management Plan (CHMP) to Council. Accordingly, CHMP 16844 prepared on 19 February 2020 by TerraCulture Heritage Consultants and submitted to Council. The Plan was approved by the Director Heritage Services Aboriginal Victoria, acting under authority delegated by the Secretary, Department of Premier and Cabinet on 4 March 2020.

10.3 Clause 13.03-1S - Floodplain management

This section of the Planning Scheme seeks to assist in the protection of:

- *Life, property and community infrastructure from flood hazard.*
- *The natural flood carrying capacity of rivers, streams and floodways.*
- *The flood storage function of floodplains and waterways.*
- *Floodplain areas of environmental significance.*

Under this provision, flood risk is required to be considered in land use planning decisions, in order to avoid intensifying the impacts of flooding through inappropriately located uses and/or developments.

The PPF provisions at Clause 13.03-1 are given effect through the application of the SBO controls.

10.4 **Clause 19.02 Community Infrastructure**

The objective of Clause 19.02-06S (Open Space) contained within Clause 19.02 (Community Infrastructure) is to establish, manage and improve a diverse and integrated network of public open space that meets the needs of the community. Some of the strategies to assist in achieving this objective include as follows:

- *Plan for regional and local open space networks for both recreation and conservation of natural and cultural environments.*
- *Accommodate community sports facilities in a way that is not detrimental to other park activities.*
- *Ensure open space provision is fair and equitable with the aim of providing access that meets the needs of all members of the community, regardless of age, gender, ability or a person's location.*
- *Plan open space areas for multiple uses, such as community gardens, sports and recreation, active transport routes, wildlife corridors and flood storage basins.*

10.5 **Clause 21.04-2 Floodplains**

The policy seeks to ensure floodplains and flood prone areas are protected and managed to minimise the impacts from flooding. Strategies to assist in achieving this objective include as follows:

- *Avoid incompatible land use and development that may result in the intensification of flooding impacts in urban and non-urban areas.*
- *Require floor levels of new development to be set by the relevant floodplain manager as part of the planning application process.*

10.6 **Clause 21.10-2 (Community infrastructure)** seeks to ensure all residential neighbourhoods in Kingston are provided with supporting community infrastructure adequate to the population's need. Some of the strategies are:

- *In areas experiencing rapid growth, provide community infrastructure reflective of future residents anticipated needs.*
- *Ensure the development of large sites contributes to identified community infrastructure needs*

10.7 **Clause 44.05 Special Building Overlay**

The purpose of this overlay control is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To identify land in urban areas liable to inundation by overland flows from the urban drainage system as determined by, or in consultation with, the floodplain management authority.*
- *To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.*
- *To protect water quality in accordance with the provisions of relevant State Environment Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria)*

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- *The Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *Any local floodplain development plan.*
- *Any comments from the relevant floodplain management authority.*
- *The existing use and development of the land.*
- *Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.*
- *The susceptibility of the development to flooding and flood damage.*
- *The potential flood risk to life, health and safety associated with the development.*
- *Flood risk factors to consider include:*
 - *The frequency, duration, extent, depth and velocity of flooding of the site and accessway.*
 - *The flood warning time available.*
 - *The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.*
- *The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.*
- *The effect of the development on environmental values such as natural habitat, stream stability, erosion, water quality and sites of scientific significance.*

10.8 On balance, the proposal is considered to be acceptable having regard to the above PPF, Local Planning Policy Framework and Overlay requirements, therefore can be supported in this instance.

10.9 **Clause 65 Decision Guidelines**

Clause 65 of the Kingston Planning Scheme sets out other matters which must be given regard to before deciding on an application.

11. GENERAL COMMENT

11.1 This application is minor in nature and a planning permit is only triggered for the proposal as a consequence of the Special Building Overlay controls that apply to the land.

11.2 As required under the Special Building Overlay controls, the application has been referred to the relevant drainage/floodplain management authority (Melbourne Water) and this authority has offered 'no objection' to the proposal subject to the following conditions:

- The pavilion must be constructed with finished floor levels set no lower than 11.4 metres to Australian Height Datum (AHD), which is 300mm above the applicable flood level of 11.1m to AHD.

- No buildings or structures are permitted within the easement and any proposed development within the vicinity of the drain must be designed to ensure there is no detrimental impact upon its structural integrity and performance.
- Prior to commencement of works a build over agreement must be entered into for any development/works within 5m of the outside edges of the Melbourne Water drain. A build over application can be submitted online for Melbourne Water's terms and conditions: <https://www.melbournewater.com.au/planning-and-building/apply-to-build-or-develop/apply-build-near-asset-or-easement>
- Prior to the commencement of works, a separate application direct to Melbourne Water must be made for any new or modified storm water connection to Melbourne Water's drains or watercourses. Prior to accepting an application, evidence must be provided demonstrating that Council considers that it is not feasible to connect to the local drainage system.

11.3 The PPF and MSS objectives set down in the Kingston Planning Scheme are satisfied by virtue of the land's identification as being affected by a SBO and by obtaining referral comments from the floodplain management authority.

11.4 In light of the controls that apply to the land, and the 'no objection' referral comments received, it is considered that the proposal is reasonable and warrants support (subject to the inclusion of appropriate permit conditions).

12 CONCLUSION:

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

12.2 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.

12.3 The proposed development is considered appropriate for the site as evidenced by:

- The contours and levels of the proposed buildings and works are considered to ensure and maintain the free passage and temporary storage of floodwaters, and minimises flood damage; and
- The proposal satisfies the requirements of the Kingston Planning Scheme, including the PPF, MSS, Zoning / Overlay controls and Particular Provisions.

13.0 RECOMMENDATION

13.1 That the Council determine to support the proposal and issue a Planning Permit for Buildings and works comprising of a sports pavilion on land affected by the Special Building Overlay at No. 100-116 Howard Road, Dingley Village, subject to the following conditions:

1. Before the development starts amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the plans submitted to Council on 14 September 2020, but modified to show:
 - a) The location of tree protection measures illustrated to scale and labelled on the Floor Plan as per the endorsed Tree Management Plan as required by Condition 3 of this permit.
 - b) Any changes as required by Conditions 3.

Agenda

2. The development use as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
3. Concurrent with the endorsement of plans, a Tree Protection Plan (scale drawing) 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 Tree Management Plan (written report) must provide details of:
 - i. tree 24 clearly identified as being a *Eucalyptus viminalis subsp. pryoriana* and a native canopy tree
 - ii. a notation stating no further encroachment into the TPZ or pruning of the canopy of Tree 24 are to occur.
 - iii. the Tree Protection Zone and Structural Root Zone, calculated in accordance with AS4970-2009, for trees numbered 18, 23, 24, 37 & 38 in the Tree Logic report dated 12/09/2018
 - iv. tree protection fencing, or ground protection where required, provided in accordance with AS4970-2009.
 - v. the location of tree protection fencing, and ground protection accurately illustrated
 - vi. stages of development at which documented inspections are required to ensure tree protection measures are adhered to must be specified.
 - vii. 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 or Council's vegetation management officers.
 - viii. maintenance of the area(s) within the Tree Protection Zone in accordance with AS4970-2009.
4. All protection measures identified in the Tree Protection Plan must be implemented, and development works undertaken on the land must be undertaken in accordance with the Tree Protection Plan and Planning Permit Conditions, to the satisfaction of the Responsible Authority.
5. Tree protection fencing and any additional protection measures such as ground protection are to in place prior to site works occurring, including demolition and removed at the practical completion of works.
6. Tree protection fencing is to be 1.8m tall chain mesh panels, securely weighted at the base, ground protection is to be 12mm thick plywood or similar securely fastened over a 100mm deep layer of mulch. The TPZs of trees located within the construction zone are to be mulched to a depth between 75-100 mm.
7. The TPZs of trees located within the construction zone are to be mulched to a depth between 75-100 mm.
8. 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.
9. Excavation within the TPZ of Tree 18, *Melaleuca armillaris* is to be no more than 75mm below natural ground level

Agenda

10. No further works are to be undertaken within the Tree Protection Zone of Tree 24 without the written consent of the Responsible Authority, this includes pathways, landscaping, or installation of infrastructure.
11. No persons, vehicles or machinery are to enter the Tree Protection Zone of Tree 24 without the documented consent of the consulting arborist and notification to Council's vegetation department.

Conditions Required by Melbourne Water:

12. The pavilion must be constructed with finished floor levels set no lower than 11.4 metres to Australian Height Datum (AHD), which is 300mm above the applicable flood level of 11.1m to AHD.
13. No buildings or structures are permitted within the easement and any proposed development within the vicinity of the drain must be designed to ensure there is no detrimental impact upon its structural integrity and performance.
14. Prior to commencement of works a Buildover Agreement must be entered into for any development/works within 5m of the outside edges of the Melbourne Water drain. A Buildover application can be submitted online for Melbourne Water's terms and conditions: <https://www.melbournewater.com.au/planning-and-building/apply-to-build-or-develop/apply-build-near-asset-or-easement>
15. Prior to the commencement of works, a separate application direct to Melbourne Water must be made for any new or modified storm water connection to Melbourne Water's drains or watercourses. Prior to accepting an application, evidence must be provided demonstrating that Council considers that it is not feasible to connect to the local drainage system.

Cultural Heritage Management Plan

16. The construction of the development hereby approved must be carried out in accordance with the approved Cultural Heritage Management Plan No 16844 prepared by TerraCulture Heritage Consultant and approved by the Department of Premier and Cabinet on 4 March 2020.

Drainage and Water Sensitive Urban Design

17. The stormwater (drainage) works must be provided on site as per City of Kingston's "Civil Design Requirements for Developers – Part A – Integrated Stormwater Management" and directed to the nominated point of discharge to the satisfaction of the responsible authority.

Traffic Management Strategy

18. A traffic management strategy in relation to traffic generation from the proposed function rooms must be submitted to and be endorsed by Responsible Authority prior to the issue of the occupancy permit of proposed development.

Completion of Works

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

Expiry

20. In accordance with Section 68 of the Planning and Environment Act 1987 (The Act), this permit will expire if one of the following circumstances applies:
- The development is not started before two (2) years from date of this permit.
 - The development is not completed before four (4) years from the date of permit issue.

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


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

OR

In the event that the Council wishes to oppose the Officer Recommendation to support the application, it can do so on the following grounds:

1. The proposal fails to ensure floodplains and flood prone areas are protected and managed to minimise the impacts from flooding failing to accord with Clause 13.03-1S - Floodplain management and Clause 21.04-2 Floodplains.
2. The proposal is contrary to the purpose of the Special Building Overlay pursuant to Clause 45.05 of the Kingston Planning Scheme.

Appendices

Appendix 1 - KP-2020/402 - Chadwick Reserve, 100-116 Howard Road, Dingley Village
- considered plan (Ref 20/237395) 

Author/s: Girija Shrestha, Senior Statutory Planner
Reviewed and Approved By: Amy Lin, Team Leader Statutory Planning
Jaclyn Murdoch, Manager City Development

8.3

KP-2020/402 - CHADWICK RESERVE, 100-116 HOWARD ROAD, DINGLEY VILLAGE

- 1 KP-2020/402 - Chadwick Reserve, 100-116 Howard Road, Dingley Village - considered plan 183



ARTIST IMPRESSION - ENTRY FROM HOWARD ROAD



CHADWICK RESERVE PAVILION

Schematic Design

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Consultants

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CITY OF KINGSTON

Client
 Kingston City Council
 PO Box 1000 Mentone, VIC 3194

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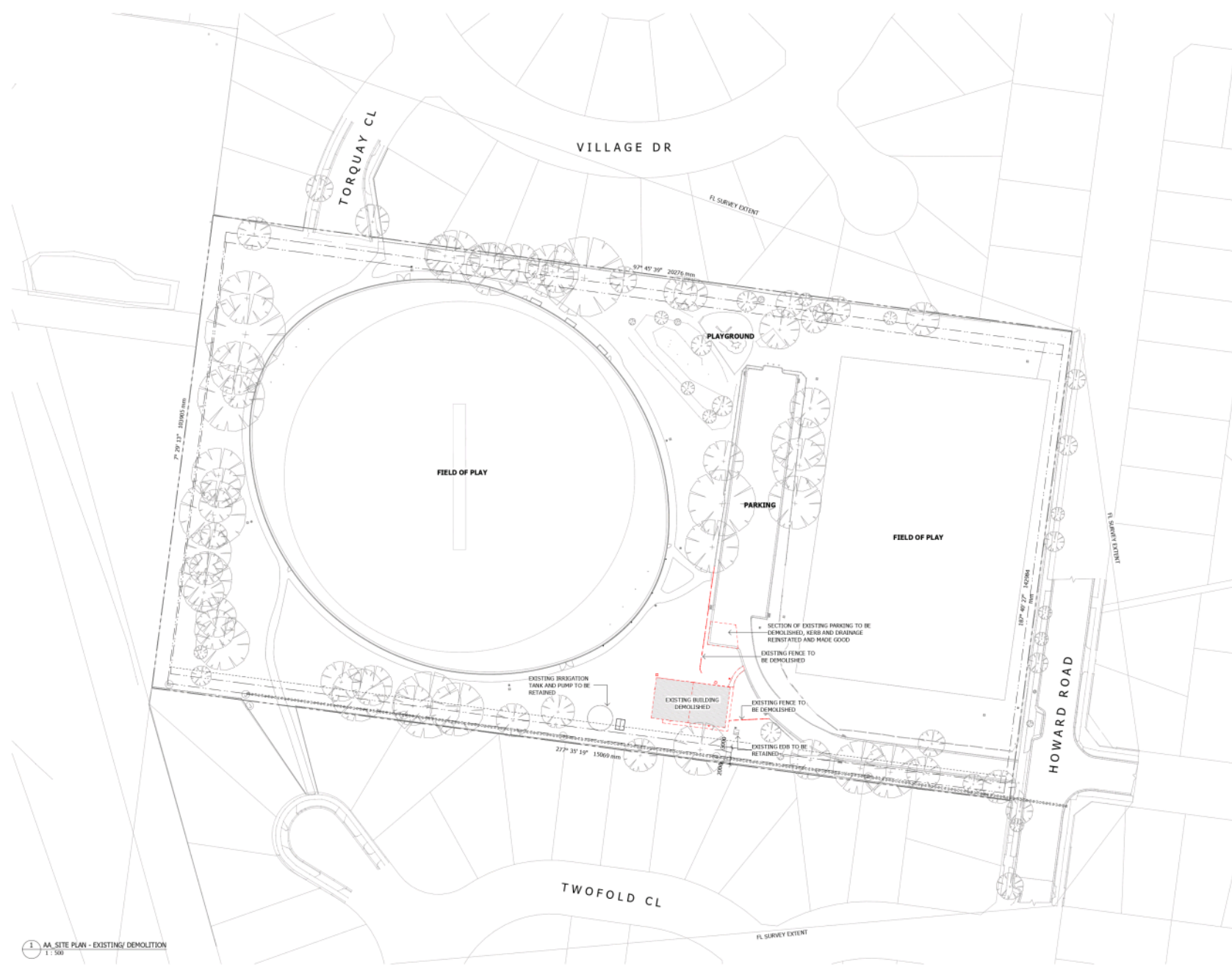
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Project Number
18-0277

Drawing Number
AA0000

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COVER SHEET
 Paper Size: A1



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ELECTRICAL SERVICE	— E —	— E —
FENCE	— / —	— / —
GAS SERVICE	— G —	— G —
SEWER SERVICE	— S —	— S —
STORMWATER SERVICE	— SW —	— SW —
TELECOM SERVICE	— T —	— T —
WATER SERVICE	— W —	— W —



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C	HOV COORDINATION	22.08.2020	PC	PC	
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A	HOV COORDINATION	07.08.2020	PC	PC	
	Task / Description	Date	Chk	Appr	

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Client
 Kingston City Council

Project
 CHADWICK RESERVE PAVILION

Location
 100-116 Howard Road
 Dingley Village
 VIC 3172

Project Number
18-0277

Drawing
SITE PLAN - EXISTING / DEMOLITION

Scale (S1)
 As indicated

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Drawing Number
AA1001



1 AA SITE PLAN - EXISTING / DEMOLITION
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FENCE	---	F	---	F
GAS SERVICE	---	G	---	G
SEWER SERVICE	---	S	---	S
STORMWATER SERVICE	---	SW	---	SW
TELECOM SERVICE	---	T	---	T
WATER SERVICE	---	W	---	W



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Architect Designer
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 Kingston City Council

CHADWICK RESERVE PAVILION

Location
 100-116 Howard Road
 Dingley Village
 VIC 3172

Project Number
18-0277

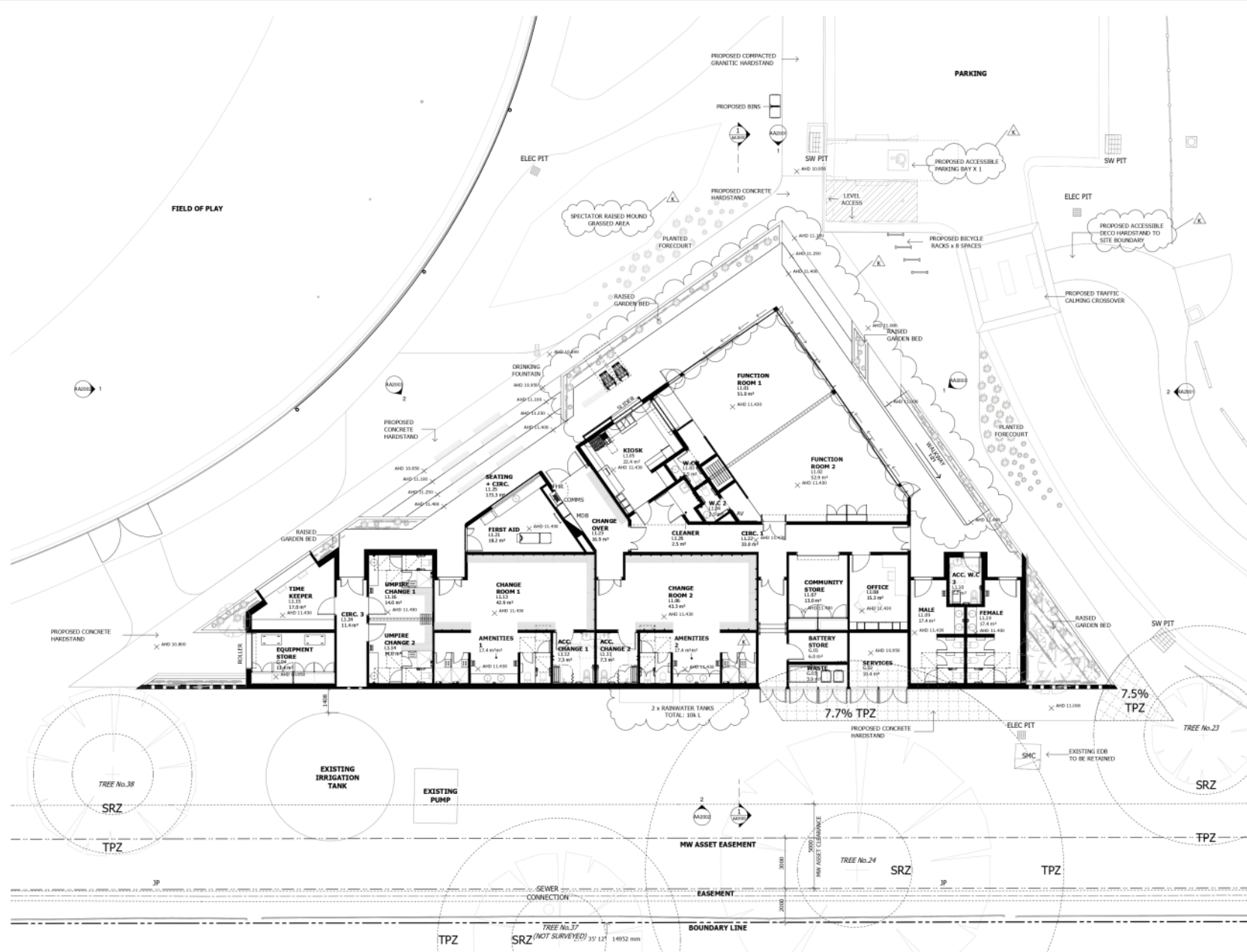
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NOTE:
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IDENTITY	DIMENSIONS	
	NAME	AREA
BATTERY STORE	G.01	6.0 m ²
SERVICES	G.02	10.4 m ²
WASTE	G.03	3.9 m ²
EQUIPMENT STORE	G.04	11.4 m ²
FUNCTION ROOM 1	L1.01	51.0 m ²
FUNCTION ROOM 2	L1.02	52.0 m ²
W.C. 1	L1.03	2.5 m ²
W.C. 2	L1.04	2.5 m ²
KITCHEN	L1.05	22.4 m ²
CHANGE ROOM 2	L1.06	43.3 m ²
COMMUNITY STORE	L1.07	13.0 m ²
OFFICE	L1.08	15.3 m ²
MALE	L1.09	17.4 m ²
ACC. W.C. 3	L1.10	5.2 m ²
ACC. CHANGE 2	L1.11	7.3 m ²
ACC. CHANGE 1	L1.12	7.3 m ²
CHANGE ROOM 1	L1.13	42.9 m ²
UMPIRE CHANGE 2	L1.14	14.0 m ²
TIME KEEPER	L1.15	17.0 m ²
UMPIRE CHANGE 1	L1.16	14.0 m ²
AMENITIES 2	L1.17	17.4 m ²
AMENITIES 1	L1.18	17.4 m ²
AMENITIES 1	L1.20	17.4 m ²
FIRST AID	L1.21	18.2 m ²
CIRC. 1	L1.22	10.0 m ²
CHANGE OVER	L1.23	16.0 m ²
CIRC. 3	L1.24	11.4 m ²
SEATING + CIRC.	L1.25	173.3 m ²
CLEANER	L1.26	2.5 m ²
CIRC. 2	L1.27	10.4 m ²
Grand Total:	30	677.8 m²

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C	FOR COORDINATION	20.01.2020	IC	IC
D	FOR COORDINATION	20.01.2020	IC	IC
A	FOR COORDINATION	03.01.2020	IC	IC

CHADWICK RESERVE PAVILION

Location
 100-116 Howard Road
 Dingley Village
 VIC 3172

Project Number
18-0277

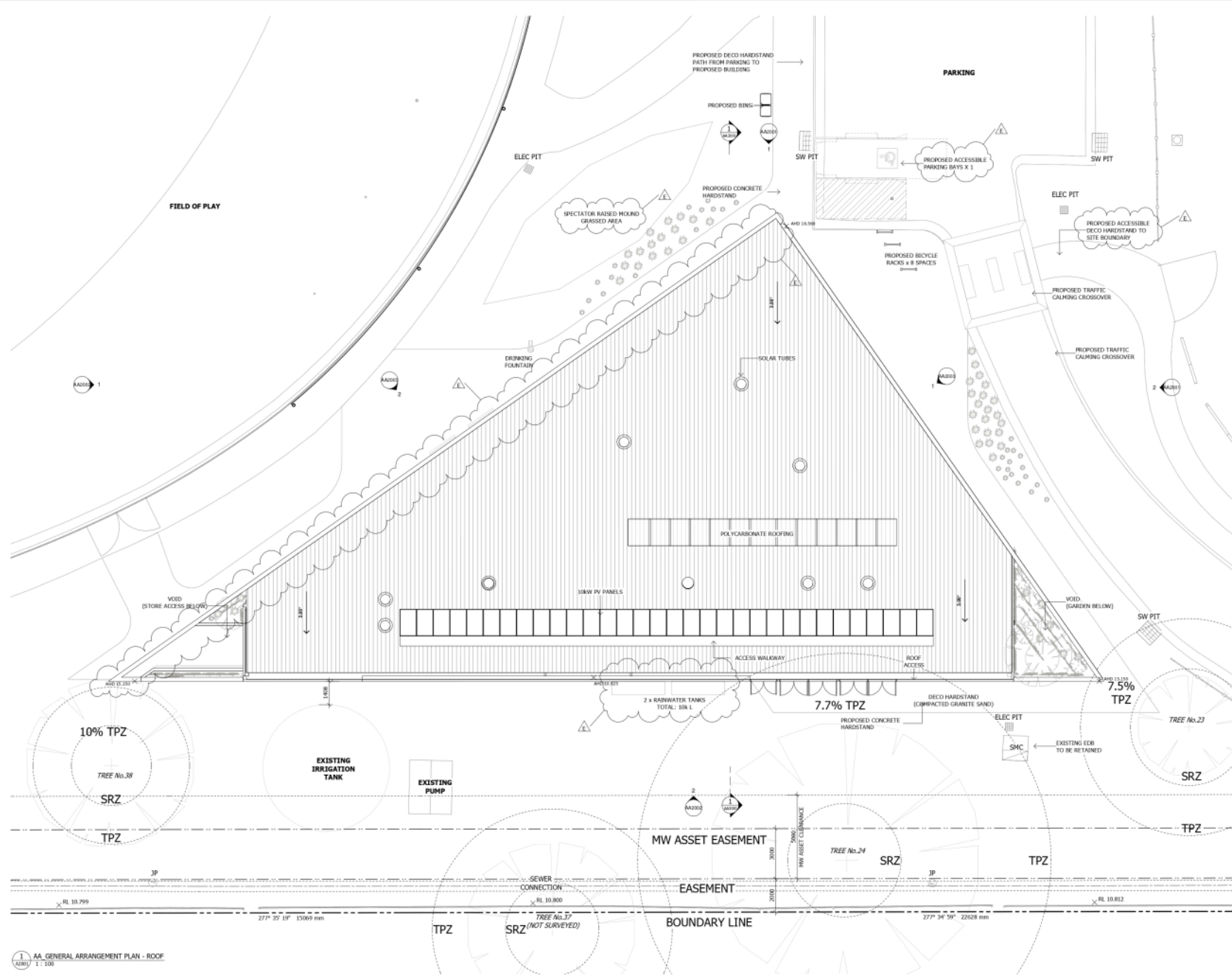
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AA1205



1. GA GENERAL ARRANGEMENT PLAN - LEVEL 1
 1:100



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INTERNAL ROOM AREA SCHEDULE

IDENTITY	DIMENSIONS	
	NAME	AREA
	No.	INTERNAL
BATTERY STORE	G.01	6.0 m ²
SERVICES	G.02	10.4 m ²
WASTE	G.03	3.9 m ²
EQUIPMENT STORE	G.04	11.4 m ²
FUNCTION ROOM 1	L1.01	51.0 m ²
FUNCTION ROOM 2	L1.02	52.0 m ²
WC 1	L1.03	2.5 m ²
WC 2	L1.04	2.5 m ²
ROCK	L1.05	22.4 m ²
CHANGE ROOM 2	L1.06	43.3 m ²
COMMUNITY STORE	L1.07	13.0 m ²
OFFICE	L1.08	15.3 m ²
MALE	L1.09	17.4 m ²
ACC. WC 3	L1.10	5.2 m ²
ACC. CHANGE 2	L1.11	7.3 m ²
ACC. CHANGE 1	L1.12	7.3 m ²
CHANGE ROOM 1	L1.13	42.9 m ²
UMPIRE CHANGE 2	L1.14	14.0 m ²
TIME KEEPER	L1.15	17.0 m ²
UMPIRE CHANGE 1	L1.16	14.0 m ²
AMENITIES 2	L1.17	17.4 m ²
FEMALE	L1.18	17.4 m ²
AMENITIES 1	L1.20	17.4 m ²
FIRST AID	L1.21	10.2 m ²
CIRC. 1	L1.22	10.0 m ²
CHANGE OVER	L1.23	16.0 m ²
CIRC. 3	L1.24	11.4 m ²
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CLEANER	L1.26	2.5 m ²
CIRC. 2	L1.27	10.4 m ²
Grand total:	30	677.8 m²

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3	FOR CONSTRUCTION	20.06.2020	PC	PC
4	FOR CONSTRUCTION	22.05.2020	PC	PC
5	FOR CONSTRUCTION	20.06.2020	PC	PC

Author: Designer
 dwp
 www.dwp.com
 Client: Kingston City Council

Project: CHADWICK RESERVE PAVILION
 Location: 100-116 Howard Road
 Dingley Village
 VIC 3172

Project Number: **18-0277**

Drawing: **GA PLAN - ROOF**

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AA GENERAL ARRANGEMENT PLAN - ROOF
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A	RISK COORDINATION	20.06.2020	PC	PC

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Client
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Project
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Location
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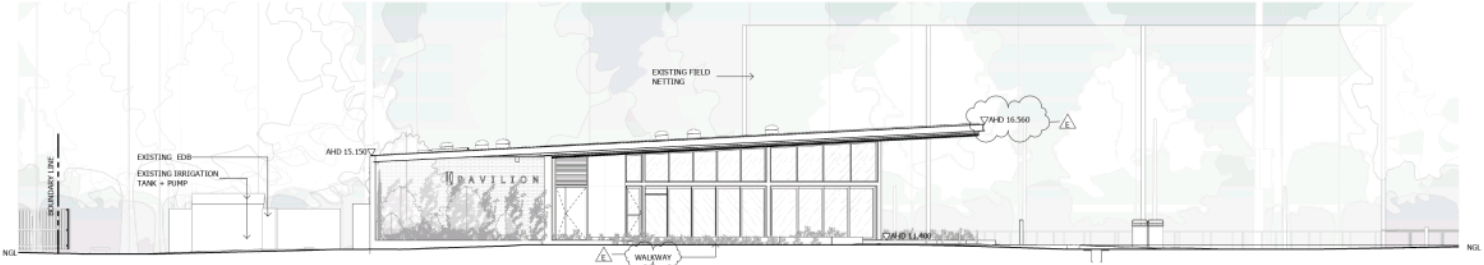
Project Number
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BUILDING ELEVATIONS

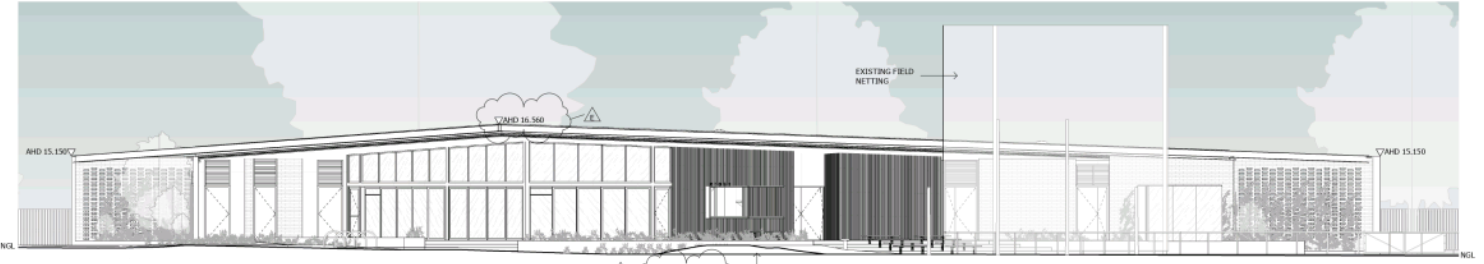
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1 AA NORTH ELEVATION
 1:100

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C	RISK COORDINATION	02.08.2019	PC	PC
B	RISK COORDINATION	22.08.2019	PC	PC
A	RISK COORDINATION	20.08.2019	PC	PC

Architect Designer
dwp
 www.dwp.com
 Client
 Kingston City Council

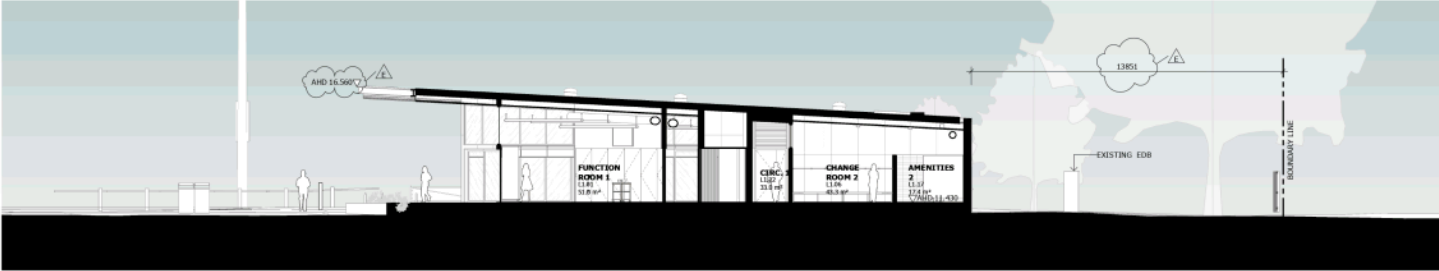
Project
CHADWICK RESERVE PAVILION
 Location
 100-116 Howard Road
 Dingley Village
 VIC 3172

Project Number
18-0277

BUILDING SECTIONS

Scale (X1) Date Printed
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A	RISK COORDINATION	22.05.2019	PC	PC

Author: Designer
 dwp
 www.dwp.com

Client
 Kingston City Council

Project
 CHADWICK RESERVE PAVILION

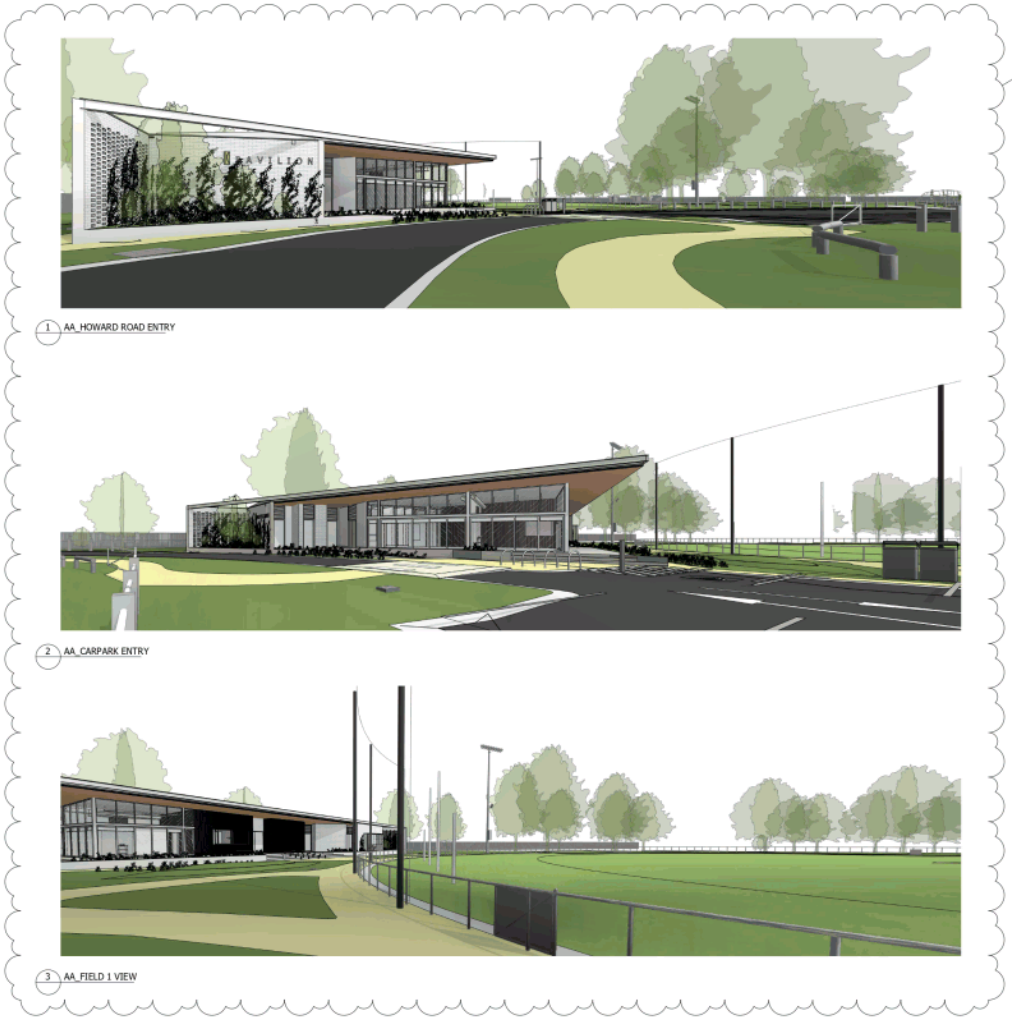
Location
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 Dingley Village
 VIC 3172

Project/Location
 18-0277

Drawing
 3D VIEWS

Scale (X1)
 1 : 50
 Date Printed
 9/11/2020 8:37:20 AM

Drawing Number
 AA9001
 Sheet
 D



1 AA HOWARD ROAD ENTRY

2 AA CARPARK ENTRY

3 AA FIELD VIEW

Agenda Item No: 8.4

RESPONSE TO NOTICE OF MOTION NO. 37/2020 SECURE FUTURE FOR KINGSWOOD GOLF COURSE

Contact Officer: Rita Astill, Team Leader Strategic Planning

Purpose of Report

The purpose of the report is to respond to NOM 37/2020 which was considered at the Council Meeting on 21 September 2020. The resolution required that a report be prepared for the November Council Meeting.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That Council:

1. Accept this report as officer's response to Notice of Motion 37/2020 Secure Future for Kingswood Golf Course.
2. Note the feedback received from PRAXIS Planning (Appendix 2) and estimated consultant, legal and operational costs of approximately \$442,500 to fully progress a proposed change to the UGB.
3. Initially seek a formalised position from the Department of Environment Land Water and Planning to inform the merits of progressing any future work, given the significant costs involved in preparing a Planning Scheme Amendment request.
4. Receive a further report once a response has been received from the Department of Environment, Land, Water and Planning.

1. Executive Summary

In response to Notice of Motion 37/2020 Secure Future for Kingswood Golf Course, at its Ordinary Council Meeting on 21 September 2020 Council resolved that:

1. *Council write to the Minister for Planning requesting that he commences the process to amend the Urban Growth Boundary to have the entire Kingswood Golf Course land in Dingley Village outside the Urban Growth Boundary;*
2. *Lobby all local MPs to support the above change of the Urban Growth Boundary;*
3. *A report be presented to the November Council Meeting on the preparation of strategic support for this proposal and for that to be integrated with the review of the Kingston Green Wedge Management Plan; and*
4. *Given some Councillors in the past sought to move the Green Wedge Urban Growth Boundary to facilitate residential and commercial development, Council reiterate that no work will be done by officers to support any form of increased development in the Green Wedge in parallel.*

In relation item 1 of the resolution, on 8 October 2020 Council wrote to the Minister for Planning. A copy of the letter is provided at Appendix 1. No response has been received from the Minister for Planning at this stage. In response to item 2, an email was sent to all local MPs providing a copy of the letter sent to Minister for Planning. In accordance with Item 4 of the resolution no work is being undertaken by Officers to modify the Urban Growth Boundary to facilitate residential and/or commercial development.

This report focuses on item 3 of the resolution '*the preparation of strategic support for this proposal and for that to be integrated with the review of the Kingston Green Wedge Management Plan*'.

In mid-October advice was sought from PRAXIS Planning in relation to the implementation of the resolution. The Director of PRAXIS Planning lead the development of the Kingston Green Wedge Management Plan 2012 and is also assisting with the current review of this Plan. A copy of the advice received from PRAXIS Planning is provided at Appendix 2 and states:

- *Current State Government policy is to maintain the Urban Growth Boundary (UGB) in its present location.*
- *There have been no significant changes to the UGB in several years.*
- *The State Government would be reluctant to reopen contest about the location of the UGB regardless of the circumstance (add or exclude land).*
- *Having regard to increased population projections (which have not been revised in the light of the temporary reductions in immigration as a result of COVID-19) it will be difficult in broad terms to justify a reduction in the urban area.*
- *There are no specific requirements for the assessment of a request for a change to the UGB, primarily as it is an action usually initiated by the State Government.*
- *A proposal to amend the UGB to exclude the Kingswood Golf Course land from the urban area could include the extent to which any of these matters are a constraint to development of the land for urban purposes:*
 - *The State Planning Framework (SPF) and any Ministerial Directions*
 - *The Local Planning Framework (LPF)*
 - *An analysis of the following constraints and opportunities:*
 - *Biodiversity, ecological or environmental significance of the land*
 - *Landscape features and significance*
 - *Salinity of the land*
 - *Transport access or needs*
- *The proposed use of the land is of relevance to the assessment. The purpose of the Green Wedge and land outside the UGB generally, is to provide for non-urban areas and land uses that require protection from urban land uses. It will need to be demonstrated that the proposed or existing use of the land is required to be retained as a non-urban use for the benefit of metropolitan Melbourne or the region.*
- *In order to prepare an amendment independent consultant reports would be needed, these include planning, ecological, environmental, landscape, soil engineers, transport planners, recreation and Golf course consultants. It is estimated that this could cost \$200,000 - \$250,000 and take 6 months.*
- *This work would significantly delay the delivery of the Kingston Green Wedge Management Plan Review which is currently being undertaken by Ethos Urban.*

Council officers have also spoken to officers from the State Government Department of Environment, Land, Water and Planning (DELWP) in relation to the process of moving the Urban Growth Boundary (UGB). DELWP have verbally advised that in order to change the UGB Council will need to undertake a Planning Scheme Amendment. If ultimately adopted by Council, Part 3AA-Metropolitan Green Wedge Protection of the Planning and Environment Act 1987 requires that once approved by the Minister, a Planning Scheme Amendment that seeks to amend the UGB requires the ratification of both Houses of Parliament.

The consultant and legal costs to run the entire process are estimated to be more than \$350,000 as outlined in section 4.1 of this report. This would be in addition to the Officer resources required to coordinate the strategic background work, legal engagements and amendment process which would require a Principal Strategic Planning officer at 0.5 EFT for an 18 month period (Project Manage Strategic Work and Planning Scheme Amendment) at a Band 7 salary.

The report recommends obtaining a formalised position from the Department of Environment, Land, Water and Planning given the significant costs associated in advancing a Planning Scheme Amendment request.

2. Discussion

2.1 Council Plan Alignment

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

2.2 Consultation/Internal Review

Officers have sought advice from PRAXIS Planning (Appendix 2) in relation to the implementation of item 3 of the Council resolution.

Officers have also spoken to representatives of DELWP's Planning Projects Team in relation to the process of moving the Urban Growth Boundary and its alignment with DELWP's current review of Green Wedge policy. A formal response has not yet been received from DELWP or the Minister for Planning.

2.3 Operation and Strategic Issues

2.3.1 Process in Moving the Urban Growth Boundary

Verbal feedback received from DELWP has indicated that in order to move the Urban Growth Boundary a Planning Scheme Amendment is required to be prepared by Council. Council must apply to the Minister for authorisation to prepare an amendment and if authorisation is granted an amendment process may be undertaken. Alternatively, the Minister for Planning may refuse to prepare the amendment.

If authorisation is granted, the amendment process would require public exhibition whereby parties may make a submission. If submissions are received and cannot be resolved a planning panel may be established who will make recommendations. It is noted that given the subject land is in private ownership there may be opposing submissions. Once the Panel makes its recommendations, Council may adopt or abandon the amendment. If Council, adopts the amendment it is submitted to the Minister for Planning who makes the ultimate decision. Part 3AA-Metropolitan Green Wedge Protection of the Planning and Environment Act 1987 requires that once approved by the Minister, an amendment that seeks to amend the Urban Growth Boundary (UGB) requires the ratification by both Houses of Parliament.

The Urban Growth Boundary (UGB) was last reviewed and expanded in 2012 as the result of a review process conducted by an independent Advisory Committee established to identify and assess 'logical inclusions'. There have been no further changes since this time.

Current State Government policy is to maintain the UGB in its present location, an outcome that has been reinforced through Plan Melbourne 2017-2050, Policy 2.1.1 *Maintain a permanent urban growth boundary around Melbourne to create a more consolidated, sustainable city.*

In 2015, the Minister for Planning wrote to Council in response to a request to exclude land from the Green Wedge. At this time the Minister advised that the '*opportunity to extend the Urban Growth Boundary has now passed and I am not looking to support amendments to planning schemes that seek to rezone green wedge land*'. A copy of letter is provided at Appendix 3. It is not clear whether or not the same view would be held by the Minister regarding including more land in the Green Wedge (outside the Urban Growth Boundary) hence the recommendation to seek further advice from the DELWP.

2.3.2 Requirements to change the Urban Growth Boundary

Prior to the preparation of a Planning Scheme Amendment request, strategic planning work would be required to further consider an appropriate land use outcome(s) for the site and the suitability of excluding the land from inside the UGB. This work would need to take into account broader State Government Policy direction in relation Green Wedge areas as well as alignment with Council's existing Green Wedge Management Plan.

The outcomes of this strategic work would ultimately inform the basis for and scope of the Planning Scheme Amendment and specifically, the zone and potentially overlay controls to be applied to the site should they be required to be changed. For example, the suitability of retaining the General Residential Zone over parts of the subject land, on the basis a sound strategic argument was established to include the land outside the Urban Growth Boundary.

A significant body of consultant work would then need to be undertaken to serve as the strategic justification for the amendment and proposed change to the UGB. PRAXIS Planning's advice at Appendix 2 suggests that this should include the extent to which any of the following matters are a constraint to development of the land for urban purposes:

- *The State Planning Framework and any Ministerial Directions*
- *The Local Planning Framework*
- *An analysis of the following constraints and opportunities:*
 - *Biodiversity, ecological or environmental significance of the land*
 - *Landscape features and significance*
 - *Salinity of the land*
 - *Transport access or needs*

The above criteria were used in the assessment of proposals through the Logical Inclusion Advisory Committee in relation to requests to change the Urban Growth Boundary. All proposals had to have a preferable use that could not be accommodated within the urban area, or that required protection from urban development.

PRAXIS Planning's advice highlights that the proposed use of the land is of relevance to the assessment of changing the UGB. The advice identifies that the purpose of land outside the UGB generally, is to provide for non-urban areas and land uses that require protection from urban land uses and that it will need to be demonstrated that the proposed or existing use of the land is required to be retained as a non-urban use for the benefit of metropolitan Melbourne or the region. Consideration will also need to be given to an appropriate zone for the site, if it is not to be used as a golf course in the future, giving consideration to the interface with surrounding land and as mentioned noting some of the land is presently contained within a General Residential Zone.

In order to address the above issues, the following independent consultant reports have been identified as being needed:

- Planning assessment against policy
- Ecological, environmental consultants
- Planning and landscape assessment specialists
- Soil engineers
- Transport planners
- Recreation / open space consultants

It is estimated that the consultant work required to establish further advance the consideration of a strategic basis for the UGB change would cost \$200,000 - \$250,000 with a minimum 6 month timeframe requiring consistent project management. This does not include the costs or timeframe required to implement a subsequent Planning Scheme Amendment which are further discussed in the report.

2.3.3 Implications for the Review of the Kingston Green Wedge Management Plan 2012

The consideration to include the Kingswood Golf Club outside the UGB within the review of the Kingston Green Wedge Management Plan would provide further strategic weight, if the strategic basis to do this were able to be established through the work identified in the previous section of this report. The Review is currently being undertaken by Ethos Urban with the assistance of the current Director of PRAXIS Planning and a draft has been received. The draft has not included the consideration of the inclusion of the Kingswood Golf Club.

The implications of such an outcome include:

- Delay in completion of the review of the Green Wedge Management Plan.
- Lack of an up-to-date Plan in the intervening period leading to the potential for inappropriate development proposals.
- Reformatting of the plan to include additional areas that would require changes to text and maps to refer to the land and any new strategic outcome.
- Potential delays in implementing any proposed Planning Scheme changes arising from the Green Wedge Management Plan if the inclusion of the additional element relating to the Kingswood Golf Club were not supported.

2.3.4 Golf Course Redevelopment Standing Advisory Committee

In 2019 the Minister for Planning appointed a Standing Advisory Committee to:

- Part 1 - Review and provide advice on the draft Planning Guidelines for Golf Course Redevelopment. This includes a decision making framework used to assess proposals for the future redevelopment of surplus golf course land, primarily within metropolitan Melbourne and advice as to how the guidelines can be given effect in the Victorian Planning System.
- Part 2 - Advise whether proposals that are referred to the Committee from the Minister for Planning (or delegate) for the rezoning of golf course land within the Urban Growth Boundary of metropolitan Melbourne, to facilitate redevelopment for urban purposes satisfy the planning guidelines and are consistent with state and local policy.

On 25 June 2020, the Minister for Planning released:

- The Advisory Committee's Part 1 Report.
- The final approved version of the draft Planning Guidelines for Golf Course Redevelopment. (Which has been re-titled to "Planning Guidelines for the Conversion of Golf Course Land to Other Purposes".) A copy of these Guidelines is provided at Appendix 4.
- A Ministerial response.

It is noted that the guidelines do not address any change to the UGB.

2.3.5 Planning for Melbourne's Green Wedge and Agricultural Land

The State Government have been undertaking the Planning for Melbourne's Green Wedge and Agricultural Land project with previous consultation undertaken in 2019 relating to strategic agricultural land around Melbourne. The Department of Environment, Land, Water and Planning released a Consultation Paper to Councils confidentially early this year with public consultation due mid this year however this was delayed due to the declared State of Emergency. Council officers have submitted an interim draft submission with a report scheduled to come back to Council once the Consultation Paper has publicly been released.

The Consultation Paper does not seek to address any changes to the UGB and rather seeks to strengthen the legislation and policy framework to protect Green Wedge land.

3. Conclusion

3.1 Resource Implications

There are very significant financial and resource implications in proceeding with the process to amend the Urban Growth Boundary to have the entire Kingswood Golf Course land in Dingley Village outside the Urban Growth Boundary.

As advised by PRAXIS Planning, consultant reports required to support the amendment could cost up to \$250,000 with 6 months required to undertake the work.

The subsequent Planning Scheme Amendment process would likely take 12 months requiring legal support and advocacy through any Planning Panel hearing. A preliminary analysis of these further costs estimates a budget of \$80,000 – \$120,000 would be required depending on the number of experts called, length of the Panel Hearing and extent of legal support procured.

Officer resources in coordinating the strategic work and running the amendment process would be required equivalent to a 0.5 FTE of a Principal Strategic Planner position for a period of 18 months. The work allocation would broadly comprise 6 months to appoint and obtain necessary consultant work and 12 months to coordinate the Planning Scheme Amendment process.


3.2 Legal / Risk Implications

Pursuing a Planning Scheme Amendment seeking to include the entire Kingswood Golf Course land in Dingley Village outside the Urban Growth Boundary would likely impact on the available future uses of the land.

On the basis Council was considering further developing a Planning Scheme Amendment looking to include the land outside the Urban Growth Boundary it is recommended that it first:


1. Seek a formalised position from the Department of Environment Land Water and Planning (DELWP) to inform the merits of any future work given the envisaged costs involved in preparing a Planning Scheme Amendment request.
2. Legal advice be formally received to understand how any risks associated with such a Planning Scheme Amendment be best mitigated.

Appendices

Appendix 1 - Letter to Minister for Planning moving UBG Kingswood Golf Course (Ref 20/217799)  [Download](#)

Appendix 2 - Praxis Advice Kingswood Golf Course (Ref 20/255266)  [Download](#)

Appendix 3 - Letter from Minister Planning Springvale Road movement of UGB (Ref 15/119327)  [Download](#)

Appendix 4 - Planning Guidelines for the Conversion of Golf Course Land (Ref 20/255249)  [Download](#)

Author/s: Rita Astill, Team Leader Strategic Planning
Reviewed and Approved By: Paul Marsden, Manager City Strategy
Jonathan Guttman, General Manager Planning and Development

8.4

RESPONSE TO NOTICE OF MOTION NO. 37/2020 SECURE FUTURE FOR KINGSWOOD GOLF COURSE

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4	Planning Guidelines for the Conversion of Golf Course Land	217



8 October 2020

The Hon Richard Wynne MP
 Minister for Planning
 Level 6, 8 Nicholson Street
 EAST MELBOURNE VIC 3002

Email: Richard.wynne@parliament.vic.gov.au

Dear Minister

Re: Council Resolution – Kingswood Golf Course Land, Dingley Village

I am writing following the consideration by our Council of Notice of Motion 12.3 at its Ordinary Council Meeting on 21 September 2020.

Council in considering this item resolved that:

- “1. Council writes to the Minister for Planning requesting that he commences the process to amend the Urban Growth Boundary to have the entire Kingswood Golf Course land in Dingley Village outside the Urban Growth Boundary.
2. Council lobbies all local MPs to support the above change of the Urban Growth Boundary.
3. That a report be presented to the November Council Meeting on the preparation of strategic support for this proposal and for that to be integrated with the review of the Kingston Green Wedge Management Plan.
4. Given that some Councillors in the past sought to move the Green Wedge Urban Growth Boundary to facilitate residential and commercial development, that Council reiterate that no work will be done by officers to support any form of increased development in the Green Wedge in parallel.”

A copy of the minutes of the Council Meeting are attached for your reference.

Based on the direction provided from Council to provide a report to the November Council Meeting, it would be beneficial to obtain your advice, or that of your Department with respect to the following matters:

1. Whether or not you are prepared to commence the process to amend the Urban Growth Boundary to have the entire Kingswood Golf Course land in Dingley Village moved outside the Urban Growth Boundary?
2. Any considerations that may be relevant to the Council with respect to Ministerial Direction 21 (Golf Course Redevelopment) and the above resolution of the Council.
3. Any other considerations relevant to undertaking strategic planning work to incorporate the entire Kingswood Golf Course land in Dingley Village outside the Urban Growth Boundary.

community inspired leadership

TRIM 20/217799 PAGE 1

kingston.vic.gov.au
 Cheltenham 1230 Nepean Highway Chelsea 1 Chelsea Road
 1300 653 356 131 450 03 9581 4500 PO Box 1000, Mentone 3194 info@kingston.vic.gov.au [cityofkingston](https://www.facebook.com/cityofkingston) [kingstoncc](https://twitter.com/kingstoncc)

Any assistance that can be provided will be most helpful in providing a fulsome report to Council.

Should yourself or your Department have any further queries regarding this matter, please contact Julie Reid, Chief Executive Officer on ☎ 9581 4706 or Julie.reid@kingston.vic.gov.au

Yours sincerely



Cr Georgina Oxley
MAYOR

Attach

**City of Kingston
Council Meeting**

Minutes

21 September 2020

12.3 Notice of Motion No. 37/2020 - Cr Hua - Secure Future for Kingswood Golf Course

Moved: Cr Hua

Seconded: Cr Brownlees

That Council:

1. Council writes to the Minister for Planning requesting that he commences the process to amend the Urban Growth Boundary to have the entire Kingswood Golf Course land in Dingley Village outside the Urban Growth Boundary; and
2. Council lobbies all local MPs to support the above change of the Urban Growth Boundary.

Cr Eden returned to the meeting at 8.46pm

Amendment

Moved: Cr West

That:

1. Council write to the Minister for Planning requesting that he commences the process to amend the Urban Growth Boundary to have the entire Kingswood Golf Course land in Dingley Village outside the Urban Growth Boundary;
2. Council lobby all local MPs to support the above change of the Urban Growth Boundary; and
3. A report be presented to the November Council Meeting on the preparation of strategic support for this proposal and for that to be integrated with the review of the Kingston Green Wedge Management Plan.

The Amendment was accepted by the Mover and Seconder

Amendment

Moved: Cr Eden

Seconded: Cr West

That:

1. Council write to the Minister for Planning requesting that he commences the process to amend the Urban Growth Boundary to have the entire Kingswood Golf Course land in Dingley Village outside the Urban Growth Boundary;
2. Lobby all local MPs to support the above change of the Urban Growth Boundary;
3. A report be presented to the November Council Meeting on the preparation of strategic support for this proposal and for that to be integrated with the review of the Kingston Green Wedge Management Plan; and
4. Given some Councillors in the past sought to move the Green Wedge Urban Growth Boundary to facilitate residential and commercial development, Council reiterate that no work will be done by officers to support any form of increased development in the Green Wedge in parallel.

The Amendment was put and CARRIED

**City of Kingston
Council Meeting****Minutes****21 September 2020****A Division was Called:****DIVISION:****FOR:** Crs Oxley, Barth, Eden, Gledhill, Staikos and West (6)**AGAINST:** Cr Brownlees (1)**ABSTAINED:** Crs Bearsley and Hua (2)**CARRIED****The Amendment became the Motion****The Motion was put and CARRIED****A Division was Called:****DIVISION:****FOR:** Crs Oxley, Barth, Bearsley, Brownlees, Eden, Gledhill, Hua, Staikos
and West (9)**AGAINST:** Nil (0)**CARRIED**

PROPOSED URBAN GROWTH BOUNDARY AMENDMENT : KINGSWOOD GOLF COURSE

Introduction

The City of Kingston has resolved to write to the Minister for Planning requesting consideration of an amendment to the Urban Growth Boundary to include the Kingswood Golf Course outside the UGB. The Council is contacting local MPs to obtain support. The Council has requested that a report be prepared for its November meeting to determine the steps necessary to achieve strategic support for the proposal and the integration of this work into the review of the Kingston Green Wedge Management Plan recently undertaken by Ethos Urban.

The brief for this work is to assist the Council in making its decision as to the way forward at its next meeting. Specifically this report is to:

- Provide a summary of the process that needs to be followed to obtain a change to the Urban Growth Boundary of the type requested
- The scope of strategic planning / environment and / or ecological work that would be required to support and provide justification for a change to the Urban Growth Boundary.
- Any implications of the proposed UGB change for the Green Wedge Management Plan as prepared to date
- An assessment of the extent to which current state government policy and directions in relation to Green Wedge planning and the UGB supports or discourages a change to the UGB as requested.
- Include consideration of the zoning of the land.

Background

The Urban Growth Boundary was introduced around Melbourne in 2002 as part of the metropolitan strategy Melbourne 2030. The purpose of the UGB is to direct growth to areas best able to be supplied with appropriate infrastructure and services, and to protect other valuable peri-urban land and environmental features from urban development pressures.

The UGB has been reviewed and altered twice since then. The first was in 2010 following the release of Melbourne @ 5 million, which recognised population projections beyond those previously anticipated. This review was only approved after rigorous environmental studies were undertaken by State government agencies and approved by the Commonwealth government to ensure natural features and protected species were appropriately managed.

It was last reviewed and expanded in 2012 as the result of a review process conducted by an independent Advisory Committee established to identify and assess 'logical inclusions'. This review expanded the urban area by approximately 6,000 ha.

The current UGB was reaffirmed as the outer limit for growth in [Plan Melbourne 2017-2050](#) at Policy 2.1.1. which was released in 2017. A subsequent Addendum in 2019 acknowledged changes in the population forecasts in 2016, and added reference to the new infrastructure projects proposed as a result. No changes to the UGB were proposed.

Process to change the UGB

An amendment to the Urban Growth Boundary is a three step process, firstly requiring the approval of the Minister for Planning, and once approved by the Minister, ratification by both Houses of Parliament. The amendments are then published in the Government Gazette.

Therefore any change to the Urban Growth Boundary requires not only the support of the Minister for Planning, but also majority support in both Houses of Parliament.

Requirements to change the UGB

There are no specific requirements for the assessment of a request for a change to the UGB, primarily as it is an action usually initiated by the State government. When established the UGB was intended to provide for 20-25 years of land supply to accommodate projected growth in Melbourne. Since then the population to be accommodated within the urban area has increased.

In the assessment of proposals for inclusion of land within the UGB through the Logical Inclusion Advisory Committee, the Minister established a set of Decision Criteria that were required to be met by any proposal for a change to the UGB. The Minister wanted to ensure that all proposals had regard for the existing and potential for the land under consideration for inclusion within the urban area did not have a preferable use that could not be accommodated within the urban area, or that required protection from urban development. These Decision Criteria were:

- The State Planning Policy Framework (SPPF) and any Ministerial Directions
- The Local Planning Policy Framework (LPPF)
- An analysis of the following categories of constraints and opportunities:
 - Biodiversity
 - Extractive industry
 - Landscape features
 - Salinity
 - Transport
 - Wildfire

It is reasonable to assume that these considerations could equally be applied in a proposal to remove land from the urban area (an 'exclusion'). Should any of these criteria be met an argument could be established to justify removal of the land from the urban area. Not all are relevant to the Kingswood Golf Course land however, and in addition, the Advisory Committee established to consider submissions was required to apply a determination of the relative importance of the identified constraints and opportunities presented against policy.

Having regard to the above, it is considered that a proposal to amend the UGB to exclude the Kingswood Golf Course land from the urban area could include the extent to which any of these matters are a constraint to development of the land for urban purposes:

- The State Planning Framework (SPF) and any Ministerial Directions
- The Local Planning Framework (LPF)
- An analysis of the following constraints and opportunities:
 - Biodiversity, ecological or environmental significance of the land
 - Landscape features and significance
 - Salinity of the land
 - Transport access or needs

In addition it is considered that the proposed use of the land is of relevance to the assessment. The purpose of the Green Wedge and land outside the UGB generally, is to provide for non-urban areas and land uses that require protection from urban land uses. It will need to be demonstrated therefore that the proposed or existing use of the land is required to be retained as a non-urban use for the benefit of metropolitan Melbourne or the region. The proposed use of the land for a public golf course would therefore need to establish a need for that use in the local and regional area.

With regard to the analysis of other constraints and opportunities, independent consultant reports would be needed to address each of the issues to establish whether these create an impediment not already identified for the development of the land for urban purposes. The range of expertise required, if all matters were to be assessed, includes:

- Planning assessment against policy
- Ecological, environmental consultants
- Planning or landscape assessment specialists
- Soil engineers
- Transport planners
- Recreation / Golf course consultants

Should all this expertise be required it is estimated that \$200,000 - \$250,000 and 6 months would be required to undertake the work. A scoping exercise at the commencement should establish the relative importance and extent to which each of these issues has the potential to assist in the proposal. This scoping exercise would utilise all information within Council records, state records and any proposals for development of the land in the past.

Implications for the Green Wedge Management Plan

The proposal to change the UGB to include the Kingswood Golf Course land within the Green Wedge would have implications of the completion of the Plan. These include:

- Substantial delay in completion of the Plan
- Lack of an up-to-date Plan in the planning scheme in the meantime leading to potential for inappropriate development
- Potential for data and other matters to become out of date in the current Plan, requiring reworking
- Depending on the outcome of any investigations for the proposed UGB change, determination of any additional planning controls required (eg Overlays)
- Changes to text to refer to the land
- Changes to all maps

Current Government Policy

Current stated government policy is to maintain the UGB in its present location. There have been no significant changes to the UGB in several years.

The Minister for Planning, The Hon Richard Wynne MP, wrote to the Council in September 2015, following the Council's request for exclusion of the land at 732-928 Springvale Road and 327 Governor Road, Braeside from the Green Wedge. The Minister advised that he would not support amendments to planning schemes to rezone green wedge land.

While this proposal is to add to, rather than reduce a green wedge, it is considered that the state government would be reluctant to reopen contest about the location of the UGB regardless of the circumstance. It is noted that the most recent update to the metropolitan strategy in 2019 was made cognisant of the increased population projections at the time, and still did not address the UGB. Having regard to these increased projections (which have not been revised in the light of the temporary reductions in immigration as a result of COVID-19) it will be difficult in broad terms to justify a reduction in the urban area.

Zoning Implications

It is noted that the Kingswood Golf Course land is partly zoned Residential 1 and partly Special Use Zone 2. It must be recognised that rezoning of the Residential land to a Green Wedge zone will be considered a 'back zoning' that may have implications for a compensation claim. The area of land involved in the land value would need detailed assessment to determine the extent of the impact of the rezoning, however it is probable that this would be substantial cost.

Other considerations in this regard include the small areas of contiguous interface with other green wedge land, and the extensive interface created with standard residential land. Land

use conflicts between green wedge and residential land are to be avoided, and this would potentially be seen to exacerbate these conflicts, if not now then in future. These issues would need to be addressed in any proposal to change the UGB.

15/119327



The Hon Richard Wynne MP

Minister for Planning

CITY OF KINGSTON

23 SEP 2015

 PERMANENT
 1 - 2 YEARS
 3 - 10 YEARS
 11 - 35 YEARS

 1 Spring Street
 Melbourne, Victoria 3000
 Telephone: +613 8392 6175
 DX210292

Ref: MIN005888

 Cr Geoff Gledhill
 Mayor
 City of Kingston
 PO Box 1000
 MENTONE VIC 3194

Dear Cr Gledhill

GREEN WEDGE LAND - 732-928 SPRINGVALE ROAD AND 327 GOVERNOR ROAD, BRAESIDE

Thank you for your letter regarding rezoning of green wedge land at 732-928 Springvale Road and 327 Governor Road, Braeside.

I appreciate that the Springvale Road area in Braeside currently has some land uses that do not conform with the objectives of the Green Wedge Zone and Council is considering potential opportunities to pursue residential rezoning.

However the purpose of the Urban Growth Boundary is to protect non-urban areas and land uses from urban development of metropolitan Melbourne. Current government policy does not support expansion of the Urban Growth Boundary or allowing inappropriate urban development in the Green Wedge Zones. The Urban Growth Boundary supports the orderly development of land, discourages the unnecessary extension of community infrastructure and helps preserve the qualities of non-metropolitan and rural areas.

In 2011 the previous government established the Urban Growth Boundary Anomalies Advisory Committee to provide advice on proposals for inclusion within the Urban Growth Boundary. This process was specifically designed to give non-growth area councils like Kingston the opportunity to make submissions about properties within their municipality that they thought warranted consideration for inclusion within the Urban Growth Boundary. I understand that Kingston did not lodge a submission as part of this review. This opportunity to extend the Urban Growth Boundary has now passed and I am not looking to support amendments to planning schemes that seek to rezone green wedge land.

If you have any further queries about this matter please contact Mr Jim Gard'ner, Executive Director Statutory Planning and Heritage, Department of Environment, Land, Water & Planning on (03) 9658 4732.

Yours sincerely



HON RICHARD WYNNE MP
Minister for Planning 20/9/15

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Planning Guidelines for the Conversion of Golf Course Land to Other Purposes

June 2020



Environment,
Land, Water
and Planning

Acknowledgments

We acknowledge and respect Victorian Traditional Owners as the original custodians of Victoria's land and waters, their unique ability to care for Country and deep spiritual connection to it. We honour Elders past and present whose knowledge and wisdom has ensured the continuation of culture and traditional practices.

We are committed to genuinely partner, and meaningfully engage, with Victoria's Traditional Owners and Aboriginal communities to support the protection of Country, the maintenance of spiritual and cultural practices and their broader aspirations in the 21st century and beyond.

Photo credit

Gary Lisbon, Visit Victoria

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ISBN 978-1-76105-159-3 (pdf/online/MS word)

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Department of Environment, Land, Water and Planning

About this guideline

The purpose of these guidelines is to provide guidance on preparing a proposal to redevelop a golf course to ensure a net community benefit and a quality outcome is delivered

These guidelines should be used for developing a proposal to be either assessed through a planning scheme amendment process and/or a planning permit application.

These guidelines are intended as a resource for:

- proponents considering redevelopment of a golf course in Victoria,
- responsible authorities and stakeholders who provide advice and consider the appropriateness of the redevelopment of a golf course in any given location,
- any party interested in understanding the process for redeveloping a golf course in Victoria.

Golf courses in Victoria

Golf courses are a major land use and important to Victoria's culture and liveability. Golf course land typically has a number of special characteristics including:

- being large tracts of land – often located in built-up urban environments;
- containing a number of environmental and biodiversity values;
- are large areas of open space;
- contributing to stormwater management;
- are managed either for the benefit of club members or the community;
- often limiting vehicle or sustainable movement due to the scale of the courses; and
- often containing heritage values.

Golf in Victoria is in transition as it responds to changing demographic and participation trends. Overall, traditional golf club membership is in decline and clubs are facing changing leisure patterns and increasing operating costs. Some golf clubs have been forced to merge or close. This trend has drawn interest in the redevelopment and repurposing of golf course land for other uses. Ensuring that these significant land holdings are appropriately developed to ensure positive social, economic and environmental outcomes is a primary concern of these guidelines.

Definitions

In these guidelines:

- **golf course** includes land used for maintenance, clubhouse and other facilities associated with a golf course
- **redevelopment of a golf course** means the use or development of all or part of a golf course for another use (for example, a residential use).

4 Planning Guidelines for the Conversion of Golf Course Land to Other Purposes





Application

These guidelines apply to:

- the preparation of an amendment to enable the redevelopment of a golf course.
- the preparation of an application for a permit, or an application to amend a permit, for the redevelopment of a golf course.

Golf courses subject to these guidelines include:

- freehold golf course land;
- golf course land owned by the Victorian Government or local government where the land ownership would permit conversion from an open space use;
- metropolitan or regional golf course land;
- the full or partial redevelopment of golf course land; and
- golf course land inside or outside a settlement boundary, including the Urban Growth Boundary.

Proposals seeking to rezone golf course land should be consistent with state and local policy objectives for particular locations. Any change to a defined settlement boundary or the Urban Growth Boundary raises policy issues not addressed in these guidelines. The process outlined in these guidelines does not supersede state and local policy objectives.

Golf Course Redevelopment Standing Advisory Committee

The Golf Course Redevelopment Standing Advisory Committee (GCRSAC) was established by the Minister for Planning under section 151 of the *Planning and Environment Act 1987* (the Act) to provide advice on proposals for the redevelopment of golf courses.

The Minister may refer the following matters to the GCRSAC for advice:

- An application for the redevelopment of a golf course that the Minister has called in under section 97B, or has been referred under section 97C, of the Act.
- A request to prepare an amendment to a planning scheme to enable the redevelopment of a golf course.
- An application or request for authorisation under sections 8A or 9 of the Act to prepare an amendment to enable the redevelopment of a golf course.
- A proceeding related to an application for the redevelopment of golf course land that the Minister has called-in under clause 59 of Schedule 1 of the *Victorian Civil and Administrative Tribunal Act 1998*.

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Legislative and planning policy context

Legislation

The *Planning and Environment Act 1987* (the Act) establishes the framework for planning the use, development and protection of land within Victoria and is implemented through the Planning Policy Framework (PPF), Local Planning Policy Framework, Victoria Planning Provisions (VPPs) and local government planning schemes.

State Planning Policy

These guidelines have been prepared in accordance with the purpose of the Planning Policy Framework (PPF) as outlined in the Victoria Planning Provisions at *Clause 71.02 'Operation of the Planning Policy Framework'* which seeks to 'ensure that the objectives of planning in Victoria (as set out in section 4 of the Act) are fostered through appropriate land use and development planning policies and practices that integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development'.

The following state policies are considered relevant to golf course redevelopment proposals in Victoria

- **Clause 11 Settlement** – These policies seek to ensure sustainable growth and development of Victoria 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. In particular:
 - **Clause 11.01-1S Settlement** broadly seeks to deliver networks of high-quality integrated settlements that have a strong identity and sense of place and are sustainable by responding to population growth and changing environments, support resilient communities, balance strategic objectives to achieve improved land use and development outcomes, preserve and protect features of rural land and natural resources, provide appropriately located supplies of residential, commercial and industrial land and improve transport network connections.
 - **Clause 11.03-6S Regional and local places** seeks to ensure integrated place-based planning by providing specific direction for the planning of sites, places, neighbourhoods and towns and consider the distinctive characteristics and needs of regional and local places in planning for future land use and development.
- **Clause 12 Environmental and landscape values** – These policies seek to ensure planning helps protect the health of ecological systems and the biodiversity they support and conserve areas with identified environmental and landscape values. In particular:
 - **Clause 12.01-1S Protection of biodiversity** seeks to protect and conserve Victoria's biodiversity by ensuring that planning takes into account the impacts of land use and development on Victoria's biodiversity, including consideration of cumulative impacts, habitat fragmentation and the spread of pest plants, animals and pathogens into natural ecosystems.
 - **Clause 12.03-1S** River corridors, waterways, lakes and wetlands seeks to protect and enhance river corridors, waterways, lakes and wetlands by ensuring that development is sensitively designed and sited in order to respond to and respect the significant environmental, conservation, cultural, aesthetic, open space, recreation and tourism assets of water bodies and wetlands. Growth in established settlements must only be facilitated where water and wastewater can be managed.
 - **Clause 12.05-1S Environmentally sensitive areas** seeks to protect and conserve environmentally sensitive areas with significant recreational value from development that would diminish their environmental conservation or recreational values.
 - **Clause 12.05-2S Landscapes** seeks to protect and enhance significant landscapes and open spaces that contribute to character, identity and sustainable environments by ensuring development does not detract from the natural qualities of significant landscape areas.
- **Clause 13 Environmental risks and amenity** – These policies outline planning should strengthen the resilience and safety of communities, aim to avoid or minimise natural and human-made environmental hazards, environmental degradation and amenity

6 Planning Guidelines for the Conversion of Golf Course Land to Other Purposes



conflicts, ensure development and risk mitigation does not detrimentally interfere with important natural processes and should prepare for and respond to the impacts of climate change. In particular:

- o **Clause 13.01-1S Natural hazards and climate change** seeks to minimise the impacts of natural hazards and adapt to the impacts of climate change by considering the risks associated with climate change in planning and management decision making, directing population growth and development to low risk locations and ensuring siting and design of development minimises risk to life, property, the natural environment and community infrastructure from natural hazards.
 - o **Clause 13.02-1S Bushfire** seeks to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.
 - o **Clause 13.03-1S Floodplain management** seeks to protect life, property and community infrastructure from flood hazard, the natural flood carrying capacity of waterways, the flood storage function of floodplains and waterways and floodplain areas of environmental significance or importance by avoiding inappropriately located use and development.
- **Clause 15 Built environment and heritage** – These policies recognise the role planning plays in delivering land use and development outcomes that responds appropriately to its surrounding landscape and character, valued built form and cultural context in order to deliver liveable and sustainable cities, towns and neighbourhoods. In particular:
 - o **Clause 15.01-1S Urban design** seeks to ensure urban environments are safe, healthy, functional and enjoyable and contribute to a sense of place by requiring development responds to its context, contributes to community and cultural life by improving the quality of living and working environments, ensures the interface between public and private realm protects and enhances safety, supports access to transport and provides landscaping that supports the amenity, attractiveness and safety of the public realm.
 - o **Clause 15.01.-2S Building design** seeks to ensure building design outcomes contribute positively to the local context and enhance the public realm.
 - o **Clause 15.01-3S Subdivision design** seeks to ensure the design of subdivisions achieve safe, attractive, accessible, diverse and sustainable neighbourhoods in new residential areas and in the redevelopment of existing areas.
 - o **Clause 15.01-4S Healthy neighbourhoods** seeks to ensure neighbourhoods foster healthy and active living and community wellbeing through good design.
- **Clause 16 Housing** – These policies recognise planning should provide for housing diversity and efficient provision of supporting infrastructure, ensure long-term sustainability of new housing and provide land for affordable housing. In particular:
 - o **Clause 16.01-1S Integrated housing** seeks to promote a housing market that meets community needs by increasing the supply of housing in existing urban areas, ensuring an appropriate quantity, quality and type of housing is provided, ensure housing

Department of Environment, Land, Water and Planning



developments are integrated with infrastructure and services and high quality social housing is delivered.

o Clause 16.01-2S Location of residential development seeks to ensure new housing in designated locations offer good access to jobs, services and transport by increasing the proportion of new housing in designated location in urban areas and reduce the share of new housing in greenfield and dispersed development areas, encourage higher density housing development, ensure an adequate supply of redevelopment opportunities within established urban areas and facilitate residential development that is cost effective in infrastructure provision and use, energy efficient, water efficient and encourages public transport use.

- **Clause 17 Economic development** – These policies recognise planning plays an important role in provide for a strong and innovative economy and contributes to the economic wellbeing of the state and foster economic growth.
- **Clause 18 Transport** – These policies promote an integrated and sustainable transport system that is safe and provides access to social and economic activities, facilitates economic prosperity, contributes to environmental sustainability and coordinates reliable movements of people and goods.
- **Clause 19 Infrastructure** – These policies promote the development of social and physical infrastructure that should be provided in an efficient, equitable, accessible and timely manner, recognising social needs for a range of accessible community resources. In particular:

o Clause 19.02-6S Open space seeks to establish, manage and improve a diverse and integrated network of public open space that meets the needs of the community.



Guidelines

When preparing an amendment to a planning scheme or application for the redevelopment of a golf course, the following steps should be followed in accordance with Figure 1.

1. Consider whether the land should be redeveloped.
2. Identify the strategic direction for the site.
3. Determine what assessments and approvals are required.
4. Document site values, constraints and opportunities.
5. Engage the community.
6. Develop a land use concept that delivers net community benefit.
7. Deliver a quality outcome

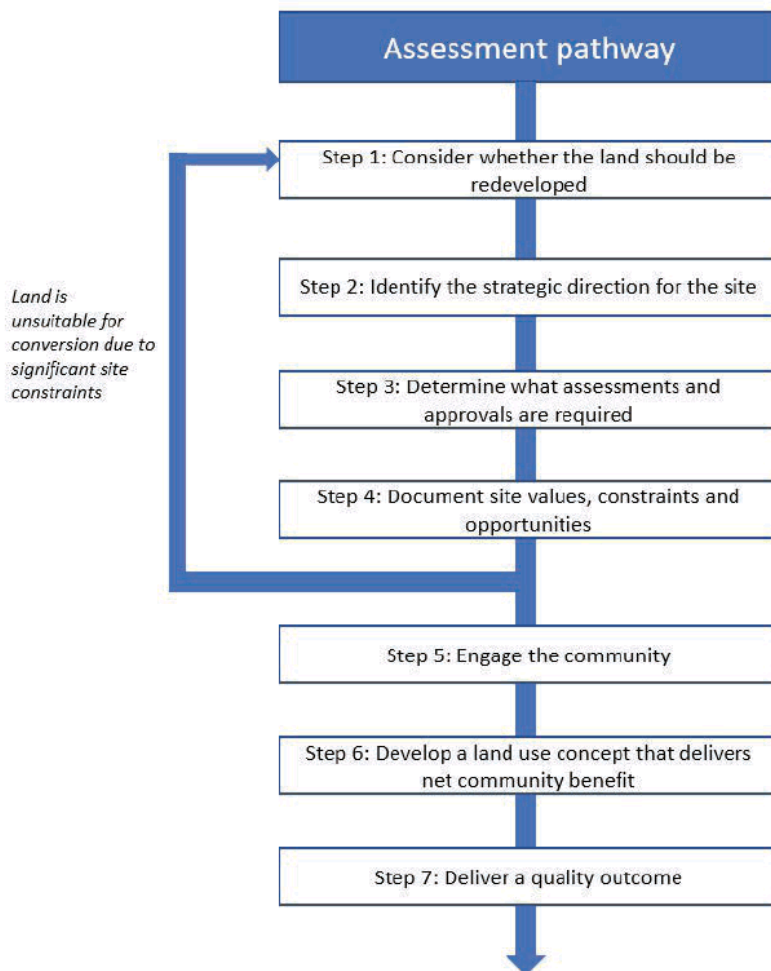


Figure 1: Indicative assessment pathway

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Step 1: Consider whether the land should be redeveloped

The following questions should be addressed in establishing whether golf course land should be converted to another use:

- Does the land tenure allow for conversion?
- Is the golf course surplus to golfing?
- Are there economic alternatives to conversion?
- Should the land remain as open space?

Proponents should confirm the ownership of the land and that it is available for conversion and document any title or legal restrictions on its future development.

To assess whether the golf course is surplus to the needs of golfing, a proponent will need to identify:

- Whether the course has been identified in a regional golf facility plan as a course that should remain or is a candidate for conversion to another use. If there is no relevant golf facility plan, consider:
 - the demand for golf courses in the region and whether the course is located in an area currently under-supplied or over-supplied with golf courses
 - whether there is capacity for the golf course to be improved to incorporate contemporary design standards and facilities.
- Whether the proposal delivers improved golf facilities consistent with Victoria's Golf Tourism Strategy and any relevant golf facility plan.

The proponent should commission independent economic advice on:

- whether golf is likely to remain viable at the course taking into account:
 - the course facilities and layout
 - the club patronage and financial status
- the broader economic implications of the proposal.

Golf course land, particularly in metropolitan areas, presents a rare opportunity for governments to purchase a significant land parcel for community or public use. Where golf course land has been determined as being surplus to the needs of golfing, the land should be offered at first instance for acquisition to the Commonwealth and Victorian

governments and local governments.

This involves three considerations as outlined below:

- State-owned public golf course land will be offered under the Victorian Government Landholdings Policy and Guidelines (2017). All other golf course land owners should be encouraged to make genuine effort to investigate whether any government authorities are interested in acquiring the land by engaging with local and/or state government.
- Local government planning authorities should assess redevelopment proposals in accordance with strategic planning for the local area, including identification of future public land requirements.
- Local government planning authorities should identify the public land requirements generated by the proposed urban development made allowable as a result of the golf course land conversion.

Step 2: Identify the strategic direction for the site

Establishing the strategic direction for the site is a key step to developing a concept for the site. Any concept for the site should begin with the question: what does policy say is the best use for this site?

The strategic direction for a proposal should consider, the following:

- The level of access to transport and activity centres.
- The local open space network or wildlife network.
- Whether the proposed conversion is consistent





with relevant policies and strategies including:

- the Planning Policy Framework in the Victoria Planning Provisions or relevant planning scheme
- *Metropolitan Planning Strategy*
- any metropolitan open space strategy or regional open space strategy
- the Yarra Strategic Plan, if adjacent to the Yarra River
- any relevant waterway, catchment, or flooding strategy
- any approved council open space strategy
- any approved council housing strategy.
- Whether proposal has the potential to contribute to broader strategic priorities, such as:
 - *Active Victoria Framework*
 - *Water for Victoria Water Plan*
 - Any regional *Integrated Water Management Plan* or the achievement of water sensitive urban design principles
 - Victorian 30-Year Infrastructure Strategy
 - *Protecting Victoria's Environment – Biodiversity 2037.*

Step 3: Determine what other assessment and approvals are required

All other applicable assessment and approvals for the proposal based on the relevant legislation should be identified. Consider all relevant legislation, including:

- *Aboriginal Heritage Act 2006*
- *Environment Effects Act 1978*
- *Commonwealth Environment Protection and Biodiversity Conservation Act 1999*
- *Heritage Act 2017*

Determine:

- who are the relevant decision makers
- the level of effort and rigour required to document the site values and constraints

- the program for the preparation of documentation and engagement.

Step 4: Document site values, constraints and opportunities

The values, constraints and opportunities at the golf course land must be clearly documented. The values, constraints and opportunities will be identified by the proponent, relying on technical studies and feedback from community engagement.

The following matters should be considered, as relevant, when identifying the values and constraints of a site:

- the environmental values of the site, including biodiversity values, habitat connectivity and the strategic biodiversity significance or role of the site in the local or regional ecosystem, including the relevant bioregion
- the community values of the site, including community facilities providing for active or passive recreational pursuits, the catchment of the community using the site, whether the site is accessible to the public
- the open space values of the site, including whether the site is accessible to the public, or if it has broader landscape values through the provision of tree coverage and green areas
- any environmental hazards including hazards that are mitigated by the way the golf course land is currently managed, such as flooding or bushfire hazard
- the cultural heritage values of the site, including aboriginal heritage values and other cultural heritage values
- any contamination, including any known or likely sources of contamination that may exist due to historical uses or through the management of the golf course land
- the site's integration with existing infrastructure, such as transport networks (public transport, road, pedestrian and bicycle routes), stormwater infrastructure, electricity transmission links
- the site's relationship to nearby residential areas, rural or green wedge areas including its interface with residential development.

The opportunities for the site should consider:

- integration with existing open space networks and recreational facilities

Department of Environment, Land, Water and Planning



- restoration of environmental values, including protection of biodiversity, native vegetation, water ways, water bodies and wetlands
- opportunities to increase resilience to climate change and natural hazards, including a design response that may increase the community's resilience to bushfire and flooding events and sea level rise
- additional community facilities
- educational and health facilities
- a range of dwelling types including affordable housing
- tourism facilities
- introduction of environmentally sustainable measures and design features, such as the generation of renewable energy, water sensitive urban design, wastewater reuse, and waste reduction.

Step 5: Engage the community

Develop a comprehensive community consultation program and commence consultation before preparing detailed designs.

The purpose of this consultation is to:

- assist the community to understand the need for the golf course land conversion
- allow the community to provide input to identification of site values and constraints
- allow the community to contribute to identification of opportunities and ideas for the golf course land conversion
- foster open channels of communication between the proponents and the community.

Step 6: Provide a land use concept that delivers net community benefit

Proposal to convert golf course land must provide a net community benefit and a high level of sustainability.

As well as an overall community benefit the proposal should:

- deliver a net increase in public open space
- deliver improved environmental values

- deliver a net community benefit for the community surrounding any redeveloped course.

The following factors should be considered to determine if, the proposal provides a net community benefit and environmental benefit:

- whether a proposal:
 - contributes to achieving state or local government policy objectives and strategies
 - delivers improved golf facilities and whether these are accessible to the public
 - provides additional public open space, sporting or recreational facilities or makes financial contributions to improve or develop regional or local sporting facilities and open space
 - protects and enhances the wider open space network and ecological connectivity
 - rehabilitates degraded land or mitigates existing environmental risks
 - contributes to local housing priorities such as the provision of affordable or social housing, sheltered housing or crisis accommodation
 - delivers connected walking and biking paths and general improvements to pedestrian and cycling connectivity
 - delivers social or community infrastructure such as libraries, medical or education facilities
- the impacts on local transport and traffic networks
- any proposed commercial uses, and whether any potentially out of centre commercial uses are proposed
- how the proposal will integrate with surrounding land uses, infrastructure and services
- whether the proposal incorporates climate change adaptation measures for communities and the environment.

Other factors may also be relevant considerations depending on the circumstances of the golf course land and the proposal.

Proponents are encouraged to liaise closely with the planning authority in an iterative and negotiated process to arrive at a final position regarding the net community benefit of the proposal.

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Step 7: Deliver a quality outcome

Any proposal to convert golf course land must deliver a high quality outcome.

To ensure net community benefit, the redevelopment of golf course land should achieve the following:

- at least 20 per cent of the land area to be developed is set aside as publicly accessible useable open space that contributes to an integrated open space network. This land may be encumbered by easements, reservations, heritage, vegetation or other conditions and make provision for land to be used for passive or active recreation
- enhance and protect state, regional and locally significant environmental assets and biodiversity corridors
- landscaping that delivers an appropriate amount of tree canopy cover (excluding active sporting areas) to mitigate urban heat effects and is at least equivalent to, or greater than the surrounding area
- active transport links are provided into the surrounding area and must be provided on the golf course land proposed for redevelopment.

The strategic response

The Planning Policy Framework (PPF) outlines objectives for land use and development in Victoria. For the redevelopment of golf course land, the strategic response must ensure it delivers on these objectives as well as addressing, where relevant, matters set out in this section.

The strategic response should address the recommendations of reports which identify the

- environmental
- ecological
- arboricultural
- landscape
- viewshed
- archaeological
- historical and cultural values and features of the site
- transport impacts with transport management proposals

The strategic response should include a site analysis and design response demonstrating a response to

site opportunities and constraints, with particular regard to:

- the physical constraints of the site.
- public open space requirements.
- the interface with adjoining uses and developments.
- identified heritage assets.

as well as any adopted policy or code for residential development and subdivision.

Housing

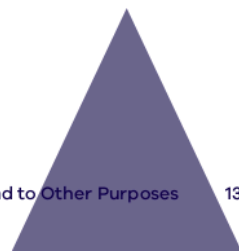
Where a redevelopment proposal seeks to include housing development, the strategic response should encourage the provision of affordable housing, and show or make provision for:

- a range of dwelling types to cater for a variety of housing needs.
- management of amenity impacts to ensure the reasonable amenity of future residents of the site.

Built form

The strategic response should include Urban design guidelines for the land including but not limited to:

- building envelopes, massing, heights and setbacks.
- treatment of car parking areas and orientation of garages.
- building orientation and location, car parking areas, public roads, vehicle access locations, pedestrian and bike paths and areas and locations of private and public open space.
- the preferred design and interface treatments to public open spaces within and adjacent to the land.
- development setbacks from internal streets.
- treatments to achieve reasonable amenity to public urban spaces, streetscapes and pedestrian and bicycle paths including overshadowing and wind tunnelling effects.



Open space

The strategic response should show or make provision for the following matters, as appropriate:

- open space integrated into the site which includes not less than 20 per cent of the developable area of the site as publicly accessible useable open space that contributes to an integrated open space network. This land may be encumbered by easements, reservations, heritage, vegetation or other conditions and make provision for land to be used for passive or active recreation.
- existing trees identified in an Arboricultural report to be retained.
- a landscaping concept plan including a maintenance program.

Circulation and movement

The strategic response should address matters raised in any Transport Management Plan prepared by an appropriately qualified expert addressing the following matters, as appropriate:

- the impact of the development on the arterial and local road network.
- mitigation works required on the road network.
- funding responsibilities.
- connections to adjoining land.
- road hierarchy.
- cross sections.
- proposed transport management devices.
- bicycle network.
- public transport routes.
- pedestrian links.

The strategic response should make provision for the internal road and path network for pedestrians, bicycles and vehicles to create a high level of permeability through the site by considering:

- the primary access and egress from the land for vehicles from Gumnut Highway to the standards of the relevant road authority.
- future pedestrian links into the site to connect nearby open space.
- links to public transport services.

Environmental Management

The strategic response should address the requirements of any Environmental Assessment of the land, including the following matters as appropriate:

- A flora and fauna survey, which identifies existing vegetation or habitat of international, national, state, regional or local significance required to be protected and enhanced in adjacent waterways or the subject site.

Natural hazards

The strategic response should address the requirements of any Natural Hazard Assessment of the land, addressing the following matters as appropriate:

- a bushfire risk assessment that identifies the bushfire risk at the landscape and site scale and identifies appropriate bushfire mitigation measures.
- flood risk assessment that identifies the risk of flooding, predicted impacts of sea level rise and identified appropriate mitigation measures.
- geotechnical hazard assessment.

Social Impact

The strategic response should address the requirements of any Social Impact Assessment Report which considers the following as appropriate:

- An assessment of the adequacy of existing social and community infrastructure to serve the land.
- Any additional social and community infrastructure to be provided as part of the redevelopment.
- Any community infrastructure contribution to be made in connection with the development.

Heritage and Archaeological Survey

The strategic response should address the requirements of any Heritage and Archaeological Survey and show or make provision for the following matters as appropriate:

- cultural heritage including places and objects.
- any buildings to be retained under any conservation controls.

Subdivision

The strategic response should show the following:

- indicative lot layout, roads and pedestrian connections and public open space.
- any proposed staging of development including staging of infrastructure and open space delivery.

Planning mechanisms

An appropriate planning control should be used to guide the development of the land to ensure a quality outcome is delivered in line with the objectives outlined in these guidelines.

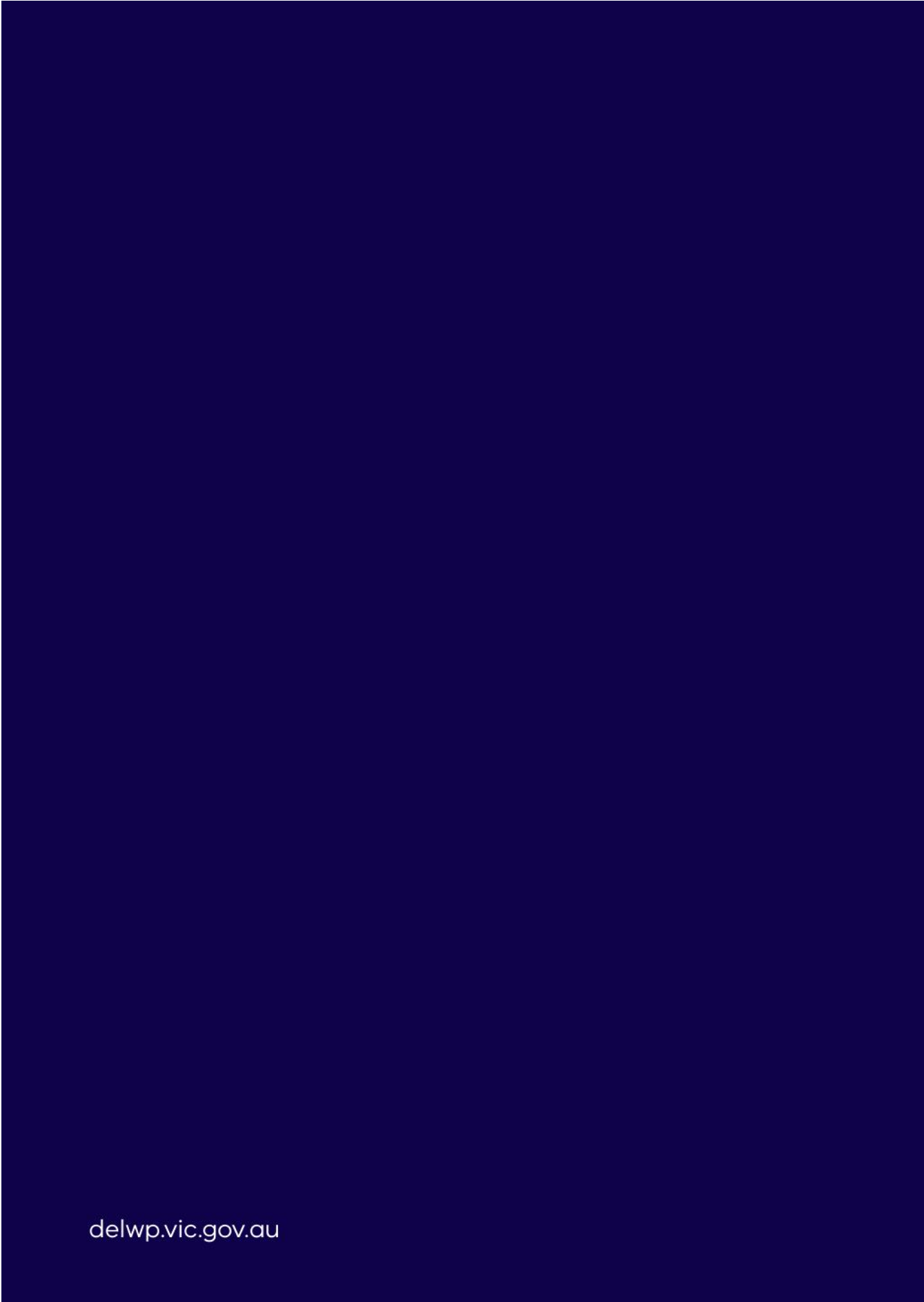
Circumstances relating to each golf course site vary. There are several planning tools that can be used to ensure the development of the land achieves net community benefit and the requirements of the guidelines.

There is existing guidance about the use of planning tools that should be considered when applying a planning controls to the land, including for requirements relating to open space and infrastructure contributions.

Potential planning controls available to a planning authority include:

- a Development Plan Overlay (DPO),
- an Incorporated Plan Overlay (IPO),
- a Precinct Structure Plan (PSP),
- a Section 96A combined planning scheme amendment and permit application process.





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9. Community Sustainability Reports

Agenda Item No: 9.1

2020 YOUTH AWARDS NOMINATIONS

Contact Officer: Zorica Djuric, Team Leader Youth & Family Services

Purpose of Report

To provide Council with the details of nominations received for the 2020 Youth Awards and enable Council to select a winner for the Young Citizen of the Year. The award winner will be announced, and nominees recognised, on 16 December 2020.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That:

1. Council determine this matter in the part of the meeting closed to members of the public due to the discussion involving personal information of the applicants.
2. The Mayor advise the successful applicant prior to the award night.

1. Executive Summary

This report provides an outline of all the short-listed nominees for the 2020 Youth Awards. The award ceremony will take place online on 16 December 2020.

2. Background

A public call for nominations was made during June and July 2020. A total of five nominations were received for the *Young Citizen of the Year* category. No nominations were received for the *Young Community Group of the Year*.

To be eligible for an award, nominated individuals must live, work or study in the City of Kingston. Nominees should have made a noteworthy contribution during the current year and / or given outstanding service to the local community over several years. Nominees must be 25 years of age or younger on 30 June 2020.

Individuals cannot self-nominate. Community Groups must be not for profit organisations operating within the City of Kingston. Previous award winners are ineligible to win an award in the same category.

In choosing the recipients of the City of Kingston Youth Awards, nominees are assessed with regard given to:

- Demonstrated impact, contribution and commitment to community;
- Demonstrated dedication to their passion, idea, and / or cause;
- Personal attributes of the nominee/s, such as being an inspirational and positive role model for their peers, leadership, innovation and / or creativity;

- Community groups must demonstrate that they meet an identified community need or priority.

Please refer to Appendix 1 and 2 for a summary of the 2020 Youth Awards Nominations.

3. Discussion

3.1 Council Plan Alignment

Goal 3 - Our connected, inclusive, healthy and learning community
Direction 3.1 - Respond to our community's social needs

The Youth Awards supports Councils current action plan of delivering youth activities, events and programs to support the wellbeing, development and recognition of young people in the municipality. The Youth Awards provides an opportunity to celebrate the outstanding achievements of young people within our community.

3.2 Consultation/Internal Review

The Youth Awards was widely promoted through a diverse range of mediums which included:

- Online platforms including Kingston Youth Services website, social media channels and Council's Facebook page;
- Paid advertising on social media platforms to gain greater audience reach;
- Providing information to over 200 subscribers to the Kingston Youth Services newsletter. Subscribers come from a diverse reach including parents, school, scouting clubs, sporting clubs and youth organisations; and
- Promoting through existing youth networks.

Due to COVID-19 restrictions all promotional methods were completed online.

3.3 Operation and Strategic Issues

As indicated in Section (2) earlier, no nominations were received for the *Young Community Group of the Year* category. The trend of low submissions continues, as per the table below.

Year	Nominations
2019	1
2018	0
2017	1
2016	1

3.4 Options

3.4.1 Selection of a winner for the category Young Citizen of the Year

It is proposed that Council select a winner for the Young Citizen of the Year to be awarded online on the 16 December 2020. All nominees will be recognised at this online event.

4. Conclusion

4.1 Environmental Implications

There are no known environmental implications arising from the Awards. Applications were received online therefore minimising the use of paper.

4.2 Social Implications

This report outlines the five individual nominations for the 2020 Youth Awards. Council is required to consider all nominations in accordance with the selection criteria; and is only required to present an Award if it deems the nomination worthy.



4.3 Resource Implications

The Youth Awards are currently being delivered within existing resources.

4.4 Legal / Risk Implications

There are no legal / risk implications applicable to this report.

Appendices

Appendix 1 - Nominees - 2020 Youth Awards (Ref 20/271209)  

Appendix 2 - Nomination Summary - 2020 Youth Awards (Ref 20/270809) - Confidential

Appendix 3 - 2020 Kingston Youth Awards Nomination Presentation (Ref 20/247000) - Confidential

Author/s: Zorica Djuric, Team Leader Youth & Family Services
Reviewed and Approved By: Mark Patterson, Manager Family Youth and Children's Services
Mauro Bolin, General Manager Community Sustainability

9.1

2020 YOUTH AWARDS NOMINATIONS

1	Nominees - 2020 Youth Awards	241
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**City of Kingston Youth Awards 2020
NOMINATION SUMMARY**

5 individual nominations received

YOUNG CITIZEN OF THE YEAR	
NOMINEE	NOMINATOR
Imogen Kane	Sally Kane
Mitchell Sundstrom	Paula McCarthy
Phillip Spathopoulos	Sonya Spathopoulos
Sarah Carino	Tara Graves
Tara Graves	Sarah Carino

0 community group nominations received

YOUNG COMMUNITY GROUP OF THE YEAR	
NOMINEE	NOMINATOR

11. Corporate Services Reports

30 November 2020

Agenda Item No: 11.1

2021 EVENTS: AUSTRALIA DAY AND MORDIALLOC FESTIVAL

Contact Officer: Freya Carlson, Program Leader - Digital, Design & Events

Purpose of Report

To seek approval to change the format for Australia Day Celebration and Mordi Fest in 2021.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That Council:

1. Note that new State Government issued event guidelines were released on 24 November 2020 which the Events Team are currently working through to determine what events may take place in early 2021.
2. Proceed with a celebration on Australian Day in accordance with the COVID safe event restrictions in place at the time
3. Retire Mordi Fest for 2021.
4. Proceed, if possible, with a community celebration, before 30 June 2021, in accordance with the COVID safe event restrictions in place at the time.
5. Approve for future decisions to celebrate Australia Day and Mordi Fest be delegated to General Manager, Corporate Services to implement within the confines of COVID safe event restrictions in place at the time.
6. Note Councillors will be kept informed of any decisions about the format of these events ahead of their delivery in 2021.

1. Executive Summary

Due to the ongoing COVID-19 pandemic and uncertainty about the ability of large events in Victoria, coupled with Council's responsibility to ensure the safety of all event participants, Council needs to consider an alternative approach to planned events in early 2021 i.e. Australia Day Celebration and Mordialloc Festival (Mordi Fest).

Currently scheduled for Tuesday 26 January 2020, our Australia Day Celebration usually attracts 500 guests at an indoor Citizenship Ceremony and Awards presentation at Kingston City Hall. Mordi Fest is currently scheduled for Saturday 6+7 March and would normally attract 40,000 people across the weekend at Peter Scullin Reserve in Mordialloc.

While we are seeing an easing in restrictions across metropolitan Melbourne, realistically there is little hope of event restrictions and gathering limits increasing to a level for us to deliver these events in the same way as previous years.

New state government issued guidelines were released on 24 November – the Events Team are currently working through these new guidelines to help determine what events may take place in early 2021.

This paper outlines proposed event formats for Australia Day, sets out possible options for a revised community event in Mordialloc and recommends we retire the event name Mordi Fest for 2021 to assist the community in understanding it will be an event of a different scale and nature to the traditional Mordi Fest.

2. Background

On the back of the previous Council decision to cancel Carols by Kingston in 2020 and considering the current uncertainty of the return to normal environment in the state of Victoria, there are still considerable risks and issues with proceeding to plan for our normal format of community events. Key areas of concern are:

- Limitations on gatherings
- Unknown possible future government restrictions
- Health and safety of community, performers, suppliers and staff
- Challenges of policing / security / tracking / tracing
- Advice from Victoria Police

While the situation is ever-evolving, so too are the associated government restrictions and health and safety measures relating to activities and movement of community members. It is our recommendation a conservative approach needs to be taken in predicting the likely environment for 2021.

3. Discussion

3.1 Council Plan Alignment

Goal 3 - Our connected, inclusive, healthy and learning community
Direction 3.4 - Promote an active, healthy and involved community life

The Objective under this Direction of the Council Plan is 'Provide festivals and events that encourage community connections and local participation'. The Australia Day Celebration and Mordi Fest provide opportunities for our community to celebrate together.

3.2 Consultation/Internal Review

Through benchmarking with other Councils and industry connections, detailed in the below table, we have ascertained that event organisers are either significantly changing the format of their 2021 event, postponing, or deciding to cancel all together. Caution is being exercised when planning events into early 2021.

The significant amount of postponements or lack of decision further highlights the uncertainty all events teams are facing across Melbourne. It should also be noted, hosting one of only a few events in the region may attract significantly larger audience numbers than expected in normal circumstances.

Council	Event name and brief details	Decision
Port Phillip	St Kilda Fest <ul style="list-style-type: none"> • February 2021 • Approx. 400,000 people 	<ul style="list-style-type: none"> • Cancelled

Council	Event name and brief details	Decision
Glen Eira	Party in the Park <ul style="list-style-type: none"> March 2021 10,000 attendees Groove n Graze events <ul style="list-style-type: none"> March 2021 10,000 attendees 	<ul style="list-style-type: none"> Postponed
Bayside	Australia Day Ceremony <ul style="list-style-type: none"> Celebrations are limited to a Citizenship ceremony 	<ul style="list-style-type: none"> TBC
Dandenong	Australia Day Festival <ul style="list-style-type: none"> January 2021 12,000 attendees Themed festival style event focused on recognising diversity Citizenship ceremony is held as a separate event	TBC but are considering options including: <ul style="list-style-type: none"> Ticketing Splitting the audience across multiple locations
Frankston	Waterfront Festival <ul style="list-style-type: none"> February 2021 Approx. 40,000 attendees 	<ul style="list-style-type: none"> TBC
Melbourne	NYE Fireworks <ul style="list-style-type: none"> December 2020 Approx. 400,000 attendees 	<ul style="list-style-type: none"> Cancelled and instead putting on a 2-day dining experience within the CBD
Bayside	Bright n Sandy <ul style="list-style-type: none"> March 2021 Approx. 25,000 attendees 	<ul style="list-style-type: none"> Cancelled
Lorne	Falls Festival	<ul style="list-style-type: none"> Cancelled
Tamworth	Country Music Festival	<ul style="list-style-type: none"> Cancelled

3.3 Operation and Strategic Issues

3.3.1 Uncertainty of the COVID-19 environment and future government restrictions

While the Victorian Government's Roadmap to Recovery details graduated steps for social gatherings to resume and entertainment venues to reopen, the current directions at the time of preparing this report do not allow events nor do they give any indication on when events are likely to resume. While some 'events' may be permitted under the advice provided for specific activities such as weddings, religious gatherings and community sport, organised community events are not covered in the same guidelines.

3.3.2 Challenges of policing an in-person event

Even if we are able mitigate risk factors associated with hosting an event during the pandemic, the focus would then shift to the policing of such measures, including the number and type of appropriate personnel required to enforce the measures.

Usually, participant safety and security at our events is managed by guards and Victoria Police working together. However, in preliminary correspondence with local Police regarding Mordi Fest, they have advised they are neither supportive nor confident an event of that size will proceed. Without the involvement of local Police, participant safety and security cannot be managed effectively.

3.3.3 Lead time required for successful planning, infrastructure and communication

All large-scale events require lead time to plan, as such a decision is required now to allow adequate time to successfully plan and deliver any revised celebrations.

3.4 Options

3.4.1 Australia Day

Alternative format: the Events Team will implement a revised event format that is in line with the restrictions as they are announced by the State Government.

It is important to note that a grant of \$20,000 has been received from The National Australia Day Council, to assist Kingston with additional event expenditure associated with cleaning, hygiene, crowd control etc.

Alternative formats could include indoor as per other years but with limited numbers and delivered in accordance with the COVID safe restrictions in place at the time - or outdoor event/s.

Outdoor Celebration

8am – 11am, Sir William Fry Reserve, Highett

Similar to the traditional Celebration but held in an outdoor setting and including:

- Small stage with band + MC
- Citizenship Ceremony
- Australia Day Awards announcement
- Ticketed (to manage crowd numbers)
 - Formal invitation: Councillors, VIPs, Citizenship Candidates, Australia Day Award Nominees, Family + Friends
 - Informal invitation: General community (limited promotion)
- Bring a blanket, picnic etc
- Light, packaged catering

Separate ceremonies for Australia Day Awards and Citizenship

Facilitating two events (Citizenship and Awards presentations) in either an indoor or outdoor setting to maximise participation opportunities for community members connected to one element or the other but not both.

Australia Day Fireworks

Multiple simultaneous Australia Day Fireworks displays strategically positioned throughout the municipality, so that the community can enjoy the display from their homes.

Benefits of an alternative format

- Ensuring the National Day is recognised
- Capacity to recognise our newest Citizens who received their Citizenship in 2020 virtually
- Alternatives provide options that can be delivered under varying stages of restrictions
- Opportunity to celebrate in a physically-distant environment
- Provides alternatives for participation
- Can accommodate more people than indoor event or combined event
- A more casual event may encourage family participation
- Outdoor events perceived to be a safer option

Limitations

- Weather unpredictable and can significantly impact outdoor events
- May be perceived by the community as a reduction in celebration and participation opportunities

3.4.2 Mordialloc Festival

Proposal: Retire Mordi Fest for 2021

Historically, Mordi Fest event draws large crowds from Kingston and beyond and is a well-known and much-loved summer event. However, due to the reasons and restrictions outlined above, an event of this nature and scale will not be able to proceed in early 2021.

As an alternative, and to provide our community with an opportunity to celebrate, a smaller-scale, free event could be held in Mordialloc no later than 30 June 2021, which could look like:

- a series of food trucks and small acoustic performances along the foreshore carparks between Mentone and Mordialloc
- a small single-stage event with local performers and food trucks, held at George Woods Reserve, Governor Road Mordialloc
- Street performances, small stages and local performances in the slip lanes on Mordialloc's Main Street

Benefits of an alternative format

- All can be delivered under varying stages of restrictions
- Reduce risk of large crowds gathering
- Celebration in a socially distant environment
- Recognition of a different environment requiring a different solution
- Socially responsible
- Encourages community connections
- Possible budget savings

Limitations

- May be seen by the community as a way to save money only
- Restrictions may be completely eased by March, community could question the decision to change the format

4. Conclusion

Due to the timings required in planning events and decision on how to proceed is required.

It is recommended that Australia Day proceed within restrictions with the final plans for this day to be approved by the General Manager Corporate Services.

It is also recommended that Mordi Festival is cancelled for 2021 and instead a smaller scale event is run before 30 June 2021 within the restrictions in place at the time; it is also recommended the final plans for a smaller scale celebration be delegated to the General Manger Corporate Services.

4.1 Social Implications

Providing opportunities to celebrate and connect is fundamental to the post-COVID recovery for our community. We cannot shy away from providing events, but thought must go into a revised format to protect everyone's health and safety.

4.2 Resource Implications

All options can be delivered within the current operating budget.

Author/s: Freya Carlson, Program Leader - Digital, Design & Events
Reviewed and Approved By: Megan O'Halloran, Manager Communications and Community Relations
Paul Franklin, General Manager Corporate Services

Council Meeting

30 November 2020

Agenda Item No: 11.2

INVESTMENT PORTFOLIO REPORT - SEPTEMBER 2020

Contact Officer: David Hegarty, Management Accountant

Purpose of Report

In accordance with Council's adopted Investment Policy, the purpose of this report is to advise Council where Kingston's working capital is currently invested. Kingston's funds that are not immediately required for operating purposes are invested in accordance with the relevant legislative requirements and policy requirements, with consideration of risk and at the most favourable rate of interest available to it at the time, for that investment type, while ensuring that our liquidity requirements are being met.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That Council note that its funds as at 30 September 2020 are invested in line with the risk management profile prescribed in Council's Investment Policy.

Appendices

Appendix 1 - Investment Portfolio Report - September 2020 (Ref 20/260934) 

Author/s: David Hegarty, Management Accountant
Reviewed and Approved By: Ange Marshall, Manager Finance and Corporate Performance
Paul Franklin, General Manager Corporate Services

11.2

INVESTMENT PORTFOLIO REPORT - SEPTEMBER 2020

1	Investment Portfolio Report - September 2020.....	255
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Investment Portfolio Report

September 2020

13/11/2020

community inspired leadership



Purpose

In accordance with Council's adopted Investment Policy, the purpose of this report is to advise Council where Kingston's working capital is currently invested. Kingston's funds that are not immediately required for operating purposes are invested in accordance with the relevant legislative and policy requirements, with consideration of risk and at the most favourable rate of interest available to it at the time, for that investment type, while ensuring that our liquidity requirements are being met.

Portfolio Performance

As at 30 September 2020 Council had a total of \$119.1 million held in Cash and Investments (See Table 6). These funds were held in the following categories:

Type of Investment	Sep'20 ('000)	Sep'19 ('000)
Cash At Bank	\$21,456	\$7,333
Cash At Call	\$18,500	\$6,000
Funds Invested (Fixed Term)	\$79,100	\$123,100
Total	\$119,056	\$136,433

The average interest rate as at 30 September 2020 is 1.11% (September 2019: 2.23%) which is 102 points ahead of the average 90 Day Bank Bill Rate of 0.09% (September 2019: 0.98%) and 82 points ahead of the investment policy target of the average 90 Day Bank Bill Rate plus 20 points of 0.29% (July 2019: 1.18%). The 90 Day Bank Bill Rate has declined 89 points (91%) from 0.98% in September 2019 to 0.09% in September 2020. The average interest rate has declined 112 points (50%) from 2.23% to 1.11% over the same period (see Table 1 and Table 5).

In the coming month (October 2020) Council has \$12.1 million of investments maturing that were invested with returns ranging from 1.30% to 1.56%. The total Cash & Investments figure this month is \$17.4 million less than at the same time last year.

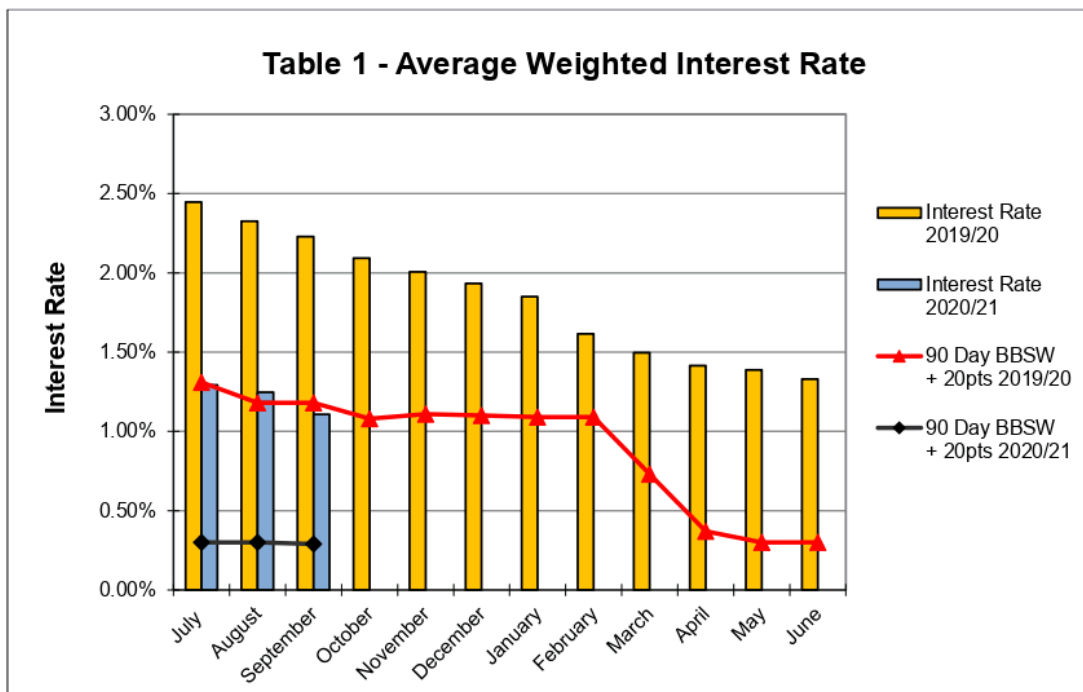
Council has invested in both CBA and Westpac Bank's Green Tailored Deposits. These have the same credit risk as an ordinary Term Deposit. Green Tailored Deposits have been certified to meet the Climate Bonds Standard which is an internationally recognised scheme utilised to prioritise investments which genuinely contribute to addressing climate change. All Green Tailored Deposits are associated with a defined pool of eligible assets and / or projects which meet the Climate Bonds Standard criteria. These assets and projects can include renewable energy, low carbon transport, low carbon buildings and water infrastructure. The balance of Green Tailored Deposits at 30 September 2020 is \$33.0 million (42% of total funds invested).

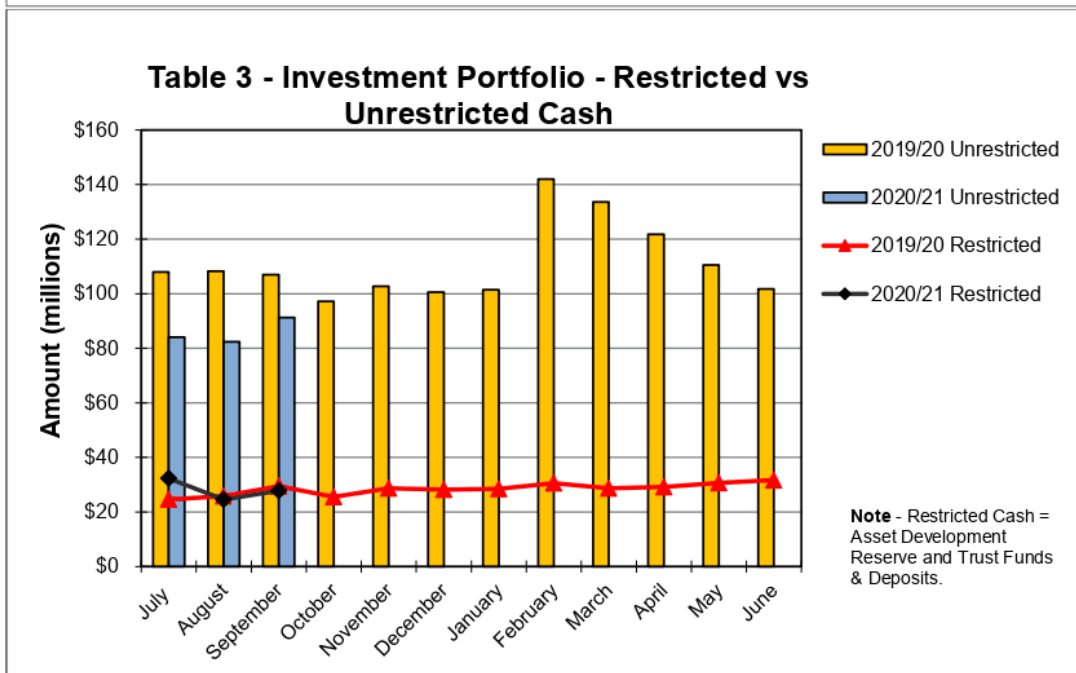
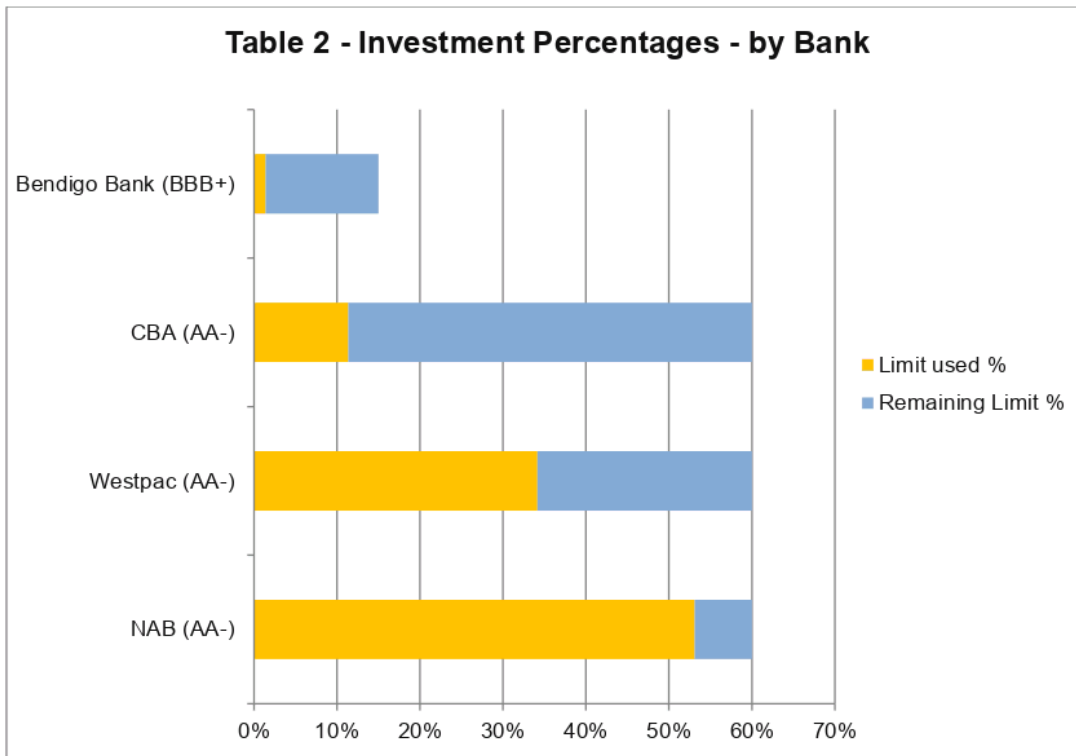
Interest Income received on investments as at 30 September 2020 totals \$294k (September 2019: \$0.8 million) and is \$357k unfavourable to budget (September 2019: \$125k favourable to budget).

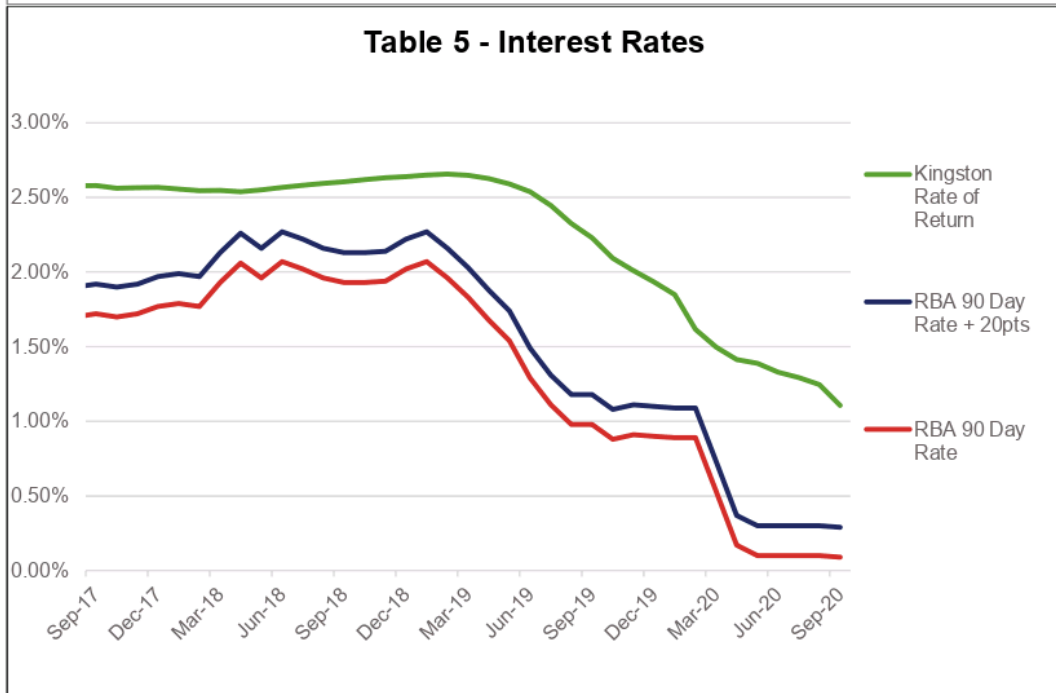
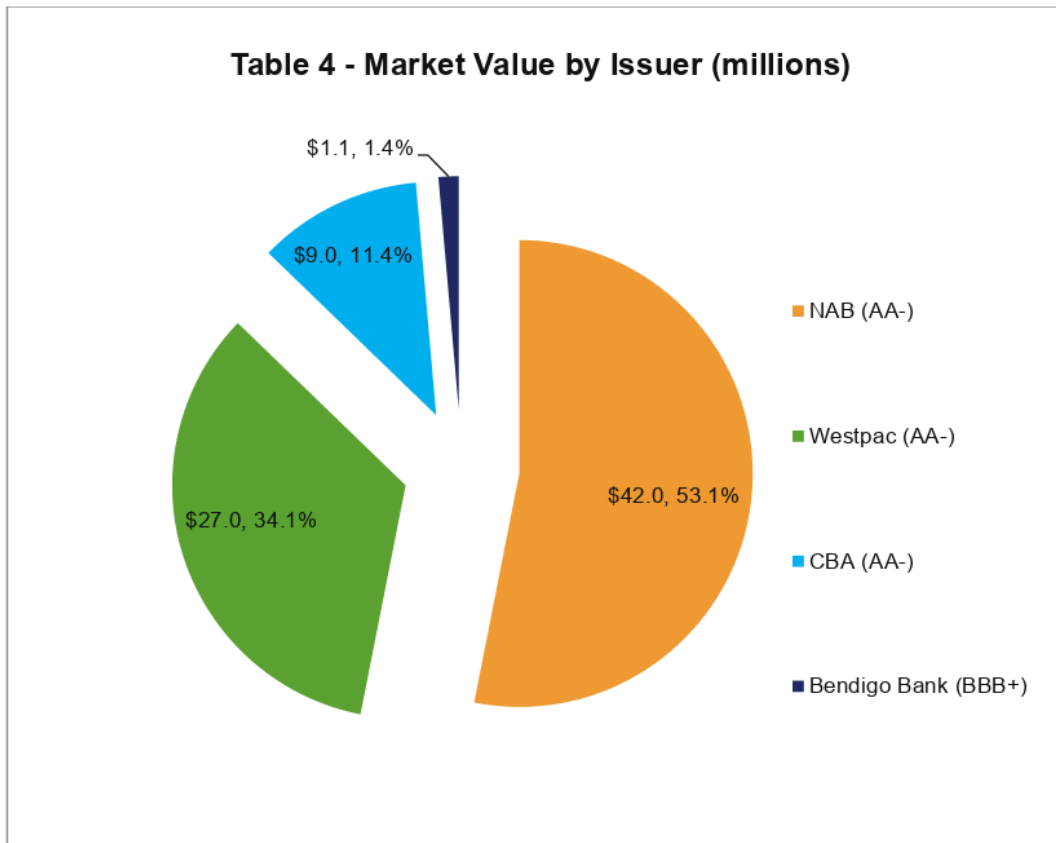
Summary and Conclusion

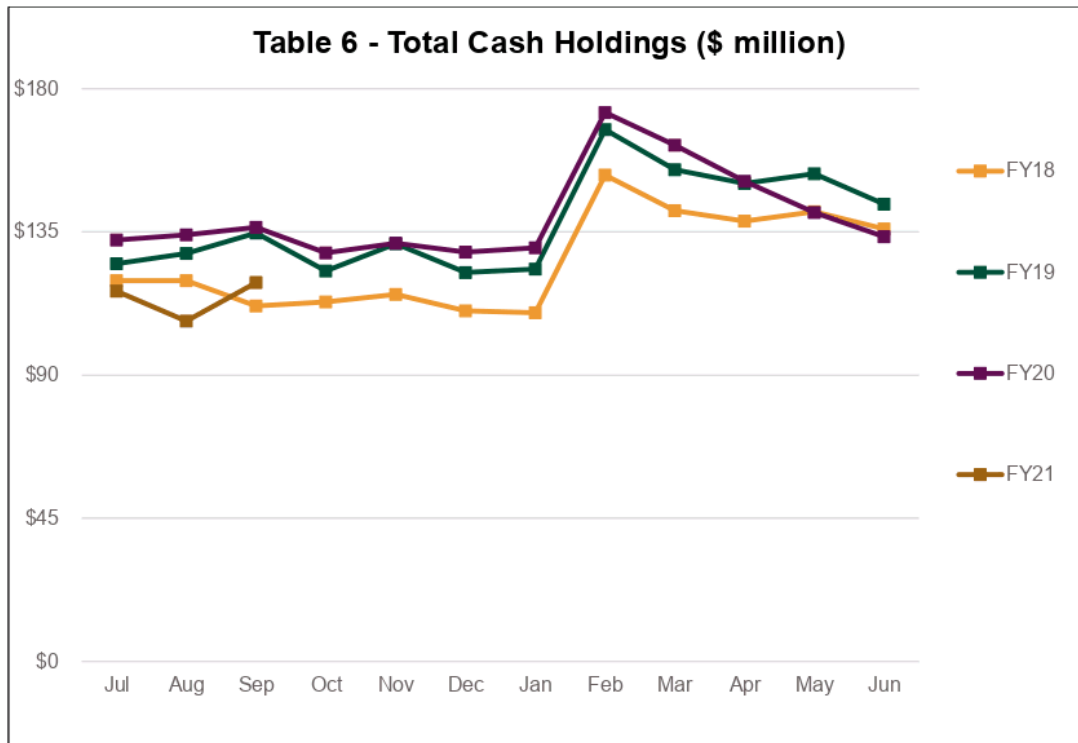
Council has made investments for fixed term periods from 5 months to 12 months. The interest rates achieved as at 30 September 2020 are in the range of 0.53% (CBA – invested on 29/09/2020) to 1.56% p.a (Westpac – invested on 30/09/2019). Council has invested with 4 financial institutions and meets all risk management guidelines of its Investment Policy. NAB represents 53.1% of our overall investment (\$42.0 million), followed by Westpac at 34.1% valued at \$27.0 million and CBA at 11.4% valued at \$9.0 million. Investment decisions are made based on a combination of the highest return, the risk rating and the projected future cash flow (See Table 2 and Table 4).

Only \$1.1 million (1.4%) of Investments are held with BBB+ rated Financial Institutions (ie Bendigo Bank). The remaining \$78.0 million (98.6%) is held with Financial Institutions rated AA-.









Council Meeting

30 November 2020

Agenda Item No: 11.3

AUDIT AND RISK COMMITTEE MINUTES - 9 AND 16 SEPTEMBER 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 meetings held on 9 and 16 September 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 meetings held on 9 and 16 September 2020 be noted.

Appendices

Appendix 1 - Minutes of the Audit & Risk Committee - 9 September 2020 (Ref 20/223346)  

Appendix 2 - Minutes of the Audit & Risk Committee - 16 September 2020 (Ref 20/222976)  

Author/s: Hayley Gniel, Team Leader Financial Accounting

Reviewed and Approved By: Paul Franklin, General Manager Corporate Services

11.3

AUDIT AND RISK COMMITTEE MINUTES - 9 AND 16 SEPTEMBER 2020

- 1 Minutes of the Audit & Risk Committee - 9 September 2020... 265
- 2 Minutes of the Audit & Risk Committee - 16 September 2020. 269

Minutes

Audit Committee

9 September 2020 at 10.00 am



1. Apologies

Nil

Mr Paul Franklin advised that Ms Julie Reid and Mayor Georgina Oxley will be joining the meeting at 10.30am.

The Committee welcomed their new member Mr Geoff Harry.

2. Declaration by members & officers of any interest or conflict of interest in items on the agenda

Nil

3. Declaration by CEO of any breach of legislation/regulation that needs to be brought to the attention of the Audit Committee

Deferred until 'other business' when the CEO is in attendance.

4. Declaration of any work undertaken at Council by Pitcher Partners outside of the Internal Audit Plan

N/A. Pitcher Partners not in attendance at this meeting

5. Review and confirmation of previous minutes

RECOMMENDATION

That the Minutes of the Audit Committee held on 17 June 2020 be confirmed.

Confirmed: Mr Bruce Potgieter

6. Closing Report for the Financial Year ended 30 June 2020

Mr Gordon Robertson from Crowe informed the Committee that the financial statements and performance statement have been submitted to VAGO. VAGO have come back with some minor adjustments and questions to which management have responded. Currently awaiting final clearance by VAGO.

Management's responses to VAGO were circulated to the Committee via email.

Ms Claire Filson noted there were some errors in the draft closing report.

Mr Robertson agreed these would be adjusted and a final version will be issued after VAGO clearance.

Mr Robertson thanked Ange and her team for their cooperation and assistance during the audit in what were very unusual and challenging circumstances.

7. Draft Management Representation Letter 2019/20

Noted by the committee. Mr Deryck Tindall noted this is a standard letter. This year there is a new section on the leases accounting standard AASB 16.

8. 2019/20 Draft Financial Statements - Audit Committee Certification

The Committee had some discussion around how the 'representation' to Audit Committee should read.

The Committee noted that the draft report to Council in the attachment was helpful to assist their understanding of the variances in the statements.

Following a thorough review and discussion, and subject to the completion of audit and amendments recommended by the Committee, the Audit Committee unanimously recommended to Council:

1. *That the draft 2019/20 Annual Financial Report and Performance Statement be adopted as Council's 'in principle' statements for 2019/20; and*
2. *That the 2019/20 Governance and Management Checklist be adopted for certification.*

9. Annual Financial Report for Year Ended 30 June 2020

The Committee reviewed the report with some minor adjustments recommended.

The Committee agreed that the cash flow should be adjusted to include the actual payments for property, infrastructure, plant and equipment. Management will review, adjust and re-issue updated statements to Crowe and VAGO.

10. Performance Statement for Year Ended 30 June 2020

The Committee reviewed and discussed the Performance Statement. No changes or adjustments were suggested.

11. Draft Final 2019/20 Management Letter

The Committee had some discussion around the issues raised in the management letter, particularly around the format of the capital works statement and the usefulness to readers.

12. Governance and Management Checklist 2019/20

Ms Lauren Ross provided an overview of how the Governance and Management Checklist is compiled.

Report noted.

13. Results of 2019/20 Data Mining Audit (CAATs)

The Committee noted the report and agreed the data analysis exercise is worthwhile and should continue.

There was some discussion around the timing of the audit and bringing the reporting and testing forward so that external audit are able to receive the results before audit commences.

Mr Geoff Harry requested a presentation on the Long Term Financial Plan be presented in early 2021.

14. Opportunity for external audit to meet with the Committee in private

Mr Robertson and Mr Tindall met with the Committee in private.

Management were then called back into the meeting.

15. Other Business

Ms Julie Reid informed the Committee about a procurement breach recently identified involving a consultant being paid over an extended time over the \$150k threshold.

Ms Reid noted that discussions with staff have taken place and training for staff has stepped up.

The Committee were satisfied with the explanation and action taken.

Ms Reid also provided an overview of her current areas of focus which include:
- Staffing and staff wellbeing, particularly because of COVID19 and the impact of restrictions currently in place.

- Council election preparation.

The meeting closed at 12.32pm

Confirmed: Chairman of Audit Committee

Minutes

Audit Committee

16 September 2020 at 8.30 am
Held via video-conference



In Attendance:

Ms Claire Filson (Chair)
Mr Bruce Potgieter (Member)
Mr Geoff Harry (Member)
Cr Geoff Gledhill (Member)

Cr Steve Staikos- until 10.58am
Ms Julie Reid
Mr Paul Franklin
Ms Ange Marshall
Ms Hayley Gniel
Mr Graham Noriskin (Pitcher Partners) – until 10.28am
Ms Natalie James (Pitcher Partners) – until 11.18am
Mr Ben Dunn (Pitcher Partners) – until 11.23am

In Attendance as guests:

Mr Pat O’Gorman and Phil De Losa (Items 18 and 20)
Mr Jonathan Guttman (Item 7)
Ms Tania Asper and Mr Dusan Ivanic (Item 8)
Mr Skip Fulton and Mr Daniel Te Hennepe (Items 9,10 and 11)
Ms Sam Krull, Mr Charles Turner and Mr Tim Scott (Item 12)
Mr Tony Ljaskevic (Item 17)

1. Apologies

Mayor Georgina Oxley is an apology for this meeting.
Cr Steve Staikos is attending in place of the Mayor. The Committee noted that the Mayor doesn’t have the power to delegate this role to fellow Councillors, however, Cr Staikos was encouraged to stay and attended until 10.58am.

Cr Geoff Gledhill joined the meeting at 10.08 am.

2. Declaration by members & officers of any interest or conflict of interest in items on the agenda

Nil

The Committee noted that Mr Geoff Harry had no conflicts of interest to declare for the meeting but would like the Committee to be aware of his current roles on other committees. It was agreed that all of the Committee members’ appointments and disclosures would be resubmitted at the December meeting.

3. Declaration by CEO of any breach of legislation/regulation that needs to be brought to the attention of the Audit Committee

Nil

4. Declaration of any work undertaken at Council by Pitcher Partners outside of the Internal Audit Plan

Nil

5. Review and confirmation of previous minutes

RECOMMENDATION

That the Minutes of the Audit Committee meeting held on 9 September 2020 be confirmed.

Moved: Mr Geoff Harry

Seconded: Mr Bruce Potgieter

The Committee **resolved** to confirm the Minutes of the Audit Committee meeting held on 9 September 2020.

The Committee suggested in future that a summary of items arising from previous minutes be added as a standing agenda item (refer item 6).

6. Items arising from previous minutes

NIL.

Refer to item 19 for an update on the Annual Accounts progress.

**18 & 20. Implementation of the Local Government Act 2020
2020/21 Audit Committee Work Plan**

Pat O’Gorman and Phil De Losa presented a status report on Council’s steps to implement the requirements of the Local Government Act 2020, while Paul Franklin presented the Draft 2020/21 Audit Committee workplan for consideration.

The Committee noted the report relating to the implementation of the Local Government Act 2020 and accepted the workplan as a starting point to guide and monitor the Committee’s work over the coming 12 months. The Committee further noted that the workplan may well be adjusted over the course of the year.

The Committee then discussed how the Audit and Risk Committee would discharge its responsibilities under the new Local Government Act and revised Charter. The Committee identified the following matters to be put in place to be confident it was functioning in accordance with the Charter:

- Future Internal Audit Scopes and reports to include commentary on compliance with the overarching Governance Principles;
- Specific commentary in the bi-annual report from the Chair to Council;
- Audit and Risk Committee to meet with Councillors bi-annually in private;

- Compliance with Charter to be a standing item on the Committee agenda;
- Review the Strategic Audit Plan on advice from management;
- Further consider advice from Management whether the overarching governance principles can be reviewed on a rolling basis over a period of time.

7. Update on Planning and Development

Mr Jonathan Guttman provided an update on his division, including:

City Development:

- Building cladding issues
- Swimming pool registrations
- Shift towards statutory building functions to revert back to Council.
- Higher level of Government involvement in large-scale projects.

Compliance & Amenity:

- Parking enforcement moved in-house,
- Increase in animal registrations during COVID
- Parking infringement pay back scheme.

City Economy & Innovation:

- Particular focus on businesses during COVID
- Addressing vacancies in shopping centres.

Strategic planning:

- Urban heat analysis
- Population forecasts

Mr Guttman also provided the Committee with mapping images showing the development around Cheltenham and Mentone stations, plus the Mordialloc Freeway.

The Committee thanked Mr Guttman for his attendance and informative presentation.

8. FINAL Internal Audit Report – Environmental Health

Mr Dunn of Pitcher Partners provided an overview of the audit and the five recommendations in the report.

He noted the main issues related to lack of systems and manual processes and it was therefore pleasing to see the department implementing the Health Manager system which would help to address the majority of the recommendations.

The Committee requested a report on the status of the recommendations and the impact the Health Manager program implementation on the findings of the Audit Report in September 2021.

9. Strategic Risk Plan Update

Mr Skip Fulton and Daniel Te Hennepe joined the meeting to provide an update on the Strategic Risk Plan.

Mr Fulton noted that progress on the update of the risk register had slowed due to resources needed for managing COVID-19 Business Continuity. He also noted that feedback from Pitcher Partners from the recent BCP and Safety Incident Handling audit would drive any changes or updates to risks.

The Committee recommended Management refine the list of strategic risks when next reviewed by Senior management.

The Report was noted.

10. DRAFT Internal Audit Report – Business Continuity Planning

Mr Noriskin of Pitcher Partners provided an overview of the audit noting that most recommendations focused on updates to documentation and procedures. The Report was noted by the Committee.

11. FINAL - Internal Audit Report - Safety Incident Handling

The Committee queries the timeframe for recommendations, particularly those with a completion date of July 2021. Mr Fulton advised that the demands of managing the COVID-19 Business Continuity had stretched resources and therefore some of the original timeframes would not be met.

The Committee also noted that the OHS Incident reporting that the policy's last review date was August 2011 and whether this was indicative of other policy review dates. Mr Fulton advised that within his department, a thorough policy review was in progress. The Report was noted.

12. FINAL Internal Audit Report - Waste Management

Ms Sam Krull, Mr Charles Turner and Mr Tim Scott joined the meeting.

Ms James of Pitcher Partners provided an overview of the recommendations.

The Committee noted that the high risk actions had already been addressed or were in the process of being addressed.

The Committee questioned the frequency of meetings with Council's waste contractor JJ Richards. Management confirmed there were monthly meetings.

13. DRAFT - Internal Audit Scope - Fraud and Corruption Framework Assessment

The Committee discussed the importance of fraud awareness and detection.

Pitcher Partners confirmed the audit would include a review of staff training and awareness.

The Scope was adopted.

14. DRAFT - Internal Audit Scope - Core Financial Controls

The Committee queried whether Payroll was included in the financial controls audit.

Ms Marshall noted that payroll was a separate audit conducted on the same rolling and regular basis. Ms Marshall undertook to send Pitcher Partners some minor updates to the scopes before they are finalised.

The Scope was adopted.

15. Internal Audit Status Report

Report noted.

16. Status Update on Prior Audit Recommendations

The Committee noted the progress that had been made and asked Management to focus on completing any actions over 12 months old.

The Committee questioned one high action on Cyber Security still at 30% complete. Mr Tony Ljaskevic noted that a consultant had been engaged to address this action and was well underway to being completed.

Page 63/90: Parking action to be completed in the system. Ms Hayley Gniel to complete.

The Committee questioned the number of Asset Management actions still outstanding. Management noted that changes in staff have slowed the progress of some actions and others were linked to the new asset management plans to be developed as part of the new Local Government Act.

17. Information Strategy Update

Mr Ljaskevic provided the Committee with a presentation on the Information Strategy Update, focussing on four key areas:

- Development of new ICT strategy: contract awarded to Terra-Firma
- Migration of IT infrastructure to the Cloud – contract awarded in January, design is finalised
- Overview of Managed security services
- People counting innovations using mobile phone data.

The Committee thanked Mr Ljaskevic for his update and requested regular updates to continue.

19. Annual Accounts Update

Ms Marshall informed the Committee that the suggested changes from the 9th September 2020 Audit Committee meeting had been made and amended statements were sent back to Crowe. Management was currently waiting to hear back from VAGO.

Post meeting Note: Annual Statements were cleared by VAGO on 17 September 2020

The meeting closed at 11.34am.

Confirmed: Chairman of Audit Committee

Agenda Item No: 11.4

NAMING REQUEST - 'KEITH CARPENTER' PAVILION

Contact Officer: Jessica Baguley, Governance Officer

Purpose of Report

The purpose of this report is to inform Council of the results from community consultation and recommend that a submission to the Office of Geographic Names for the 'Keith Carpenter Pavilion' at Jack Grut Reserve be made.

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 apply to the Office of Geographic Names to name the pavilion at Jack Grut Reserve the 'Keith Carpenter Pavilion'.

1. Executive Summary

On 20 May 2020 the United Parkdale Cricket club (Parkdale Cricket Club) submitted a naming proposal for the new pavilion at Jack Grut Reserve to be named the 'Keith Carpenter Pavilion' (Appendix 1).

As naming authority, Council can make application to the Office of Geographic Names on behalf of the Parkdale Cricket Club if Council considers the name appropriate.

The proposed name is based on the commitment and community contribution from Keith Carpenter for 50 years.

After considering community consultation, Council as the naming authority can submit the naming request to the Office of geographic Names.

Background

The Naming Rules for Places in Victoria, Statutory Requirements for naming roads, features and localities – 2016 (Naming Rules) outline the statutory requirements under the *Geographic Place Names Act 1998*. They are therefore mandatory for all naming authorities in Victoria.

Council is the authority for the naming of public features within the City of Kingston. As a result, Council is required to comply with the Naming Rules when making any application to the Office of Geographic Names to name or rename a public feature. An application to name a feature can take between 3 and 6 months to complete.

Council resolved on 27 July 2020, that Council commence community consultation on naming the new pavilion at Jack Grut Reserve the 'Keith Carpenter Pavilion'.

3. Discussion

3.1 Council Plan Alignment

Goal 5 - Our well-governed and responsive organisation
Direction 5.4 - A responsive and well managed organisation

As the naming authority, Council is responsible for undertaking the appropriate process to consider and apply to name a public feature in a timely and efficient manner.

3.2 Consultation/Internal Review

The consultation process with the users and residents of the facility is necessary for the application process with Office of Geographic Names, and a requirement under the *Naming Rules 1998*. In consultation with the community, no response is also considered a community acceptance.

3.3 Operation and Strategic Issues

3.3.1 Proposed Name – ‘Keith Carpenter’ Pavilion

The naming proposal submitted by the Parkdale Cricket Club recognises a major contributor, Keith Carpenter, (Dec 28 June 2018) to the local sport community within the Parkdale area. Keith Carpenter participated in the first cricket match for the Parkdale Cricket Club in 1967 and was the official scorer in the last match played at Jack Grut Reserve. Parkdale Cricket Club also recognises Mr Carpenter’s achievements and contribution to the club and community over the last 50 years. This includes a ‘Paul Harris Fellowship’ accolade from Mordialloc Rotary in 1980 for his active contribution and volunteering efforts. Mr Carpenter’s connection with the club along with 142 games as a player, Captain, Club Champion, Club President, Treasurer, General Committee Member and Volunteer. Similarly, he assisted in the success of multiple events in support of the cricket club, such as barbecues, festivals and art shows.

3.3.2 Naming Rules Compliance

The general principles contained within the Naming Rules are designed to ensure no ambiguity, confusion, error or discrimination is caused by the naming, renaming or boundary change process.

At this stage of the process Officers are satisfied the request qualifies as compliant with the Naming Rules and Principles as outlined above.

3.3.3 Community Consultation Results

Council proceeded with 30 days of community consultation through multiple outreach techniques which include letters to surrounding residents and ‘Your Kingston, Your Say’ website.

Six submissions were received in relation to ‘Keith Carpenter Pavilion’, all in support of the naming proposal. Under the *Naming Rules* we can assume that the community is in support of this name change.

Public Submissions	
1.	<p>Submission 1</p> <p>Family has been involved with Parkdale Cricket Club since 1975 and still an active player and member. Keith Carpenter is the ultimate doyen and patron of the Club. He has been involved since its inception and right up to his death a couple of years ago. He has nurtured and supported many young people in the area by assisting them and their families to facilitate to their engagement at the Club and with the game of cricket. He has acted in every role the Club has from founding member, to player, to sponsor, to committee member, to scorer, to supporter and countless other roles over his 50-year involvement with the Club. His funeral service was held at the old pavilion where the great majority of those in attendance were Club people throughout its history from people in their teenage years to their 80s. That is the impact Keith had on so many people. I cannot explain how much it would mean for the Parkdale United Cricket Club to have Keith's name assigned to the new pavilion. With that, I give my utmost endorsement.</p>
2.	<p>Submission 2</p> <p>I strongly support the renaming of the pavilion to the Keith carpenter pavilion. Keith was a fantastic member of our local community and had such a positive impact on so many people.</p>
3.	<p>Submission 3</p> <p>I am writing in response to your request for feedback in relation to the proposed naming of the new pavilion at Jack Grut Reserve to 'Keith Carpenter'. I would like to express my unconditional support of this proposal. I had the pleasure of knowing Keith personally over many years and certainly feel that his contribution to the community over this time should be recognised by naming the pavilion in his honour.</p>
4.	<p>Submission 4</p> <p>I support the proposed name Keith Carpenter Pavilion. Keith was a fantastic founding member of the Parkdale United Cricket Club and dedicated a large part of his life to cricket. I remember Keith always being at the club helping wherever he could, including scoring for the 1st XI, passing on his knowledge of the local cricket pitches, and encouraging and providing advice to all players during the week to improve their performances on match day. Parkdale United Cricket Club will be forever grateful to Keith, the ultimate club person.</p>
5.	<p>Submission 5</p> <p>Keith Carpenter has been a vital part of everyone's lives at Parkdale United Cricket Club. It would be the perfect commemoration for a man who gave a lot of his time to help the club succeed and get to where it is now. I definitely support the proposed name Keith Carpenter pavilion.</p>
6.	<p>Submission 6</p> <p>I am writing to support of naming of the pavilion at the Jack Grut Reserve, the Keith Carpenter Pavilion. As a long-term resident of the City of Kingston and member of the Parkdale United Cricket Club, I have seen the dedication and contribution that Keith Carpenter made to the Club and the local Community. His contribution as player, official, member was unmatched over a period of greater than 50 years and I fully support this naming proposal.</p>

4. Conclusion

4.1 Environmental Implications

N/A

4.2 Social Implications

Appropriate and consistent naming of public features provides benefits for the community including; easy recognition and identification of place, acknowledgement of culture, heritage, landscape and connection to country, efficiency in emergency service response and natural disaster relief, communications, trade and commerce.

4.3 Resource Implications

Should the naming application to the Office of Geographic Names be successful, costs may be incurred through the provision of signage of the pavilion. Additional costs may be associated with installation of the plaque. These costs can be accommodated from within existing budgets.

4.4 Legal / Risk Implications

In accordance with the *Geographic Place Names Act 1998*, there is a formal process for naming which Council is required to follow. There is also the naming process as set out by *Naming Rules for Place in Victoria, Statutory Requirements for naming roads, features and localities – 2016*.

Appendices

Appendix 1 - Keith Carpenter Pavilion Plan (Ref 20/127494) 

Author/s: Jessica Baguley, Governance Officer
Reviewed and Approved By: Kelly Shacklock, Coordinator Organisational Governance
Phil DeLosa, Manager Governance
Paul Franklin, General Manager Corporate Services

11.4

NAMING REQUEST - 'KEITH CARPENTER' PAVILION

1	Keith Carpenter Pavilion Plan	281
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Agenda Item No: 11.5

CEO AND GENERAL MANAGER EXPENSES

Contact Officer: Emily Scopel-Reed, Governance Administration Officer

Purpose of Report

To present to Council the CEO and General Managers Expenses for noting.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

1. That Council note the report.

1. Executive Summary

In accordance with Council's resolution at its meeting on 23 March 2020, expenses claimed by the CEO and General Managers for each quarter of the financial year are presented for Council to note. This report details the expenses for the July to September quarter of the 2020-2021 financial year.

2. Background

The following resolution was moved by Council on 23 March 2020 (refer to Item 12.2).

That Council determine to make public the CEO contract (with the exception of the key performance objectives) and CEO / General Manager expenses in the same way as Councillor expenses.

Further that this occur subject to the compliance with the Privacy and Data Protection Act 2014 (VIC), and the Australian Privacy Principles.

Further that a report come to council no less than every quarter to note such expenses.

This report responds to part 3 of the resolution.

3. Discussion

3.1 Council Plan Alignment

Goal 5 - Our well-governed and responsive organisation
Direction 5.2 - Responsible and sustainable financial management

3.2 Consultation/Internal Review

Not applicable to this report.

3.3 Operation and Strategic Issues

Process

Council made the resolution for CEO and General Manager expenses to be consistent with the reporting of Councillor Expenses. The attached table presents the information in the same manner as the reporting of Councillor Expenses and will be made available via Council's website.

4. Conclusion

These reports will continue to be presented to Council every quarter.

4.1 Environmental Implications

Not applicable to this report.

4.2 Social Implications

Not applicable to this report.


4.3 Resource Implications

Not applicable to this report.

4.4 Legal / Risk Implications

Not applicable to this report.

Appendices

Appendix 1 - CEO and GM Expenses 1 July 2020 to 30 September 2020 (Ref 20/245426) 

Author/s: Emily Scopel-Reed, Governance Administration Officer
Reviewed and Approved By: Phil DeLosa, Manager Governance
Paul Franklin, General Manager Corporate Services

11.5

CEO AND GENERAL MANAGER EXPENSES

- 1 CEO and GM Expenses 1 July 2020 to 30 September 2020 287



CEO and General Manager Expenses 1 July 2020 to 30 September 2020

2019-2020 FY 1 July 2019 to 30 June 2020	Communications expenses (mobile phones, tablets, and wireless data cards) ^[2]	Travel intrastate	Travel interstate	Travel Overseas	Training, Conferences and Education	Other Expenditure
Chief Executive Officer Julie Reid	\$390.00					
General Manager City Assets and Environment Samantha Krull	\$144.00					
General Manager Community Sustainability Mauro Bolin	\$189.00					
General Manager Corporate Services Paul Franklin	\$75.00					
General Manager Planning and Development Jonathan Guttman	\$189.00					

30 November 2020

Agenda Item No: 11.6

APPOINTMENT AND AUTHORISATION OF OFFICERS UNDER THE PLANNING AND ENVIRONMENT ACT 1987

Contact Officer: Sasha Pearson, Governance and FOI Officer

Purpose of Report

The purpose of this report is to seek a Council resolution to appoint and authorise officers for the purposes of the *Planning and Environment Act 1987* (the Act) and the regulations made under that Act.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

1. That Council, in the exercise of the powers conferred by s 224 of the *Local Government Act 1989* and by s147(4) of the *Planning and Environment Act 1987*, resolve that the members of Council staff referred to in each Instrument of Appointment and Authorisation attached at appendices 1 to 11 be appointed and authorised as set out in that Instrument.
2. That each Instrument comes into force immediately on resolution and remains in force until such time as the officer is no longer employed, contracted or otherwise engaged to undertake the duties on behalf of Kingston City Council, unless Council determines to vary or revoke it earlier.

1. Executive Summary

A resolution of Council is sought to appoint and authorise members of Council staff under the *Planning and Environment Act 1987* (the PE Act). Instruments of Appointment and Authorisation under the Act must be approved by resolution of Council.

2. Background

This request to authorise officers comes as a result of an audit of the Register of Authorised Officers maintained under section 224 of the *Local Government Act 1989*.

Council as the *responsible authority* under the *Planning and Environment Act 1987* may authorise officers under section 147(4) of the PE Act. Section 188(2)(c) of the PE Act prevents Council from delegating the power to authorise an officer.

The authorisation of officers under other Acts, including the *Local Government Act 1989* and Council's Local Laws is performed by the Chief Executive Officer under delegation.

The following Instruments, are proposed to replace and revoke existing Instruments made under the PE Act to ensure legislative compliance.

**City of Kingston
Council Meeting**

Agenda

30 November 2020

Officer	Title	Date of Instrument revoked & replaced	Proposed Instrument
Jaclyn Murdoch	Manager City Development	5/02/2019	Appendix 1
Guillermo Henning,	Team Leader Vegetation and Compliance	18/1/2013	Appendix 2
Alfred Carnovale,	Planning Appeals Coordinator	5/02/2019	Appendix 3
Craig Newton,	Planning Liaison & Enforcement Officer	5/02/2019	Appendix 4
Sara Craigie	Planning Liaison & Enforcement Officer	27/12/2018	Appendix 5
Kevin Smith	Planning Liaison & Enforcement Officer	29/01/2019	Appendix 6
Luisa Makris	Acting Construction Liaison Officer (Compliance Officer)	26/08/2019	Appendix 7
Corey Smith	Senior Vegetation Management Officer	9/12/2019	Appendix 8
Ceinwyn Ubrihien	Landscape Compliance Officer	26/08/2019	Appendix 9

The authorisations contained outdated references to the power to institute proceedings under section 232 of the *Local Government Act 1989*, which has recently been repealed and replaced by the power to institute proceedings under section 313 of the *Local Government Act 2020*. Guillermo Henning's current Instrument is open to challenge since the authorisation under the PE Act was made by the CEO.

This report also requests two new authorisations of officers:

Officer	Title	Proposed Instrument
Pamela Materowski	Planning Liaison & Enforcement Officer (Temporary appointment to cover parental leave. Substantive position is Customer Liaison and Administration Officer.)	Appendix 10
Jessica Gaudry	Student Vegetation Management Officer	Appendix 11

All officers are also authorised by the CEO under the *Local Government Act 1989* to enforce the *Local Government Act 1989*, the *Local Government Act 2020* and the local laws made under those Acts.

3. Discussion

3.1 Council Plan Alignment

Goal 5 - Our well-governed and responsive organisation

Direction 5.1 - Support decision making to provide an efficient and effective council which embodies the principles of democracy

3.2 Consultation/Internal Review

The administration for appointing Authorised Officers is undertaken by the Governance Department. Governance maintains the Register of Authorised Officers, produces the draft Instruments for approval by the relevant authority and, upon approval, organises the issuing of authorised officer identity cards. The Manager City Development has been consulted in this process and the General Manager Planning and Development has been informed.

3.3 Operation and Strategic Issues

The proper appointment and authorisation of officers is an essential governance requirement for Council enforcement functions. New authorisations are required when new staff join Council or existing staff are appointed to roles requiring authorisation. Reviews will continue to be undertaken regularly to ensure all Officers have the appropriate authorisations to carry out their roles effectively.

4. Conclusion

Authorisation under the *Planning and Environment Act 1987* is essential to empower the Officer to carry out their role on behalf of Council. It is recommended that Council resolve at the Ordinary Meeting on 30 November 2020 to appoint and authorise the officers as per the attached Instruments.

4.1 Legal / Risk Implications

The proper appointment and authorisation of officers is important as the Instruments may be used in Court to demonstrate that a person purporting to be an authorised officer was duly authorised to take the action or make the decision they made. If the appointment and authorisation are not properly made the officer's actions or decisions could be found to be invalid.

Appendices

- Appendix 1 - DRAFT Instrument of Appointment and Authorisation - Planning and Environment Act - Manager City Development - Jaclyn Murdoch (Ref 20/250480)  
- Appendix 2 - Draft Instrument of Appointment and Authorisation - Planning and Environment Act - Team Leader Vegetation and Compliance - Guillermo Henning (Ref 20/245419)  
- Appendix 3 - DRAFT Instrument of Appointment and Authorisation - Planning and Environment Act - Planning Appeals Coordinator - Alfred Carnovale (Ref 20/245409)  
- Appendix 4 - DRAFT Instrument of Appointment and Authorisation - Planning and Environment Act - Senior Planning Liaison and Enforcement Officer - Craig Newton (Ref 20/250525)  
- Appendix 5 - DRAFT Instrument of Appointment and Authorisation - Planning and Environment Act - Planning Liaison and Enforcement Officer - Sara Craigie (Ref 20/245412)  
- Appendix 6 - DRAFT Instrument of Appointment and Authorisation - Planning and Environment Act - Planning Liaison and Enforcement Officer - Kevin Smith (Ref 20/245417)  
- Appendix 7 - DRAFT Instrument of Appointment and Authorisation - Planning and Environment Act 1987 - Acting Construction Liaison Officer - Luisa Makris (Ref 19/159894[v2])  
- Appendix 8 - DRAFT Instrument of Appointment and Authorisation - Planning and Environment Act - Senior Vegetation Management Officer - Corey Smith (Ref 19/281986[v2])  
- Appendix 9 - DRAFT Instrument of Appointment and Authorisation - Planning and Environment Act 1987 - Landscape Compliance Officer - Ceinwyn Ubrihien (Ref 19/169505[v2])  
- Appendix 10 - DRAFT Instrument of Appointment and Authorisation - Planning and Environment Act - Planning Liaison and Enforcement Officer - Pamela Materowski (Ref 20/245406)  
- Appendix 11 - DRAFT Instrument of Appointment and Authorisation - Planning and Environment Act - Student Vegetation Management Officer - Jessica Gaudry (Ref 20/250327)  

Author/s: Sasha Pearson, Governance and FOI Officer
Reviewed and Approved By: Phil DeLosa, Manager Governance
Paul Franklin, General Manager Corporate Services

11.6

APPOINTMENT AND AUTHORISATION OF OFFICERS UNDER THE PLANNING AND ENVIRONMENT ACT 1987

1	DRAFT Instrument of Appointment and Authorisation - Planning and Environment Act - Manager City Development - Jaclyn Murdoch	295
2	Draft Instrument of Appointment and Authorisation - Planning and Environment Act - Team Leader Vegetation and Compliance - Guillermo Henning	297
3	DRAFT Instrument of Appointment and Authorisation - Planning and Environment Act - Planning Appeals Coordinator - Alfred Carnovale	299
4	DRAFT Instrument of Appointment and Authorisation - Planning and Environment Act - Senior Planning Liaison and Enforcement Officer - Craig Newton.....	301
5	DRAFT Instrument of Appointment and Authorisation - Planning and Environment Act - Planning Liaison and Enforcement Officer - Sara Craigie	303
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8	DRAFT Instrument of Appointment and Authorisation - Planning and Environment Act - Senior Vegetation Management Officer - Corey Smith.....	309
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10	DRAFT Instrument of Appointment and Authorisation - Planning and Environment Act - Planning Liaison and Enforcement Officer - Pamela Materowski.....	313
11	DRAFT Instrument of Appointment and Authorisation - Planning and Environment Act - Student Vegetation Management Officer - Jessica Gaudry	315



Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*)

In this instrument "**officer**" means -

Jaclyn Murdoch

By this instrument of appointment and authorisation Kingston City Council -

1. under s 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under s 313 of the *Local Government Act 2020* authorises the officer either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon resolution of Council;
- (b) remains in force until such time as the officer is no longer employed, contracted or otherwise engaged to undertake the duties on behalf of Kingston City Council, unless varied or revoked earlier.

This instrument is authorised by a resolution of the Kingston City Council on 30 November 2020.



Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*)

In this instrument "**officer**" means -

Guillermo Henning

By this instrument of appointment and authorisation Kingston City Council -

1. under s 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under s 313 of the *Local Government Act 2020* authorises the officer either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon resolution of Council;
- (b) remains in force until such time as the officer is no longer employed, contracted or otherwise engaged to undertake the duties on behalf of Kingston City Council, unless varied or revoked earlier.

This instrument is authorised by a resolution of the Kingston City Council on 30 November 2020



Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*)

In this instrument "**officer**" means -

Alfred Carnovale

By this instrument of appointment and authorisation Kingston City Council -

1. under s 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under s 313 of the *Local Government Act 2020* authorises the officer either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon resolution of Council;
- (b) remains in force until such time as the officer is no longer employed, contracted or otherwise engaged to undertake the duties on behalf of Kingston City Council, unless varied or revoked earlier.

This instrument is authorised by a resolution of the Kingston City Council on 30 November 2020



Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*)

In this instrument "**officer**" means -

Craig Newton

By this instrument of appointment and authorisation Kingston City Council -

1. under s 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under s 313 of the *Local Government Act 2020* authorises the officer either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon resolution of Council;
- (b) remains in force until such time as the officer is no longer employed, contracted or otherwise engaged to undertake the duties on behalf of Kingston City Council, unless varied or revoked earlier.

This instrument is authorised by a resolution of the Kingston City Council on 30 November 2020.



Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*)

In this instrument "**officer**" means -

Sara Craigie

By this instrument of appointment and authorisation Kingston City Council -

1. under s 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under s 313 of the *Local Government Act 2020* authorises the officer either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon resolution of Council;
- (b) remains in force until such time as the officer is no longer employed, contracted or otherwise engaged to undertake the duties on behalf of Kingston City Council, unless varied or revoked earlier.

This instrument is authorised by a resolution of the Kingston City Council on **30 November 2020**.



Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*)

In this instrument "**officer**" means -

Kevin Smith

By this instrument of appointment and authorisation Kingston City Council -

1. under s 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under s 313 of the *Local Government Act 2020* authorises the officer either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon resolution of Council;
- (b) remains in force until such time as the officer is no longer employed, contracted or otherwise engaged to undertake the duties on behalf of Kingston City Council, unless varied or revoked earlier.

This instrument is authorised by a resolution of the Kingston City Council on 30 November 2020.



Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*)

In this instrument "**officer**" means -

Luisa Makris

By this instrument of appointment and authorisation Kingston City Council -

1. under s 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under s 313 of the *Local Government Act 2020* authorises the officer either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon resolution of Council;
- (b) remains in force until such time as the officer is no longer employed, contracted or otherwise engaged to undertake the duties on behalf of Kingston City Council, unless varied or revoked earlier.

This instrument is authorised by a resolution of the Kingston City Council on 30 November 2020.



Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*)

In this instrument "**officer**" means -

Corey Smith

By this instrument of appointment and authorisation Kingston City Council -

1. under s 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under s 313 of the *Local Government Act 2020* authorises the officer either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon resolution of Council;
- (b) remains in force until such time as the officer is no longer employed, contracted or otherwise engaged to undertake the duties on behalf of Kingston City Council, unless varied or revoked earlier.

This instrument is authorised by a resolution of the Kingston City Council on 30 November 2020.



Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*)

In this instrument "**officer**" means -

Ceinwyn Jane Ubrihien

By this instrument of appointment and authorisation Kingston City Council -

1. under s 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under s 313 of the *Local Government Act 2020* authorises the officer either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon resolution of Council;
- (b) remains in force until such time as the officer is no longer employed, contracted or otherwise engaged to undertake the duties on behalf of Kingston City Council, unless varied or revoked earlier.

This instrument is authorised by a resolution of the Kingston City Council on 30 November 2020.



Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*)

In this instrument "**officer**" means -

Pamela Materowski

By this instrument of appointment and authorisation **Kingston City Council** -

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Jessica Gaudry

By this instrument of appointment and authorisation Kingston City Council -

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Agenda Item No: 11.7

KINGSTON PERFORMANCE REPORT, JULY TO SEPTEMBER 2020 AND QUARTERLY FINANCIAL STATEMENTS TO 30 SEPTEMBER 2020

Contact Officer: Annette Forde, Senior Corporate Planning and Performance Officer

Purpose of Report

This report provides an update on the progress of the Council Plan 2017-2021 through Council's key actions and selected performance indicators to the end of September 2020, as well as the financial results for the same period.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That Council note Kingston's Performance Report, July to September 2020, and the Quarterly Financial Statements to 30 September 2020.

1. Summary

For key actions and performance indicators, Council achieved strong performance results in the July to September quarter. Progress targets for most of the key actions and performance indicators were achieved. However, the effects of the COVID-19 pandemic and resulting restrictions are evident in the performance of a few actions and several indicators. Council's financial position year to date remains positive, and will continue to be monitored for the impacts of the pandemic.

2. Discussion

2.1 COVID-19 pandemic

- Kingston has continued to respond to the COVID-19 pandemic with a strong focus on keeping Kingston economically strong and providing support for the community and staff.
- Extra support continues to be offered to community members affected by COVID-19, including deferral of rates payments and the provision of food and essential supplies to vulnerable residents during the lockdown.

2.2 Achievements in quarter four

Throughout the COVID-19 pandemic, Kingston staff have continued to deliver projects and services to the full extent possible while adhering to the restrictions necessary to keep our community safe. Significant projects achieved during the quarter include:

- The Social and Affordable Housing Strategy was adopted by Council in July 2020. This strategy outlines a range of planning policy and legislative interventions to aid in the delivery of social and affordable housing in Kingston.
- A final version of the Housing Strategy and Neighbourhood Character Study was adopted by Council in August 2020.
- Kingston began trialling a 4-month VicSmart program for dual occupancy developments. If applications meet the criteria, they can be approved in ten days.
- Youth Services moved into the former Mordialloc Masonic Hall in September 2020, following an extensive design and construction process. Once COVID-19 restrictions are lifted, young people will have access to an exciting, purpose-built space for support programs and services.
- The Kingston Integrated Transport Strategy was adopted by Council in September 2020. Officers are working on communicating the policy with the community.
- The City of Kingston was successful in being awarded a \$100,000 grant towards the enhancement of Parkdale local shopping centre.

2.3 Action progress

At the end of quarter one, from a total of 119 key actions, five actions (4.2%) were complete, 107 key actions (92.5%) were on track, one action (0.8%) was being monitored and three actions (2.5%) were off track.

Definition of action progress

Status	Progress
<ul style="list-style-type: none"> • Complete 	<ul style="list-style-type: none"> • 100% of the target for the year has been achieved.
<ul style="list-style-type: none"> • On track 	<ul style="list-style-type: none"> • 80% -100% of the target for the quarter has been achieved. • Includes closed actions (closed actions have been merged with other actions, or the direction has changed).
<ul style="list-style-type: none"> • Monitor 	<ul style="list-style-type: none"> • 70% - 79% of the target for the quarter has been achieved. • Mostly on track but requires monitoring and improvements need to be made, as indicated in the action comments.
<ul style="list-style-type: none"> • Off track 	<ul style="list-style-type: none"> • Less than 70% of the target for the quarter has been achieved. • Off track actions are either outside Council's control or require priority intervention, as indicated in the action comments.

Of the off-track actions, two are in Goal 2 and one is in Goal 4 as shown below:

Off track Action	Goal	Comment
2.2.4.3 Increase the tree planting program across Kingston including street trees, trees in parks and reserves, and green corridors	2	Tree planting was placed on hold during the last three months as a result of the Stage 4 COVID-19 lockdown. It is anticipated the tree and reserve plantings will recommence in mid-October, which will delay the planting projects. Additional tree watering may be required to assist in planting establishment. Work on the Street Tree Planting Plan will be finalised in October, once a final assessment of the key criteria for determining priority sites can take

Off track Action	Goal	Comment
		place. This plan will guide future tree planting programs.
2.5.3.23 Redevelop the Dales Park Pavilion	2	Unforeseen delays with the construction program have occurred, as a result of COVID-19 restrictions.
4.5.3.4 Build a Community Resilience education program (across Council and the community) to improve mitigation, response and recovery during and after an emergency situation	4	Work on the education program has been postponed because of the COVID-19 pandemic. Prior to that, work began on building a Community Resilience Education Program with Kingston staff and other emergency service organisations. Planning began for a live emergency exercise to be held before the end of 2020.

2.4 Performance indicators progress

Of the 33 performance indicators in the report, 60.6% (20 indicators) are on track with a further six indicators being monitored (18.2%) and seven off track (21.2%).

Definition of performance indicator progress

Statu s	Progress
• On track	• The result is at, or better than, target for the period.
• Monitor	• The result is under target for the period but within the variance set for the indicator.
• Off track	• The result is below both the target and variance for the period.

The off-track indicators are distributed amongst all Goals, and most have been significantly affected by the COVID-19 restrictions, as detailed below:

Off Track Indicator	Council Plan Goal	Comment
Number of planning decisions made	1	The number of planning application decisions was affected by the COVID-19 pandemic and the downturn in the property market.
Missed bins - domestic (garbage, recycling & green waste) YTD	2	The number of missed bins is stable at 500-600 per month and is due to an increase in residents parking in local roads while working from home. The waste collection contractor is using an additional vehicle to assist in problem areas. Any missed bins are generally collected the same day as reported.
Number of community transport passenger trips	3	The community bus program has been cancelled due to the COVID-19 pandemic and government restrictions in place. Kingston is only doing urgent medical appointments and shopping.

Off Track Indicator	Council Plan Goal	Comment
Attendance at Council-run festivals and civic events including citizenship	3	No events were held due to COVID-19. The Spring Fair was cancelled, and online-only citizenship ceremonies held.
Leisure Centres – General attendance	3	The Waves facility was closed due to COVID-19 restrictions.
Health Services - Inspections of registered premises	4	During Stage 4 COVID-19 restrictions Environmental Health Officers have, as a consequence of significant business shutdown, reduced the number of inspections and risk assessments at registered premises.
Supplementary property valuations completed	5	Supplementary valuations are currently on hold due to several factors related to the current COVID-19 pandemic and state government restrictions for non-essential workers. Currently, our contracted Valuers are not considered essential workers and are unable to resume valuation activities. Council is also holding off on supplementary valuations to assist in a data cleansing exercise in preparation for upcoming rating periods.

3. Quarterly Financial Statements

Council has a favourable year to date variance of \$2.8M from an Income Statement perspective, and Council's cash position remains strong. Results will continue to be monitored in the coming months to further determine the impact of COVID19 on the financials.

The Quarterly Financial Statements for the period ending 30 September 2020 are attached.


4. Conclusion

Council achieved strong performance results in the July to September quarter. Progress targets for most of key actions and performance indicators were achieved. However, the effects of the COVID-19 pandemic and resulting restrictions are evident in the performance of a few actions and several indicators.

Council's financial performance is positive to date.

Appendices

Appendix 1 - Kingston Performance Report - July to September 2020 - for Council (Ref 20/232358) 

Appendix 2 - Quarterly Financial Statements Report - July to September 2020 (Ref 20/261824) 

Author/s: Annette Forde, Senior Corporate Planning and Performance Officer

Reviewed and Approved By: Lauren Ross, Team Leader Corporate Performance

Ange Marshall, Manager Finance and Corporate Performance
Paul Franklin, General Manager Corporate Services

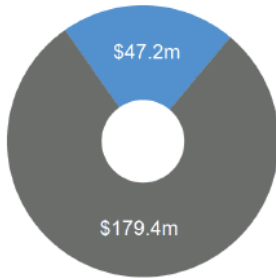
11.7

KINGSTON PERFORMANCE REPORT, JULY TO SEPTEMBER 2020 AND QUARTERLY FINANCIAL STATEMENTS TO 30 SEPTEMBER 2020

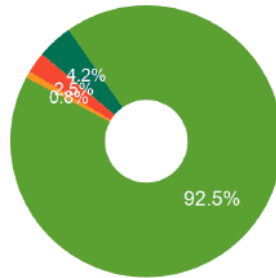
1	Kingston Performance Report - July to September 2020 - for Council	325
2	Quarterly Financial Statements Report - July to September 2020	371

Kingston Performance Report

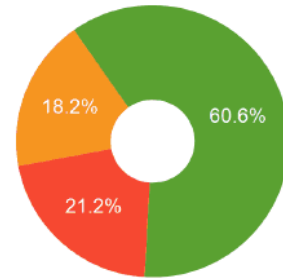
JULY - SEPTEMBER 2020



Expenditure



Actions



Performance Indicators


- BUDGET SPENT
- BUDGET REMAINING
- COMPLETE
- ON TRACK
- MONITOR
- OFF TRACK

Annual Service Highlights previous financial year


<p>13,745</p> <p>Total volunteer hours</p>	<p>19,334</p> <p>Questions answered by Kingston's Chatbot</p>	<p>165,782</p> <p>Municipal population</p>
<p>6,414,985</p> <p>Bin lifts</p>	<p>1,847</p> <p>Babies born in Kingston</p>	<p>\$207 million</p> <p>Annual Council operating expenditure 2019/20</p>

Legend

Actions

- 


complete

100% of the target for the year has been achieved.
- 

on track


80% -100% of the target for the quarter has been achieved.

Includes closed actions.

Closed actions have been merged with other actions, or the direction has changed.
- 

monitor

70% - 79% of the target for the quarter has been achieved.


Mostly on track but requires monitoring and improvements need to be made, as indicated in the action comments.
- 

off track


Less than 70% of the target for the quarter has been achieved.

Off-track actions are either outside Council's control or require priority intervention, as indicated in the action comments.


Indicators

- 

on track

The result is at, or better than, the target for the period.
- 

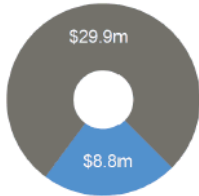
monitor

The result is under target for the period but within the variance set for the indicator.
- 

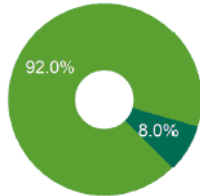
off track

The result is below both the target and the variance for the period.

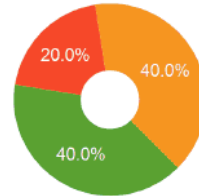
1 Our well-planned, liveable city supported by infrastructure to meet future needs



Expenditure



Actions



Performance Indicators

- BUDGET SPENT
- BUDGET REMAINING
- COMPLETE
- ON TRACK
- MONITOR
- OFF TRACK

Annual Service Highlights *previous financial year*

<p>836 km</p> <p>Storm water drains maintained</p>	<p>950</p> <p>New planning applications received</p>	<p>8 km</p> <p>Kilometres of footpath renewed</p>
<p>254</p> <p>Buildings and public toilets maintained daily</p>	<p>709</p> <p>Asset protection permits issued</p>	<p>\$456 million</p> <p>Approximate value of development</p>

Our Services



HOME

- Building permits
- Planning permits
- Urban land use policy & planning



LIFESTYLE

- Maintenance & development of Council's buildings



ENVIRONMENT

- Drain maintenance
- Manage Council's property portfolio
- Planning & design for community assets




TRAVEL

- Footpaths, bicycle paths & road maintenance

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


1.1. Intergenerational land use planning for a sustainable community


INDICATOR	COMMENT	FULL YEAR TARGET	TARGET	RESULT	STATUS
Number of planning decisions made	The number of planning application decisions was affected by the COVID-19 pandemic and the downturn in the property market.	1,104.00	276.00	244.00	 off track


ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
1.1.1.2 Develop the Kingston Housing and Neighbourhood Character strategy using innovative engagement methods	<p>There has been great community interest in the project to date with 1,603 submissions and 605 surveys received in mid-2019. A range of consultation methods have been utilised through the project including drop in sessions, a community panel, public meetings, surveys, mail outs and social media.</p> <p>A final version of the Housing Strategy and Neighbourhood Character Study was adopted by Council in August 2020. Officers are currently discussing the changes required with Ethos Urban and the Department of Environment, Land, Water and Planning. A further update in relation to implementation of the resolution will be provided to Council in late 2020.</p> <p>Further consultation will be undertaken as part of the formal exhibition of a Planning Scheme Amendment required to implement the work.</p>	25%	80%	 on track
1.1.1.5 Develop an Affordable Housing Implementation Plan to work with State Government, Housing Associations and developers to increase the availability of affordable housing	<p>This action was completed in July 2020.</p> <p>The Social and Affordable Housing Strategy was adopted by Council in July 2020.</p>	100%	100%	 complete
1.1.1.6 Review planning mechanisms and local planning policy and legislation to proactively contribute to increase the supply of social and affordable housing in Kingston	<p>The Social and Affordable Housing Strategy was adopted by Council in July 2020. This strategy outlines a range of planning policy and legislative interventions to aid in the delivery of Social and Affordable Housing.</p> <p>Officers are also participating in the South East Local Government Homelessness and Social Housing Working Group and Inter Council Affordable Housing Forum. The scope of this includes consideration of statutory improvements and advocacy to Government on the provision of inclusionary zoning.</p>	5%	85%	 on track
1.1.1.7 Prepare a draft Kingston Social and Affordable Housing Policy to sit alongside Council's Housing Strategy	<p>This action was completed in July 2020.</p> <p>The Social and Affordable Housing Strategy was adopted by Council in July 2020. This strategy outlines a range of planning policy and legislative interventions to aid in the delivery of Social and Affordable Housing.</p>	100%	100%	 complete


ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
1.1.1.10 Implement the new residential zones in accordance with the Practice Notes	<p>A final version of the Housing Strategy and Neighbourhood Character Study was adopted by Council in August 2020. Officers are currently discussing the changes required with Ethos Urban and the Department of Environment, Land, Water and Planning.</p> <p>A further update in relation to implementation of the resolution will be provided to Council in late 2020. This will include an update on the timing and content of the formal exhibition of a Planning Scheme Amendment required to implement the work.</p>	25%	80%	 on track
1.1.2.1 Participate in forums in the southern region to influence strategic planning for infrastructure, employment and housing investment	<p>The Victorian Government is developing a Southern Metropolitan Region Land Use Framework Plan to accord with an action of Plan Melbourne. Officers from the region have reinforced to the DELWP the importance of developing a process for engagement with the incoming Councils on the progress of this work prior to the formulation of a draft plan for broader engagement.</p> <p>Council also continues to participate in the Greater South East Melbourne Group which is developing a City Deal proposal for the Commonwealth and State Governments consideration.</p> <p>Officers are also actively engaged in the Southern Region Homelessness and Social Housing Charter Reference Group. This group provides a regional platform for advocacy and delivery of social and affordable housing.</p>	25%	50%	 on track
1.1.2.2 Capitalise on the opportunities for Kingston presented in the Monash National Employment and Innovation Cluster planning	<p>Council continues to work with the Victorian Planning Authority and landowner Goodman Group Australia on a proposed planning scheme amendment to rezone the Clayton Business Park site in the Monash National Employment and Innovation Cluster.</p> <p>The project has been delayed as a result of the Victorian Government's release of the Melbourne Industrial and Commercial Land Use Plan. Officers are awaiting further direction from the Department of Environment, Water, Land and Planning and the Victorian Planning Authority as to the implications of this work for the project.</p>	25%	25%	 on track
1.1.3.2 Develop strategies and undertake required Planning Scheme Amendments in areas including stormwater quality, public open space provision and potentially contaminated land	<p>Amendments in relation to public open space and stormwater quality were approved by the Minister for Planning and came into effect on 26 April 2018 and 31 May 2018 respectively.</p> <p>Following extensive research and background analysis, a list of potentially contaminated sites which would form a Stage 1 Planning Scheme Amendment has been prepared and is currently the subject of legal review.</p>	25%	50%	 on track


1.2. Effectively influence the urban and architectural design of the City



INDICATOR	COMMENT	FULL YEAR TARGET	TARGET	RESULT	STATUS
Time taken to decide planning applications (financial year to date)	We hope to keep the time taken under target for the remainder of the financial year.	85.00 Days	85.00 Days	82.00 Days	 on track

Planning applications decided within required timeframes	Due to the Council Caretaker period and subsequent induction process for the new Council, some delays will occur in the scheduling of applications for determination of Council and the scheduling of Planning consultation meetings. This will impact the number of applications processed within the 60-day period over the next two quarters.	75.00%	75.00%	72.54%	 monitor
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ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
1.2.1.2 Embrace the opportunities presented through 'City Shaping' infrastructure projects (e.g. Level Crossing Removal Work) to plan for innovative new community meeting spaces	The demolition of 245-247 Charman Road is now complete and the community has been informed of the new open space.	25%	25%	 on track
	Officers are in contact with Level Crossing Removal Project to work through the more complex aspects of the re-purposing of the Mentone Station buildings and the detailed design of the Chelsea pedestrian bridge.			
	The Suburban Rail Loop advocacy document was endorsed by Council in July 2020 and now forms the basis of ongoing engagement between officers and the Suburban Rail Loop Authority.			





1.2.1.3 Implement the updated Neighbourhood Character Guidelines following the completion of its Housing and Neighbourhood Character work	A final version of the Housing Strategy and Neighbourhood Character Study was adopted by Council in August 2020. Officers are currently discussing the changes required by the resolution with Ethos Urban and the Department of Environment, Land, Water and Planning.	25%	80%	 on track
	A further update in relation to implementation of the resolution will be provided to Council in late 2020. This will include an update on the timing and content of the formal exhibition of a Planning Scheme Amendment required to implement the work.			






1.2.2.1 Provide an integrated development approvals (planning and building applications) service to meet the needs of residents and businesses	The first quarter of the year saw the City of Kingston enter into a pilot program with the Victorian Government to further develop VicSmart. Kingston is currently trialling a 4-month program, via VicSmart, for Dual Occupancy developments. Strong criteria are set around the developments and, if applications meet the criteria, they can be approved in 10 days. Council's website has been updated with all the information the applicants require to lodge for this trial.	25%	80%	 on track
	This quarter has also seen the redevelopment of a new planning compliance certificate processing system, to enable speedier approvals.			



ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
1.2.2.3 Continually review opportunities to enhance the ability of our customers to understand the planning process and access relevant information	<p>Council has through the COVID-19 Stage 4 lock down continued to provide planning processes to the community and has experimented with online Planning Consultation Meetings (outside of the Caretaker Period).</p> <p>The Planning team have worked hard to sustain the planning service to applicants and objectors in a remote environment by providing access to information via email and, where required, hard copy information.</p>	25%	25%	 on track
1.2.2.4 Maintain a proactive relationship with representatives of the construction industry when undertaking works in the municipality	<p>Council's Construction Liaison Officer is continuing to meet with builders to highlight the importance of compliance with Construction Management Plan requirements. These relationships are particularly important given the increased level of awareness and more people working from home during the COVID-19 pandemic.</p> <p>Where considered appropriate, Council has also considered extending construction hours in an effort to keep workers employed and provide for the progression of projects where reduced access to the workforce has been possible.</p>	25%	25%	 on track
1.2.2.13 Prepare a Structure Plan for the Chelsea Activity Centre	<p>A draft Structure Plan has been prepared by consultants MSG. Significant initial consultation was undertaken with the community and key stakeholders to inform the draft Structure Plan, including the establishment of a Community Panel.</p> <p>The project has been delayed due to the level crossing removal works and the COVID-19 pandemic, with the draft Structure Plan now expected to be presented to Council in late 2020 or early 2021.</p> <p>The Council's decision to support assisting the Level Crossing Removal Project in delivering the Chelsea Bridge will act as an important catalyst in facilitating a key link through the Chelsea Activity Centre.</p> <p>Further engagement will occur with the newly elected Council on the draft Structure Planning work.</p>	25%	25%	 on track

1.3. Infrastructure and property investment for a functional city now and into the future

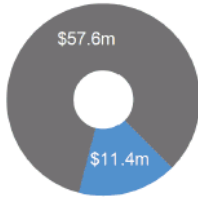
INDICATOR	COMMENT	FULL YEAR TARGET	TARGET	RESULT	STATUS
Sealed local roads maintained to condition standards	A full road condition survey is undertaken on a three-yearly cycle and is due early 2021. The annual asphalt resealing program is to commence in November and continue through to late autumn.	98.00%	98.00%	98.58%	 on track
Capital Works budget spent compared to forecast (Quarterly)	Expenditure to the end of September is on target with \$9.37M spent of the adopted \$65.91M capital budget. At the end of September there are \$24.6M of contractual commitments.	100.00%	14.30%	14.22%	 monitor

ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
1.3.1.4 Plan and facilitate the mechanisms to secure the required infrastructure to support key, large scale development projects (Clayton Business Park, etc.)	<p>Investigation to determine the infrastructure required for large-scale developments is continuing. This includes consideration of Section 173 Agreements and/or an Infrastructure Contributions Plan for the Clayton Business Park site.</p> <p>Officers have commenced engagement with Development Victoria on the future redevelopment of the Highett Gasworks site. Early discussions have focused on the provision of appropriate community infrastructure and open space contributions.</p>	25%	25%	 on track
1.3.1.7 Plan and build drainage upgrades to reduce local and major flooding	<p>The 2020/21 capital works program includes the delivery of \$4.3 million for drainage improvements and this work is well on track.</p> <p>The majority of the larger drainage projects are either in the construction phase, including Biscop Road in Moorabbin (\$0.5M) and Ben Kavanagh Reserve in Mordialloc (\$0.3M), or at the tender assessment stage with the commencement date slightly delayed due to COVID-19 restrictions. These include Wandoo Avenue in Clarinda (\$0.5M) and Peace Road in Clayton South (\$0.4M), with others scheduled for tendering during November 2020.</p> <p>Planning is underway for several significant projects that are scheduled to be delivered in future years, including major drainage improvements in the streets around the northern parts of Edithvale, around Embankment Grove in Chelsea and around Bonbeach Sports Reserve.</p>	25%	35%	 on track
1.3.1.9 Footpath renewal program	The annual footpath program has commenced for 2020/21. Projects completed to date include Nepean Highway, Moorabbin.	10%	25%	 on track
1.3.1.10 Road Renewal - Resurfacing Program	Council's resurfacing program is undertaken during summer to autumn.	5%	5%	 on track

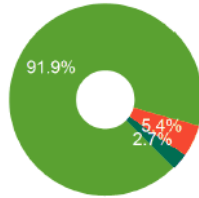
ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
1.3.1.11 Road - Reconstruction Program	The road reconstruction program is in progress, with \$1.67M expenditure of the \$5.58M allocation. The main project in progress is at Chelsea Road, Chelsea.	15%	24%	 on track
1.3.1.12 Flood Mitigation Drainage Program	The Flood Mitigation Program is in progress with \$1.38M expenditure of the \$3.5M allocation. Drainage works at Biscop Rd, Moorabbin, Ben Kavanagh Reserve and Tarella Road, Edithvale are complete. Projects are currently underway at Catherine Avenue, Chelsea and Peace Road, Clayton South.	25%	39%	 on track
1.3.1.21 Develop a strategy to reduce pollutants in Mordialloc Creek that defines the roles and responsibilities of key stakeholder organisations and provides an opportunity for the community to report pollution	Investigations to reduce pollution flowing into Mordialloc Creek will be further reviewed as part of the next version of Kingston's Integrated Water Cycle Strategy (IWCS). This review has not yet commenced as it is scheduled to be undertaken throughout the 2021 calendar year. In May 2020, a detailed audit was completed on the functionality of Kingston's 20 Gross Pollutant Traps. The learnings will feed into the IWCS to identify improvement actions, including the need to develop a prioritised plan to install additional infrastructure and modified maintenance practices.	5%	5%	 on track
1.3.2.2 Work with VicRoads on key strategic road considerations including the Westall Bypass, Mordialloc Bypass and South Road Study	Mordialloc Freeway is well underway and progressing smoothly through the construction phase. The project has had a minimal impact on local residents and COVID-19 has resulted in fewer vehicles on the road, which helped the progress of the project. VicRoads has commenced scoping for the South Road study. The broad scope includes intersection improvements, clearways and rationalisation of movements within the Moorabbin Activity Centre. There has been little progress on the Westall Bypass, with no commitment from the Victorian Government yet, despite several other arterial road extensions and upgrades being announced elsewhere.	10%	50%	 on track
1.3.2.6 Engage with relevant state authorities and other councils with the concept development of a suburban rail loop	Council adopted the final Suburban Rail Loop Advocacy document on the 24 August, 2020. Advocacy work to state authorities is being undertaken.	25%	25%	 on track

ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
1.3.3.9 Continue to work with the LXRA in creating land access, lease or maintenance agreements for assets on State Government land that Council will own and/or maintain	<p>Ongoing discussions have been held with the Level Crossing Removal Authority (LXRA) as follows:</p> <ol style="list-style-type: none"> 1. LXRA proposing multi-storey carpark at Cheltenham Rail station. Will require a small section of Council's adjoining land. Discussions are on-going with Council proposing a ground lease to LXRA. 2. LXRA has completed Caulfield-Dandenong rail corridor including lineal park. Proposed that Council(s) maintains lineal park through licence currently being negotiated for Kingston's section near Westall railway station. 3. 8 Chelsea Rd Chelsea. Council granted a lease to LXRA for carparking for contractor working on the Mordialloc-Carrum rail corridor. 4. 1 Chelsea Rd Chelsea - Council granted a lease to LXRA for carparking for contractor working on the Mordialloc-Carrum rail corridor. 5. Station St Aspendale to Carrum - Council granting a lease to VicTrack for underground cabling supporting the rail corridor works. 6. Nepean Highway Carrum. LXRA transferring land to Council to be used as public open space complemented with a cafe. 	25%	60%	 on track
1.3.3.10 Acquire the land 2-8 Balcombe Rd Mentone from VicRoads to develop open space	<p>Council's solicitor was advised by the Victorian Government Solicitor's Office (VGSO) that a revised vendor's statement and contract from VicRoads would be provided.</p> <p>However, the revised vendor's statement was not received, and Council's solicitor is following up with the VGSO.</p>	20%	20%	 on track

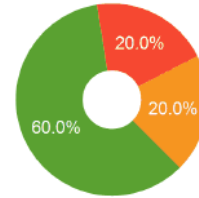
2 Our sustainable green environment with accessible open spaces



Expenditure



Actions



Performance Indicators

- BUDGET SPENT
- BUDGET REMAINING
- COMPLETE
- ON TRACK
- MONITOR
- OFF TRACK

Annual Service Highlights *previous financial year*

<p>81,000</p> <p>Street and park trees maintained by Kingston</p>	<p>21%</p> <p>Percentage of recycled water used across all parks and reserves</p>	<p>367</p> <p>Parks and reserves maintained</p>
<p>32,468 T</p> <p>Kerbside collection waste diverted from landfill annually</p>	<p>13 km</p> <p>Foreshore maintained</p>	<p>709 T</p> <p>Beach litter collected</p>

Our Services



- Waste collection

HOME



- Sports & recreation

LIFESTYLE







- Foreshore management & maintenance
- Maintaining parks, sports grounds & streetscapes
- Parks & sports ground master plan projects
- Stormwater management
- Sustainable environmental management

ENVIRONMENT


Our sustainable green environment with accessible open spaces

2.1. Environmental resilience and sustainability

INDICATOR	COMMENT	FULL YEAR TARGET	TARGET	RESULT	STATUS
Missed bins - domestic (garbage, recycling & green waste) YTD	The number of missed bins is stable at 500-600 per month and is due to an increase in residents parking in local roads while working from home. The waste collection contractor is using an additional vehicle to assist in problem areas. Any missed bins are generally collected the same day as reported.	4,200.00	1,050.00	1,692.00	 off track
Kerbside collection waste diverted from landfill	This is the first quarter to include a Food Waste Recycling service and there has been a noticeable increase in diversion.	50.00%	50.00%	57.30%	 on track





ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
2.1.1.5 Promote education programs such as community sustainability workshops, schools' sustainability leadership program and Big Green School festivals	<p>Due to the COVID-19 pandemic, all community workshops and events have been transitioned to an on-line platform.</p> <p>Workshops held this quarter include: Building Healthy Soil; Recycling Right (2); Waste Minimisation; Solar and Batteries; and Waste Wise Parenting.</p> <p>School and Community eNewsletters continue to get good readership rates.</p>	25%	25%	 on track
2.1.1.11 Work with partner councils, as per the Memorandum of Understanding, in delivery of the Elster Creek Catchment Flood Management plan 2019 - 2024	<p>Council endorsed the 2019 - 2024 Elster Creek Flood Management Plan on 26 August 2019 and the Memorandum of Understanding was signed by Kingston's CEO in early May 2020.</p> <p>Kingston has responsibility for one action and has progressed it within the Management Plan.</p> <p>The CEO and officers continue to be actively involved in the group.</p>	25%	25%	 on track







ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
2.1.2.1 Review Kingston's Integrated Water Cycle Strategy stormwater treatment and reuse targets and consider opportunities for Council and the community to use water in a smarter way	<p>The Department of Environment Land Water and Planning is leading the development of a Dandenong Catchment Integrated Water Management Plan which is likely to provide valuable data and information to inform Kingston's integrated water management planning.</p> <p>Consequently, Kingston is taking the timing of the Dandenong Catchment Plan development into account in the planning process for Kingston's Integrated Water Cycle Strategy review.</p> <p>Officers have commenced some background reviews of existing infrastructure and processes to inform the review.</p> <p>A Council Officer is representing local government on the Assessing City-wide Alternative Water Network (ACAWN) opportunities for Greater Melbourne.</p> <p>A package of integrated water projects across the South East has been submitted to Infrastructure Australia for inclusion in their Priority Projects list. A number of projects which would support reliable and secure water supply for Kingston were included.</p>	25%	25%	 on track
2.1.2.3 Plan and build Kingston's water quality and reuse master plan using developer contributions to harvest stormwater to irrigate sports fields	<p>Approximately \$1.2 million is available from the developer in-lieu contribution fund to implement Council's storm water treatment and reuse projects. The objective for this financial year is to undertake further investigation work to identify which reserves will be recommended to advance to the detailed design stage.</p> <p>Some progress was achieved over the last quarter by developing and applying a weighted criteria matrix to help rank and prioritise the top seven locations, when the accuracy of the data required further refinement.</p> <p>The decision making on some reserves will be influenced by whether the Victorian Government proceeds with plans to construct an alternative recycled pipeline system from the Eastern Sewerage Treatment Plant.</p>	10%	10%	 on track
2.1.3.1 Improve the economic recovery of waste and reduce reliance on landfill for waste generated by Council.	<p>Council Officers have completed a Kerbside Transition Plan for the Department of Environment Land Water and Planning. This allows Councils to plan for four standard waste services of garbage, recycling, food/green waste and glass.</p> <p>The main change for Kingston is a glass collection bin which is required to be implemented by 2027 and will be affected by the introduction of the Victorian Government's Container Deposit Scheme.</p>	25%	25%	 on track

ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
2.1.3.2 Develop strategies to ensure that Council's waste management practices are responsive to the changing ways in which people live and work within the municipality	<p>The Landfill Services tender will be shared with Metropolitan councils in the second week of October and will provide long-term options for municipal waste disposal to Council.</p> <p>The Advanced Waste Processing (Waste to Energy) project has shortlisted three tenderers and is now developing detailed specifications. This will also provide long-term waste disposal options for Council. Kingston officers have participated in both of these procurements.</p>	25%	25%	 on track

2.2. Greening Kingston and place making

INDICATOR	COMMENT	FULL YEAR TARGET	TARGET	RESULT	STATUS
Urban forest is safer because of programmed Tree Maintenance Services	Unfortunately, there has been a drop in quality and timeliness with the programmed tree works. Officers are working with the contractor to bring services back on track, however overall tree management is ongoing and ensures the urban forest is properly managed.	90.00%	90.00%	89.35%	 monitor

ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
2.2.1.1 Work with landowners in the Green Wedge to encourage alternate land use activities where uses are incompatible with the Green Wedge Plan	<p>Continued compliance auditing is being undertaken to provide up to date information on activities within the Green Wedge and respond where necessary.</p> <p>Because of Council's approach in proactively inspecting Green Wedge sites and initiating action where necessary, several instances of illegal use have been identified and addressed during the year - either by issuing an official warning notice or assisting to apply for a permit for an approved use.</p> <p>A report was presented to the Council Meeting on 21 September 2020, outlining Council's recent work in exploring compliance issues in the Kingston Green Wedge.</p>	25%	25%	 on track
2.2.1.2 Identify opportunities to expedite the Chain of Parks Project by delivering a range of passive and active recreational activities in the Green Wedge	<p>In 2019, the Victorian Government committed funding to the implementation of the Chain of Parks, with the Chain of Parks Trail plans adopted by Council in March 2020. Council continues advocating to the Victorian Government for the purchase of old landfill sites within the public acquisition overlay for the development of the Chain of Parks. Council has written to the Minister for the Environment to encourage the purchase of the Henry Street landfill site now that rehabilitation works have been completed.</p> <p>A sporting fields concept plan has been developed for the Delta site and is awaiting a response from the Minister.</p> <p>Development of the Elder Street Reserve in Clarinda has recommenced, following a delay caused by wet weather.</p>	25%	27%	 on track
2.2.1.4 Complete the transition from landfill and work with land owners on future land uses in the Green Wedge	Council continues to work with land occupiers on the transition of landfill land to parkland (e.g. Victory Road landfill) and delivery of the Chain of Parks trail.	25%	25%	 on track
2.2.1.7 Engage Planisphere to review the existing Green Wedge Plan in line with Ministerial Direction to review after five years, rename to Green Wedge Management Plan and undertake a community consultation process	A draft of the Green Wedge Management Plan Review prepared by Ethos Urban was presented to Councillors on 7 September 2020. In accordance with feedback received from Councillors during this briefing, a further update and final draft of the report will be provided to Council in late 2020.	25%	70%	 on track


ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
2.2.1.12 Develop a Kingston Agricultural Study that protects a land owner's right to farm by managing the placement and compatibility of other green wedge uses	A draft of the Agricultural Strengthening and Preservation Strategy prepared by RMCG was presented to Councillors on 7 September 2020. In accordance with feedback received from Councillors during this briefing, a further update and final draft of the report will be provided to Council in late 2020 along with an updated draft of the Kingston Green Wedge Management Plan Review.	25%	70%	 on track
2.2.3.5 Complete the remediation of Heatherton Park	Environmental capping works are complete, with vegetation currently being established. Additional landscaping for stage one is complete with grass cover currently being established. Further site contouring has been approved in the southern area to improve the park and is now dependent on weather to proceed. Shaping works are recommencing in October (ground conditions permitting) to enable the remainder of the park to reopen.	30%	35%	 on track
2.2.4.2 Advocate for green rail and road corridors within Kingston	Council Officers have continued meeting with Level Crossing Removal Project to ensure consistency and compliance to agreed landscape standards along the Frankston line, with a focus on Carrum. Work is progressing on the Nepean Hwy Planting Plan and the tree planting and establishment of Wells Road corridor is ongoing.	25%	25%	 on track
2.2.4.3 Increase the tree planting program across Kingston including street trees, trees in parks and reserves, and green corridors	Tree planting was placed on hold during the last three months as a result of the Stage 4 COVID-19 lock down. It is anticipated the tree and reserve plantings will recommence in mid-October, which will delay the planting projects. Additional tree watering may be required to assist in planting establishment. Work on the Street Tree Planting Plan will be finalised in October, once a final assessment of the key criteria for determining priority sites can take place. This plan will guide future tree planting programs.	50%	25%	 off track
2.2.4.4 Advocate to Parks Victoria for Patterson River beautification works	This action was closed in October 2019. This is because negotiations to undertake beautification works along Patterson River will take place as part of a broader Living Links project.		closed	 on track
2.2.4.5 Prepare a draft plan for community consultation that is supported by Vic Roads and Vic Track that outlines maintaining and enhancing existing plantings along Nepean Hwy	A draft plan has been developed. It will be presented to the new Council after the election for consideration, prior to release for community consultation.	50%	73%	 on track


2.3. Activating and protecting the foreshore through strategic partnerships

ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
2.3.1.1 Progressively implement the Coastal Management Plan 2014 to protect the foreshore and waters of Port Phillip Bay	<p>This action was completed in August 2020.</p> <p>The Coastal Management Plan 2014 has reached the end of its lifespan. Highlights of the plan included the completion of new boardwalks over several coastal drains, a year-round dog off-leash area at Mentone Beach foreshore, and improvements to several beach drains.</p> <p>A new 5-year Coastal and Marine Management Plan will be developed over the next 12-18 months.</p>	100%	100%	 complete
2.3.1.2 Commence the redevelopment of the Mentone Life Saving Club and Foreshore Precinct	<p>The project is on schedule, with Planning Permit application and Department of Environment, Land Water and Planning application submitted. We are aiming for April 2021 commencement on site.</p>	10%	25%	 on track
2.3.1.7 Redevelop the Parkdale Yacht Club	<p>Following agreement by Council to award a contract for the reconstruction of the Parkdale Yacht Club in early 2020, the principal contractor has commenced on site and demolished the former building.</p> <p>Construction work has continued during COVID-19 restrictions, but the work programme has been heavily impacted due to these restrictions. The facility was originally due to be completed in October 2020, but is now likely to be completed by March 2021.</p>	50%	50%	 on track
2.3.1.8 Commence refurbishment of the Chelsea Yacht Club	<p>Following Council endorsement of the works scope in late 2019/20, officers have worked closely with stakeholders to prepare and submit a Department of Environment, Land, Water and Planning Coastal Consent application and to prepare detailed design work. This has progressed on schedule and tenders are anticipated to be sought in November/December 2020, to enable a commencement on site in April 2021, as per the agreed programme.</p>	10%	30%	 on track
2.3.2.1 Investigate and prioritise the removal of stormwater drains on the foreshore to be considered within the Coastal Management Plan list of actions	<p>The objective for this year will be to complete the feasibility assessment and prepare designs for the next highest priority locations to remove pipes along the foreshore, particularly south of Mordialloc Creek.</p> <p>Officers have established a Foreshore Committee, with community representatives, to gather feedback during 2021 on previous stormwater projects constructed along the foreshore. This will be used to inform actions for the next draft of the Coastal Management Plan.</p> <p>Feature surveys have also been completed to inform designs for installing stormwater treatment swales opposite Wilson Avenue and Taylor Avenue in Aspendale.</p>	10%	9%	 on track


ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
2.3.2.5 Establish a social and cultural path on Beach Road, that recognises and celebrates local history, indigenous community, arts as well as social causes championed by Kingston and its community.	The Bay Trail Public Art Project is currently on track with Council endorsing Deb McNaughton's 'Rainbow Sculpture' artwork concept at its September meeting. Council officers are now working with the artist to develop and deliver the artwork in line with the official Bay Trail launch in early 2021.	25%	25%	 on track







2.4. Review and implement the Open Space Strategy to ensure high quality and increased capacity of the open space network

INDICATOR	COMMENT	FULL YEAR TARGET	TARGET	RESULT	STATUS
Standard of park presentation	While grass cutting has continued, the appearance and presentation of parks and reserves has dropped due to the impact of ceasing weed control, in line with COVID-19 restrictions. This has resulted in an increase in weed cover.	90.00%	90.00%	94.58%	 on track




ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
2.4.2.5 Reduce the use of glyphosate as a weed killer in Kingston	<p>Council staff no longer use glyphosate. A social enterprise has been engaged to undertake hand weeding of playgrounds.</p> <p>Council's tree planting and traffic treatment and natural resource area contractors have replaced glyphosate and Melbourne Water is trialling the use of steam for weeding near waterways.</p> <p>The Open Space Mowing contract has been renewed with alternate weed management control measures included.</p> <p>Integrated weed management approaches are being explored by Kingston to determine the best methods to control weeds effectively, including a trial with Deakin University to gain expert advice.</p>	100%	99%	 on track

2.5. Provide for a variety of sport and recreation opportunities across Kingston through the Sport and Leisure Strategy

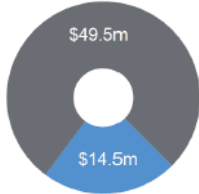
INDICATOR	COMMENT	FULL YEAR TARGET	TARGET	RESULT	STATUS
Number of times sports grounds are closed outside of scheduled maintenance	All sportsgrounds were closed due to COVID-19 restrictions; however, they would have been available for play had sport been permitted.	8.00	2.00	0.00	 on track

ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
2.5.1.2 Continue to invest to increase the capacity of existing sports fields	<p>New sports fields, comprising two ovals (AFL/cricket) and four soccer pitches at the Aspendale Gardens Sports Ground and a new oval (AFL/cricket) at Chadwick Reserve, Dingley have been delivered to local communities.</p> <p>In July 2020, Council endorsed the review of the Bonbeach Sport Reserve Master Plan. A key focus of this plan will be to improve the condition of Oval No. 5.</p>	25%	25%	 on track
2.5.1.5 Undertake a feasibility study and concepts for a high ball stadium development in Kingston and make provision for implementation in the long term financial plan	A site assessment was presented to Councillors in July 2020, considering both stadium (in the south) and aquatic facilities. Next steps with the planning for stadium facilities will be influenced by Council's planning for aquatic facilities.	5%	25%	 on track
2.5.1.8 Undertake a review of all indoor sports court provision throughout Kingston to ensure they meet the current and future needs of residents	A site assessment was presented to Councillors in July 2020, considering both stadium (in the south) and aquatic facilities. Next steps with the planning for stadium facilities will be influenced by Council's planning for aquatic facilities.	25%	25%	 on track
2.5.1.12 Redevelop Kerr Reserve Pavilion and sports field	<p>With the completion of the sports field, car park and landscaping works (Stage 1), Council will ramp up efforts for the development of the new pavilion (Stage 2). The pavilion concept has been prepared and endorsed by Council and stakeholders. A tender is planned for public advertisement in October 2020.</p> <p>As a modular construction methodology is recommended for the site, the pavilion will be constructed off site and transported and installed mid to late 2021.</p>	25%	25%	 on track
2.5.1.22 Renew Dolamore Athletic Track	<p>Council continues to consult with the athletics clubs as it progresses with the design development. Some delays have occurred with the management of tree roots and damage caused to the athletics track.</p> <p>Officers are seeking to achieve a key milestone with the tendering of works before the end of December. An award of tender is expected for presentation to Council in January 2021.</p>	25%	25%	 on track
2.5.1.23 Redevelop the Chadwick Reserve – Dingley Sports Pavilion	Council's endorsed design concept has been developed for the public tender, planned to occur November 2020. Works are planned to commence in March 2021. Works will occur across 2020/21 and 2021/22.	25%	25%	 on track

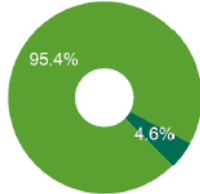
ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
2.5.2.3 Look for opportunities to increase passive recreation through all Master plans	<p>Works have commenced with the implementation of the Ben Kavanagh Master Plan, including the development of pathways, pentanque and fitness equipment.</p> <p>A new path network has been provided at Chadwick Reserve, Dingley. Renewal of pathways and a half-court basketball court have been completed as part of the Aspendale Gardens Sports Ground development.</p>	25%	25%	 on track
2.5.3.5 Develop the Le Page Reserve Masterplan	<p>Consultation activities have been extended to enable further strategic discussions with the tennis and netball clubs to continue from mid-2020 until late 2020.</p>	5%	5%	 on track
2.5.3.6 Work with local sporting clubs and residents to plan and deliver facility improvements at Regents Park	<p>Playground works are complete, and the new storage shed is planned for construction in late 2020. Works to complete the relocated memorial garden are planned for October/November.</p> <p>Planning processes for the sports pavilion development and tennis court upgrade have commenced, including ongoing discussion with the User Reference Group.</p>	5%	25%	 on track
2.5.3.7 Continue to implement the Playground Strategy and ensure trees in playgrounds are considered for shade in all playground designs and master plans	<p>All four playgrounds to be constructed this financial year have been designed with trees for shade, in line with Council's Playground Strategy for neighbourhood-level playgrounds. In quarter one, tender documentation was developed for the four to be constructed:</p> <ol style="list-style-type: none"> 1. Warraweena Road Reserve, Clayton South 2. Duggan Street Reserve, Mordialloc 3. Amaroo Drive Reserve, Chelsea Heights 4. Williams Close Reserve, Dingley Village <p>A further four playgrounds are being designed for construction next year and these will also have trees for shade. In quarter one, works were awarded to a consultant landscape architect for design development and consultation for:</p> <ol style="list-style-type: none"> 1. Carinya Ave Reserve, Aspendale 2. Mavis Hutter Reserve, Oakleigh South 3. The Heath Common, Heatherton 4. Kearney Drive Reserve, Aspendale Gardens 	25%	25%	 on track
2.5.3.12 Implement the Moorabbin Reserve master plan	<p>Completed works include: the bowling club car park, concrete path network with public lighting, basketball half court, shelter/BBQ area and ping pong table, installation of drinking fountains and gravel paths and a new exercise and community space.</p> <p>Following community consultation on the fence near Doonga Ave, Council approved a permanent timber post fence with black wire mesh inserts at the March 2020 Council meeting. The approved fence along Doonga Ave is completed.</p> <p>The remaining section (approximately 30 metres) that joins the St Kilda Football Club grandstand will be completed when the club is operational again after the COVID-19 pandemic.</p>	25%	90%	 on track

ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
2.5.3.22 Deliver the GR Bricker Reserve (West) Master Plan	Establishment of a User Group Implementation Group, to support the delivery of the GR Bricker Master Plan, is underway. The initial focus for the Group will be to provide input upon the co-ordination of 2020/21 works, including storage shed, pavilion planning (concept), car park design and landscape improvements.	25%	25%	 on track
2.5.3.23 Redevelop the Dales Park Pavilion	Unforeseen delays with the construction program have occurred, as a result of COVID-19 restrictions.	25%	10%	 off track
2.5.3.24 Redevelop the Roy Dore Reserve Pavilion	Due to COVID-19 restrictions, delays to the construction program have occurred. The scheduled completion date is likely March 2021.	25%	25%	 on track

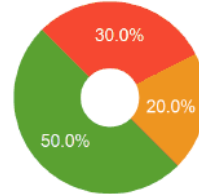
3 Our connected, inclusive, healthy and learning community



Expenditure



Actions



Performance Indicators

● BUDGET SPENT
 ● BUDGET REMAINING
 ● COMPLETE
 ● ON TRACK
 ● MONITOR
 ● OFF TRACK

Annual Service Highlights *previous financial year*

<p>1,706</p> <p>Yearly enrolments in Learn to Swim program</p>	<p>408</p> <p>Number of community groups supported by Social Development team</p>	<p>710,586</p> <p>Library loans</p>
<p>12,099</p> <p>Immunisations administered</p>	<p>168,474</p> <p>Community care hours delivered to people who are older and/or have a disability</p>	<p>700</p> <p>Children attending family and children's centres each week on average</p>

Our Services



HOME

- Home maintenance for the elderly & people with disabilities



LIFESTYLE

- Community centres
- Early years childcare & education
- Grants
- Libraries
- School aged childcare programs









HEALTH

- Community development & social planning
- Domestic, personal & respite care for the elderly & people with disabilities
- Maternal & child health & immunisation
- Leisure & aquatic centres
- Volunteering & delivered meals
- Youth services & family support

Our connected, inclusive, healthy and learning community

3.1. Respond to our community's social needs

INDICATOR	COMMENT	FULL YEAR TARGET	TARGET	RESULT	STATUS
Number of community transport passenger trips	The community bus program has been cancelled due to the COVID-19 pandemic and government restrictions in place. We are only doing urgent medical appointments and shopping.	24,000.00	6,000.00	1,038.00	 off track
People presenting, as new, to the Community Connection Program as homeless or at risk of homelessness	The number of referrals for our homeless person program has slowed due to the Victorian Government's response to the pandemic and placing people in accommodation.	100.00	25.00	11.00	 on track

ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
3.1.1.1 Implement the Municipal Public Health and Wellbeing Plan to provide strategic overview for the implementation action plans and strategies that contribute to making Kingston's population healthy and well	<p>Planning has commenced for the update of the Municipal Public Health and Wellbeing Plan. The current focus is on the health profile, health and wellbeing survey and community engagement planning.</p> <p>Metropolis Research has been appointed as the consultant for a Health and Wellbeing Survey which is currently on hold due to Caretaker and COVID-19 stage 4 restrictions.</p> <p>We anticipate a draft Municipal Public Health and Wellbeing Plan will be presented to Council in September 2021.</p>	25%	27%	 on track
3.1.1.2 Update Council's social strategies when due for renewal	<p>This action was closed in July 2019.</p> <p>It is now incorporated in the action 'Implementation of the Council's Municipal Public Health and Wellbeing Plan to provide strategic overview for the implementation action plans and strategies that contribute to making Kingston's population healthy and well'.</p>		closed	 on track
3.1.2.2 Utilise opportunities to reduce the density of poker machines in the municipality	<p>This action was closed in July 2019.</p> <p>It is now incorporated under the Gambling Policy and Action Plan 2014-2019. Social impact assessments will be undertaken as required to assess gaming machine applications in future.</p>		closed	 on track
3.1.2.3 Support Council teams with the implementation of the Child Safe Standards and facilitate the 1-4-year-old reporting frameworks	<p>The Child Safe Policy has been reviewed and has been provided to the internal steering and working groups for comment and input.</p> <p>A Child Safe Coordinator position has been approved and recruitment is expected to commence shortly.</p>	25%	26%	 on track

ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
3.1.2.8 Implement the Kingston Prevention of Family Violence Action Plan	<p>The Kingston Family Violence Working Group met with the Hon. Gabrielle Williams - Minister for Preventing Family Violence, and Tim Richardson - Member for Mordialloc, in July.</p> <p>Across the organisation, staff Ambassadors in the Raise It! program participated in a second masterclass focusing on workplace discrimination and sexual harassment.</p> <p>Family Violence Staff Support Officers met in August and planning progressed in preparation for the forthcoming Gender Equality Act 2020 (commencing 31 March 2021).</p>	25%	20%	 on track




3.2. Provide equitable access to services and facilities for all community members, irrespective of background and ability


INDICATOR	COMMENT	FULL YEAR TARGET	TARGET	RESULT	STATUS
Social Development - Officer hours of direct engagement with community groups	After fewer engagement hours in July due to COVID-19 restrictions, engagement increased in August and September due to the development and distribution of the Seniors Festival Booklet.	2,500.00	625.00	567.00	 monitor

ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
3.2.2.6 Build public, accessible 'Changing Places' and toilets for people with disabilities at strategic locations and deliver upgrades to existing public toilets	<p>Following meetings with the Department of Environment Land Water and Planning (DELWP) and other key stakeholders, Council agreed in November 2019 on a location for the new Changing Places facility within the Peter Scullin Reserve.</p> <p>Community consultation on the proposed building design was undertaken in March/April 2020 and a report on the outcomes was presented to Council in July 2020.</p> <p>Following approval by Council, a full DELWP Coastal Consent application has been submitted and detailed design commenced. The project is scheduled to commence on site in April 2021.</p>	10%	10%	 on track
3.2.2.8 Undertake priority works on access to buildings and bathrooms required at Scout and Guide Halls	<p>Tenders have been awarded for the first package of works at Cheltenham North and Dingley Scout Hall facilities to achieve compliance with the Disability Discrimination Act (DDA) for access to buildings and bathrooms. Work has commenced on site in quarter one but has been delayed due to COVID-19 restrictions.</p> <p>A second tender package for works at Mentone and Aspendale scout halls was sought and a contract awarded. Work will commence on site in quarter two, as COVID-19 restrictions allow.</p> <p>A third tranche of works for Aspendale scouts and scout facilities at Regents Park, will be tendered in quarter two, once stakeholder sign off has been finalised.</p>	10%	10%	 on track
3.2.3.3 Support vibrant, well utilised community centres in appropriate locations	<p>Due to COVID-19 the Kingston-managed community centres have been physically closed. Staff have kept in contact with individuals and groups by contacting them regularly via telephone, email or Zoom meetings, and offering information and support.</p> <p>Staff have also provided ongoing support and advocacy to managers and Boards of Council-funded community centres in response to the changing needs and issues during the COVID-19 restrictions.</p> <p>In September 2020, Council resolved that the Patterson Lakes Community Centre, previously externally managed, should be managed by Kingston. This will increase Council's presence and delivery of services in the south of Kingston.</p>	25%	25%	 on track



ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
3.2.3.9 Transition Youth Services to the former Mordialloc Masonic Hall, with revised services aligned to venue opportunities	<p>This action was completed in September 2020.</p> <p>Following an extensive design and construction process over the past two years, construction of the new facility is completed with furniture and fittings installed.</p> <p>The Youth Services Team moved into the building in September 2020. Once COVID-19 restrictions are lifted and full services resume, young people will have access to an exciting, purpose-built space for support programs and services.</p>	100%	100%	 complete




3.3. Enhance the wellbeing and participation of families and children

INDICATOR	COMMENT	FULL YEAR TARGET	TARGET	RESULT	STATUS
Volunteer hours provided in community programs - Youth and Family Services	Both Youth Advisory Committees were able to engage online in September. The focus was to check in on how participants were coping with Stage 4 restrictions. Freeza and Universal remain engaged online. The Universal Committee completed Edition 42, ready for distribution in the next quarter.	1,080.00	270.00	297.00	 on track
Participation in the MCH service	Participation in the MCH service has remained high, despite some consultations being carried out using telehealth during the past quarter.	82.00%	30.00%	46.54%	 on track
Council's child care centres utilisation rate (excluding sessional kinder)	The utilisation rate is calculated as the number of booked places used. During August and September, we only provided care to children of permitted workers and vulnerable children, and far fewer days of care were booked than usual. This means the utilisation rate does not provide an accurate picture of attendance at the centres. Actual attendance rates during the quarter were July – 82%, August – 39%, and September – 46%.	93.20%	93.20%	96.00%	 on track


ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
3.3.2.2 Provide an accessible immunisation service targeting children and families	The school immunisation program has now recommenced with most sessions taking place in Council venues outside school times by appointment. However, we have worked with each school and their families to access the students. The community sessions continue to operate by appointment. Family feedback is that they prefer this new model.	25%	25%	 on track


3.4. Promote an active, healthy and involved community life

INDICATOR	COMMENT	FULL YEAR TARGET	TARGET	RESULT	STATUS
Attendance at Council-run festivals and civic events including citizenship	No events were held due to COVID-19. The Spring Fair was cancelled, and online-only citizenship ceremonies held.	45,000.00	2,500.00	64.00	 off track
Leisure Centre - General Attendances	The Waves facility was closed due to COVID-19 restrictions.	37,256.00	40,877.00	0.00	 off track






ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
3.4.1.3 Implement Award Scheme revisions including the ongoing presentation of the Kingston Woman of the Year Award	<p>Planning and preparation for the Kingston Woman of the Year Award 2021 continues, with the date for next year's event finalised and the venue booked.</p> <p>We worked with Channel 31 to promote the Award and 2020 winner. We also planned the ongoing support and promotion of past nominees by sharing their success stories.</p> <p>The Young Women's Mentoring Program has four mentees and four mentors confirmed. The group had a virtual meet and greet session in September.</p>	25%	25%	 on track
3.4.2.7 Refurbish the Scout Hall for the 5th Mordialloc Sea Scouts	Community consultation has been undertaken in quarter one 2020/21, following endorsement of the scope of works by Council in late 2019/20. Detailed design has now commenced, and the project remains on schedule to commence in quarter four 2020/21.	10%	40%	 on track
3.4.4.3 Develop a Reconciliation Action Plan	<p>Outreach for Aboriginal and/or Torres Strait Islander Kingston community members to join the Reconciliation Action Plan (RAP) Advisory Group is ongoing, with a flyer distributed seeking membership. The RAP Advisory Group is a milestone in developing a RAP in accordance with Reconciliation Australia guidelines.</p> <p>Officers are seeking membership from across the organisation for the Internal RAP Working Group, also a milestone under the Reconciliation Australia guidelines.</p> <p>In September, Council facilitated a virtual story telling session for National Indigenous Literacy Day with a local Traditional Owner.</p>	25%	28%	 on track

3.5. Support learning and development

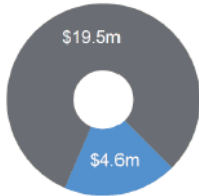
INDICATOR	COMMENT	FULL YEAR TARGET	TARGET	RESULT	STATUS
Heritage - Responses to historical enquiries	The result was affected by the COVID-19 restrictions, with fewer enquiries and responses in July. The City Historian continues to respond to historical enquiries from the public.	540.00	135.00	106.00	 monitor

Parents and children attending story times	Virtual story times and live streaming of story times have been popular during the COVID-19 pandemic.	20,400.00	5,100.00	6,621.00	 on track
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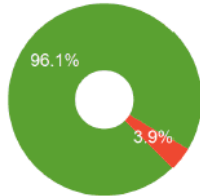
ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
3.5.1.2 Implement a new library management system and library website to further enhance customer service	<p>The library management system upgrade is complete and regular updates occur with software upgrades.</p> <p>Development of the new website is in progress with skins designed and a launch date to the public allocated in March 2021.</p> <p>The mobile app continues to be adopted by customers, providing another choice on how people can interact with Kingston's libraries and their resources.</p>	25%	99%	 on track
3.5.1.3 Support increased community literacy, including digital literacy	<p>Funded has been secured to work with digital literacy for seniors and vulnerable members of the community. The rollout of this project will be over October - December 2020.</p> <p>A review of core programs internally on site across Kingston Libraries nine branches is continuing and innovative and online programs have been developed and implemented during the COVID-19 pandemic; including virtual book clubs, virtual film clubs and online school holiday programs.</p> <p>A review of the internal staff structure is being developed, with recruitment and training for digital literacy skills to commence in 2020/21.</p>	25%	55%	 on track
3.5.1.4 Provide integrated library and community services for the new Westall Community Hub	<p>Many partnerships have been established with the Westall Community Centre tenants and the Library. These partnerships have provided the Westall community with access to services, connections and life-long learning.</p> <p>Before the COVID-19 pandemic, plans for further partnerships and opportunities were being explored through Westall Service Partners' meetings.</p>	25%	50%	 on track
3.5.1.5 Ensure further multi purposing of libraries and community centres as community learning spaces	<p>The new Library Strategy highlights the future vision for the multi-purposing of libraries and community centres to ensure that the Kingston community continues to benefit from the resulting connections, life-long learning and enjoyable spaces.</p> <p>A broad range of community programs continue to be delivered in Kingston's libraries and community centres. A review of the programs and community learning spaces is being undertaken but has been delayed by a staff vacancy and the COVID-19 pandemic.</p>	25%	52%	 on track

ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
3.5.1.10 Replace the Library website with enhanced functionality	The website design has been presented to the working group. Testing will occur in January 2021, with the launch in March 2021.	25%	94%	 on track
3.5.1.11 Engage with selected early childcare education and care providers within Kingston to provide support for an improved performance in the national quality assessments	Planning has commenced and a briefing document has been drafted to articulate the proposed 'Communities of Practice' model.	25%	25%	 on track
3.5.1.12 Enhance library resources and facilities (through Library Service Stock Purchasing and amenity improvements)	<p>Reviews were undertaken in July to September on the current profile buying of the collection. We developed new selection processes and focused on purchasing a stronger browsing collection, with more high demand titles.</p> <p>Regular reporting systems have been implemented on usage, reader requests and purchases of items.</p> <p>Additional online resources have been purchased, above the planned annual buy, to meet the online demand occurring due to COVID-19 and community members accessing the collection online from home.</p>	25%	69%	 on track
3.5.2.4 Consider the restoration of the Heritage Nylex Sign on the Nepean Highway	Following meetings with senior Bunnings representatives, we received correspondence confirming that Bunnings is willing to work with Council and the community to facilitate the restoration of the Nylex sign. These conversations have not been further advanced during the COVID-19 period but are likely to recommence in early 2021.	25%	25%	 on track
3.5.2.5 Develop a business case to advocate with State Government for the Cheltenham Court House to be used by Kingston Council for potential community uses	<p>Discussions have been undertaken with Cheltenham Police about how the facility is currently being used and potential community use investigated.</p> <p>Cheltenham Court House is currently being used by the Department of Justice and, if opportunities arise in the future, Council will advocate for its potential use by the community as a historical site.</p> <p>Currently on hold due to the COVID-19 lockdown.</p>	25%	40%	 on track

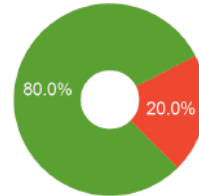
4 Our free-moving safe, prosperous and dynamic city



Expenditure



Actions



Performance Indicators

- BUDGET SPENT
- BUDGET REMAINING
- COMPLETE
- ON TRACK
- MONITOR
- OFF TRACK

Annual Service Highlights *previous financial year*

<h3 style="margin: 0;">77</h3> <p style="margin: 0;">School crossings</p>	<h3 style="margin: 0;">21,907</h3> <p style="margin: 0;">Pets registered in Kingston</p>	<h3 style="margin: 0;">17,993</h3> <p style="margin: 0;">Parking infringements issued annually by parking services team</p>
<h3 style="margin: 0;">204</h3> <p style="margin: 0;">Food samples taken annually</p>	<h3 style="margin: 0;">17,005</h3> <p style="margin: 0;">Businesses in Kingston</p>	<h3 style="margin: 0;">16,319</h3> <p style="margin: 0;">Annual hours of use of City of Kingston arts and cultural venues</p>

Our Services



HOME

- Community local law enforcement



LIFESTYLE

- Animal management
- Arts & cultural services
- Economic development & business support
- Festivals & events
- Urban activity centre development



HEALTH

- Food safety regulation & health monitoring services






TRAVEL

- Community transport for the elderly & people with disabilities
- Street lighting maintenance
- Parking enforcement & prosecutions
- Parking management
- Road safety
- Traffic engineering
- Transport planning

Our free-moving safe, prosperous and dynamic city



4.1. Vibrant shopping centres and employment precincts




INDICATOR	COMMENT	FULL YEAR TARGET	TARGET	RESULT	STATUS
Footpath Trading applications processed within 15 days	Ten applications were received for the quarter, with nine of them processed within 15 days.	90.00%	90.00%	90.00%	 on track

ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
4.1.1.4 Develop and implement a capital and renewal program to improve the amenity of activity/retail centres	<p>Officers continue to advocate for public realm upgrades in the southern corridor as part of the level crossing removal works, however, this is proving difficult with Level Crossing Removal Project (LXRP) advising that these works are 'out of scope'.</p> <p>Officers are currently working through the design details of the Chelsea Pedestrian Bridge, noting that in August 2020 Council resolved to make a financial contribution towards this significant piece of infrastructure.</p> <p>The demolition of 245-247 Charman Road (to coincide with LXRP works) is now complete, with construction of the expanded station forecourt area soon to commence as part of the LXRP works.</p>	25%	25%	 on track
4.1.2.3 Continue the implementation of the Moorabbin Junction Urban Renewal Strategy	<p>The Moorabbin West Urban Design Framework and Horscroft Place Urban Design Analysis were both adopted by Council in August 2020.</p> <p>Consultation on both projects included 1,400 visits to the Your Kingston Your Say consultation webpage and over 60 submissions to the two urban design projects.</p> <p>Planning is underway for the new pocket park in Horscroft Place, following a grant from the Victorian Government.</p>	25%	25%	 on track
4.1.2.5 Work with the Level Crossing Removal Authority to ensure that the works in Bonbeach, Edithvale and Carrum provide opportunities to further enhance the existing retail centres	<p>Officers are continuing to meet with the Level Crossing Removal Project (LXRP) to advocate for high quality design outcomes including public realm improvements within the rail corridor and along the existing streetscapes.</p> <p>Preliminary design plans are being sent through, with officers providing feedback on the plans.</p> <p>LXRP and Southern Program Alliance have advised that works outside the rail corridor and pedestrian crossings are out of scope and will not be included in their works.</p>	25%	25%	 on track



ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
<p>4.1.2.9 Advocate to the State Government for the inclusion of the following projects as part of the Carrum Revitalisation project: additional storage facilities for Carrum Lifesaving Club (\$150,000); further contribution to Carrum Sailing and Motor Boat Club (\$350,000) to cover the shortfall in their upcoming facility redevelopment and project management costs; others as required</p>	<p>Officers have continued to advocate for the outcomes sought by Council through regular meetings with the Level Crossing Removal Project. To date, the Victorian Government has pledged \$1.5 million to expand the Carrum Lifesaving Club. Officers are working with the Lifesaving Club to finalise the design of the facility. No further commitments have been made.</p> <p>Works within the foreshore reserve park are currently underway.</p>	75%	75%	 on track
<p>4.1.2.10 Consider how to improve the viability and street scape of the shopping strips of Chelsea (Nepean Highway) and Edithvale (Nepean Highway)</p>	<p>The Arts and Cultural Advisory Committee has approved the final design for the mural in the Strand.</p> <p>Officers are continuing to meet with the Level Crossing Removal Project (LXRP) to advocate for public realm improvements at Edithvale, Bonbeach and Chelsea. This includes refinement of the design for Chelsea pedestrian bridge.</p> <p>Officers are working with consultant MGS to settle a draft of the Chelsea Structure Plan, noting the project was delayed as a result of COVID-19 and LXRP works in the centre. The draft Structure Plan will consider and address issues relating to streetscape design and functionality as well as opportunities to enhance the public realm.</p>	25%	25%	 on track
<p>4.1.2.13 Enhance Parkdale local shopping centre</p>	<p>Council was successful in being awarded a \$100,000 Department of Environment Land Water and Planning grant towards the enhancement of Parkdale local shopping centre.</p> <p>Designs are complete with a tender for works to be advertised in November. Prior to award for construction, Council will consult on timing with traders to ensure works minimise trading impacts - particularly considering recent impacts from COVID-19 restrictions.</p>	25%	49%	 on track
<p>4.1.2.14 Create public open space above the new railway line at Mentone</p>	<p>In December 2017 Council adopted the Mentone Urban Design Framework which advocated for an expanded, decked open space area above the rail corridor adjacent to Balcombe Road.</p> <p>Council subsequently resolved to make a financial contribution towards the Level Crossing Removal Project's delivery of this space, which is currently under construction and due for completion in early 2021.</p>	50%	75%	 on track

4.2. Understand and support our thriving profitable local economy

INDICATOR	COMMENT	FULL YEAR TARGET	TARGET	RESULT	STATUS
Satisfaction with Better Approvals co-ordination service	Satisfaction level is determined by customers achieving their development or business set up goals.	95.00%	90.00%	98.00%	 on track
Level of satisfaction of participants at business education initiatives	Participant's satisfaction levels are determined by a post-workshop survey.	93.75%	90.00%	95.00%	 on track




ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
4.2.1.1 Analyse economic data on the regional economy and employment trends to inform decision making	Food premises registration data is being used to help inform Council's response to the Victorian government's Roadmap to Reopening.	25%	25%	 on track
4.2.1.2 Work across the peak regional bodies to support economic investment in Kingston and in the broader South East Region	Council continues to be involved in the Greater South East Melbourne Group and has been advocating strongly for broader recycled water projects in the region to assist economic investment and sustainability in the region. We are liaising with our regional counterparts to ensure consistency in approach in response to the Victorian Government's Roadmap to Reopening.	25%	25%	 on track
4.2.2.3 Facilitate business education and skills development	Six online workshops were held for businesses in this quarter.	25%	25%	 on track

4.3. Rich in arts, innovation and tourism



ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
4.3.2.2 Support arts and entertainment focused businesses and entrepreneurship in our urban centres	<p>Council's Business Directions team is adapting its communication channels to keep businesses informed of the support and financial assistance available during the COVID-19 pandemic trading restrictions.</p> <p>An 'Open for Business' directory has been added to the Kingston Business website to support the arts, entertainment, hospitality and entrepreneurs in our community.</p> <p>Our e-news is regularly updating start-ups and scale-up businesses on workshops and webinars to upskill and use digital technology to reach new markets. Social media campaigns are also promoting the creative industries and featuring individual businesses.</p>	25%	25%	 on track
4.3.2.6 LF Payne Masterplan	<p>Architectural consultants have undertaken an assessment of opportunities and made preliminary recommendations on the scope of the project, which is largely related to the refurbishment of the LF Payne Hall.</p> <p>A progress report on the LF Payne Master Plan was submitted to Council in April 2020 proposing that the refurbishment of LF Payne Hall be incorporated into the Chelsea structural renewal plan.</p> <p>This proposal was not endorsed by Council, consequently, Kingston Arts will be progressing the development of a new master plan for the venue in conjunction with key stakeholders.</p>	10%	10%	 on track





4.4. Integrated accessible transport and free moving city



ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
4.4.1.1 Develop and implement an Integrated Transport Strategy	<p>The Kingston Integrated Transport Strategy was adopted by Council in September 2020. Officers are working on a strategy to communicate the policy with the community.</p> <p>The action plan for the Kingston Integrated Transport Strategy will be developed as part of the subsidiary strategy development - including walking and cycling strategies, road safety strategies, and public transport strategies.</p>	85%	80%	 on track
4.4.1.4 Provide facilities for cyclists to support and encourage cycling, particularly at train stations	<p>Over the course of the year, Kingston has negotiated for additional end-of-trip facilities at the new rail stations constructed along the Frankston line, including secure bike cages and hoops.</p> <p>We have also secured a commitment for a shared user path along Station Street from Edithvale to Carrum and ultimately connecting to Frankston.</p> <p>Edithvale, Chelsea and Bonbeach will be the last few level crossing removal projects in Kingston for now. There may not be any opportunity to create more cycling facilities along the railway corridor in the short term.</p>	25%	80%	 on track
4.4.2.2 Develop and implement safe and effective local area traffic management solutions	<p>This is a core function and Local Area Traffic Management Projects will be carried out on a regular basis. The current projects are:</p> <ol style="list-style-type: none"> 1. Parkdale Local Traffic Area Management project for the west of Nepean Highway. 2. Parkdale Local Traffic Area Management project for the east of Nepean Highway. 3. Pedestrian safety improvement project at Karen Street and Matheison Street intersection, Cheltenham. 4. Speed limit reduction along Turner Road and Bernard Street. 5. Bicycle lane project on Old Dandenong Road. 6. Bicycle lane project on Bernard Street. 7. Walk to School Programs with various schools across Kingston. 	25%	52%	 on track
4.4.3.3 Consider the South East Regional Freight Strategy	<p>The Mordialloc Freeway was a key outcome of this strategy. The South East Regional Freight strategy has also been considered during the development of Kingston's Integrated Transport Strategy.</p> <p>Some of the other priorities for Kingston were upgrades on parallel routes that will be reviewed following completion of the Mordialloc Freeway.</p>	25%	53%	 on track
4.4.4.2 Appropriately manage and enforce Council's parking areas particularly around schools	<p>Due to COVID-19 restrictions, parking enforcement activity was considerably restricted, however parking officers patrolled the municipality enforcing red signs and disabled bays. Officers responded to complaints such as cars parked over driveways and issued infringement notices. Officers also patrolled school crossings to enforce no stopping areas, clearways and cars parked across driveways.</p>	25%	25%	 on track

ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
4.4.4.4 Investigate the need for ticketed parking for non-residents near the foreshore and shopping strips	<p>Ticketed parking was investigated as part of the Draft Chelsea Structure Plan development, with a report in 2019/20 recommending paid car parking be provided at 'premium' locations in Chelsea. Most off-street car parks in Chelsea experience high car parking demand throughout the year.</p> <p>The structure planning work identifies that most people who use the Chelsea activity centre are Kingston residents; therefore, the paid car parking would need to apply to all users (residents and non-residents) to be most effective.</p> <p>This concept is in the early stage of being explored with Mordialloc traders.</p>	25%	60%	 on track
4.4.5.4 Review, update and implement the Cycling Strategy	<p>The project will be started in early 2021, after publication of the Kingston Integrated Transport Strategy.</p>	5%	5%	 on track
4.4.5.9 Implement stage three of the Bay Trail - from Rennison St to Nepean Hwy	<p>Construction of Stage 3 of the Bay Trail commenced in September 2020. All vegetation required for removal under permit has been completed. Retaining walls and fencing works are under way between Rennison Street to Centre Way. Works are progressing to the amended schedule, to accommodate COVID-19 delays.</p> <p>31 October 2020: Work is progressing in accordance with the construction program and scheduled to be completed by end January 2020. The public art work is programmed to be installed in late February 2021 with the official opening to follow shortly after, depending on COVID-19 restrictions.</p>	25%	50%	 on track

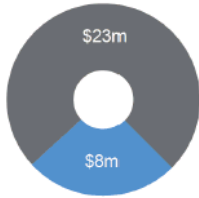
4.5. Keeping our community safe and protected

INDICATOR	COMMENT	FULL YEAR TARGET	TARGET	RESULT	STATUS
Health Services - Inspections of registered premises	During Stage 4 COVID-19 restrictions Environmental Health Officers have, as a consequence of significant business shutdown, reduced the number of inspections and risk assessments at registered premises.	1,795.00	450.00	219.00	 off track
Fines and official warnings issued for animal offences	It is expected that the lower number is due to COVID-19 and can be expected to be on target once restrictions are lifted. Stage 4 restrictions do not permit proactive patrols of parks and the foreshore to enforce animal regulations. Officers can only address animal-related complaints where safety has been raised as an issue.	1,200.00	300.00	211.00	 on track

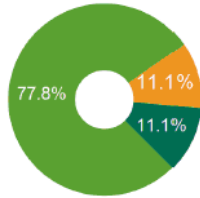
ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
4.5.1.4 Implement a Public Health Information Management solution	The Health Manager software solution is being implemented, with all data cleansing and importation of data occurring in this quarter. Training of staff in the new software was rolled out in September.	25%	75%	 on track
4.5.2.3 Review and consult the community for other opportunities for dog off leash areas given the changing nature of the housing stock within the City	Opportunities for fencing a dog off leash area in the South Ward were explored, with consultation completed for Iluka Reserve and Roy Dore Reserve. Both reserves are going to be fenced off. Planning and preparation has commenced and the works are to be undertaken in this current financial year. The fence at Iluka Reserve has already been installed and new seating will shortly be installed.	25%	25%	 on track
4.5.3.2 Ensure Kingston is prepared for disaster through the implementation of strategic emergency management and disaster recovery plans	Kingston's Pandemic Plan and Business Continuity Plans were activated in March 2020 to guide Council's effective initial response to the COVID-19 pandemic and they are now guiding Council's COVID-19 recovery efforts. An internal audit of Kingston's Emergency Management Framework was undertaken in May 2020 and found that Council is well placed, with appropriate emergency management plans and sub-plans ready to activate if necessary. All actions that need to take place to respond to COVID issues, are currently taking place. The review/re-write of the Pandemic Plan is to take place in the next quarter.	25%	25%	 on track
4.5.3.4 Build a Community Resilience education program (across Council and the community) to improve mitigation, response and recovery during and after an emergency situation	Work on the education program has been postponed because of the COVID-19 pandemic. Prior to that, work began on building a Community Resilience Education Program with Kingston staff and other emergency service organisations. Planning began for a live emergency exercise to be held before the end of 2020.	25%	15%	 off track

ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
4.5.4.3 Implement Kingston's Road Safety Strategy	Officers are continuing the review of the Road Safety Strategy which will be finalised in 2021/22. It will align with the Victorian Government's Vision Zero Road Safety Strategy and targets - focusing on the parts that are most effectively delivered by Council such as activities with vulnerable road users (pedestrians, cyclists, young and elderly).	25%	20%	 on track
4.5.4.4 Ensure Council's enforcement functions remain relevant to the key changes occurring in the City	<p>In response to the COVID-19 pandemic, enforcement in residential areas has been reduced now that more residents are working from home.</p> <p>Parking officers are mainly enforcing red signs, statutory prohibitions and disabled parking bays. Officers are permitted to enforce no stopping and across driveway offences at school crossings.</p> <p>Officers have continued to respond to animal complaints and dog attacks and collect found dogs. No proactive patrols are being undertaken of reserves and foreshores - officers are only responding to complaints relating to community safety.</p> <p>The cat trapping service has been suspended since April to reduce the COVID-19 risk to residents and Council officers. Officers can only issue traps when injured cats, that need medical attention, are reported.</p>	25%	25%	 on track

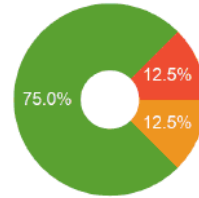
5 Our well-governed and responsive organisation



Expenditure



Actions



Performance Indicators

- BUDGET SPENT
- BUDGET REMAINING
- COMPLETE
- ON TRACK
- MONITOR
- OFF TRACK

Annual Service Highlights *previous financial year*

<p>75,030</p> <p>Property rates assessments</p>	<p>3,490</p> <p>Live chat questions answered by staff</p>	<p>161,559</p> <p>Incoming correspondence registered</p>
<p>4</p> <p>Citizenship ceremonies held</p>	<p>123,145</p> <p>Calls to Customer Care</p>	<p>4,390</p> <p>Annual hits on Council Meeting web streaming</p>

Our Services



- Customer service
- Property rating & collection services

HOME



- Communications & community relations
- Lobbying on behalf of the community

LIFESTYLE






- Emergency management coordination

HEALTH




Our well-governed and responsive organisation



5.1. Support decision making to provide an efficient and effective Council which embodies the principles of democracy

INDICATOR	COMMENT	FULL YEAR TARGET	TARGET	RESULT	STATUS
Kingston-wide requests actioned through the Customer Request Management System within service standards (YTD)	There were 15,310 requests closed in the first quarter. 63% of requests closed were actioned by the Infrastructure team. There has been renewed focus on improving this result across the organisation which is starting to show positive results.	90.00%	90.00%	82.47%	 monitor
Proportion of positive versus negative references about Council in the media	Of 73 mentions, 65 (89%) were positive, 8 (11%) were neutral and none were negative.	75.00%	75.00%	89.00%	 on track

ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
5.1.3.5 Facilitate the 2020 Local Government election process	Council has completed its obligations in relation to the local government election process and we are currently awaiting the election results.	50%	75%	 on track


5.2. Responsible and sustainable financial management

INDICATOR	COMMENT	FULL YEAR TARGET	TARGET	RESULT	STATUS
Organisational labour costs, variance from budget	Salaries are \$19.6m and are \$1.0m favourable to budget for the year to date.	10.00%	10.00%	4.25%	 on track
Rates revenue received as a percentage of rates outstanding	Rates received for September are much higher than anticipated, given rates were not issued until 4 September. We have seen an unanticipated number of out of cycle payments (non-instalment or direct debit) paid during September which has led to a positive collection percentage result. This is surprising given the number of applications to defer and for financial hardship we are currently processing.	96.00%	15.00%	15.30%	 on track
Supplementary property valuations completed	Supplementary valuations are currently on hold due to several factors related to the current COVID-19 pandemic and state government restrictions for non-essential workers. Currently, our contracted valuers are not considered essential workers and are unable to resume valuation activities. Council is also holding supplementary valuations to assist in a data cleansing exercise in preparation for upcoming rating periods.	3,000.00	750.00	0.00	 off track


ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
5.2.2.1 Continue to encourage increased take-up of electronic rates notices	As of September, 15,649 of our rate payer base (20.15% of rate payers) have registered for one of the electronic services offered for rates.	25%	18%	 monitor
5.2.2.3 Review potential alternative revenue generating opportunities across Kingston	The Finance department continues to provide support to all areas of Council where they identify alternative revenue-generating opportunities. This will be reviewed again as part of the development of the Long Term Financial Plan in 2021/22.	5%	5%	 on track


5.3. Foster staff health and wellbeing, promote our organisational values and encourage leadership and high productivity

INDICATOR	COMMENT	FULL YEAR TARGET	TARGET	RESULT	STATUS
Resignations and terminations compared to average staff	This indicator is on track.	10.00%	10.00%	1.35%	 on track


ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
5.3.1.8 Lead a cultural reform that embraces the benefits of offering flexibility to staff; employer of choice, staff engagement, outcome focused effort	<p>This action was completed in September 2020.</p> <p>Council is successfully managing the workplace restrictions stemming from the need for distancing from each other via the implementation of the working flexibly policy and procedures.</p> <p>A recent survey of over 300 employees showed 95% support for the ability of Council to pivot so rapidly to a productive and supportive environment where all staff are encouraged and supported to work flexibly.</p> <p>It is hoped that, in the post COVID-19 environment, many of the new ways of working can be incorporated into our 'new normal' manner of working described as "flexible by design managed by outcomes". We will continue to embed the cultural change and leadership development.</p>	100%	100%	 complete


5.4. A responsive and well-managed organisation


INDICATOR	COMMENT	FULL YEAR TARGET	TARGET	RESULT	STATUS
Customer Care telephone calls - First point of contact resolution (YTD)	Taking care of the customer, at the first point of contact, has remained our focus.	80.00%	80.00%	95.95%	 on track


Customer Care telephone calls answered within 30 seconds (YTD)	It has been a busy quarter, with increased call volumes. Customer Care staff have maintained good response rates whilst working from home.	80.00%	80.00%	80.89%	 on track
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ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
5.4.2.2 Develop asset management plans for Council assets, including the establishing of acceptable levels of service in terms of quality, quantity, reliability, cost and responsiveness	<p>A plan is being developed to coordinate the development of asset-specific management plans with the local Government Act 2020 requirements for a 10-year Corporate Asset Plan to be adopted by June 2022.</p> <p>Draft plans, based on asset renewal, will be updated by the end June 2021 with strategic objectives to be informed by the Council Plan and Community Vision and incorporated in Asset Plans.</p>	5%	5%	 on track

5.4.2.21 Develop a list of all new assets that will be constructed as part of the LXRA projects along the Frankston train line, with indicative future maintenance and replacement costs	<p>This action is ongoing for the life of the Level Crossing Project. Regular meetings occur with Level Crossing Removal Authority to clarify responsibilities and ownership of assets to be created during this project.</p> <p>A register of new assets to be handed over to the City of Kingston for future maintenance is in development and will be registered in Council's Asset Management System. As at the end of September, one asset has been formally handed over to Council - Patterson River Road Bridge.</p>	5%	5%	 on track
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5.4.3.18 Develop a strategic workforce plan	<p>The basis of the strategic workforce plan which outlines the skills and capabilities required now and into the future has been developed and endorsed. These are now being incorporated into development initiatives such as the training calendar and the My Kingston Achievement and Development program.</p> <p>The second component of the strategic workforce plan requires a deeper understanding of our staff demographic data. This work has commenced with the staff census.</p>	25%	35%	 on track
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5.4.5.1 Manage the Governance Framework	The Good Governance Framework was adopted by Council at its May 2020 meeting. An education plan is being developed to support the framework and work to monitor the actions has commenced. The compliance program is being set up on a software platform and will be soon completed. The 2019/20 organisational compliance attestation will be performed in the coming months using this software.	25%	50%	 on track
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ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
5.4.5.2 Administer the new Local Government Act	Council has achieved the requirements of the Act to date, with a number of items adopted at its August 2020 Council meeting.	30%	75%	 on track

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Income Statement

	Actual YTD to September 20 \$'000	Revised Budget YTD to September 20 \$'000	Favourable/ (Unfavourable) \$'000	Favourable/ (Unfavourable) %	Ref
Revenue					
Rates and Charges	142,414	142,539	(125)	-0.1%	
Grants and Subsidies	9,495	8,898	597	6.7%	
Grants - Capital	1,415	1,415	0	0.0%	
Contributions	118	80	38	47.5%	1
Statutory fees and fines	1,290	1,532	(242)	-15.8%	2
User Fees	2,231	3,151	(920)	-29.2%	3
Interest Income	294	652	(358)	-54.9%	4
Other Income	135	174	(39)	-22.2%	5
Total Revenue	157,392	158,440	(1,048)	-0.7%	
Expenses					
Employee Benefits	20,965	21,895	930	4.2%	
Materials and Services	18,840	21,922	3,082	14.1%	6
Bad and Doubtful Debts	0	0	(0)		
Depreciation & Amortisation	6,774	6,625	(149)	-2.2%	
Interest/Borrowing Costs	134	114	(20)	-17.9%	7
Total Expenses	46,714	50,557	3,843	7.6%	
Net Gain(Loss) on Disposal of Infrastructure, Property, Plant and Equipment	41		41		
Surplus	110,719	107,883	2,836	2.6%	

Variance Explanations (for material variances > 10%)

Ref	Item	Explanation
1	Contributions	Contributions total revenue is \$118k and is \$38k favourable to budget. The major payments received of \$82k are from clubs contributing to capital projects.
2	Statutory Fees & Fines	Statutory Fees and Fines total revenue is \$1.3 million and is \$242k unfavourable to budget. Family Day Care is \$145k unfavourable and this is offset by their higher Grants and Subsidies. Boatshed Permit Fees in the Property & Arts department are \$100k unfavourable.
3	User Fees	User Fees total revenue is \$2.2 million and is \$0.9 million unfavourable to budget. Long Day Care at Parkdale (\$286k), Carrum (\$230k) and Edithvale (\$208k) are all unfavourable to budget as COVID19 impacts day care operations. The Before / After School Care and Holiday Program team is \$212k unfavourable as COVID19 impacts operations. Memberships at Waves are \$222k favourable to budget due to prepaid income from the prior year being recognised in July, while the revised budget phased the income toward the second half of the financial year.
4	Interest Income	Interest Income is \$294k and is \$358k unfavourable to budget. COVID19 and the cash we currently have on hand have impacted the amount of cash we have invested (\$79.1 million vs \$123.1 million at the corresponding time last year). The average rate of return on our investments has been in decline for over a year. The average rate at September 2020 is 1.11% (vs 2.23% at the corresponding time last year and 2.61% the year before that).
5	Other Income	Other Income is \$135k and is \$39k unfavourable to budget. Workcover Income received is \$73k and is \$17k unfavourable to budget. Right of Way Income received is \$0 and is \$38k unfavourable to budget.
6	Materials & Services	Materials and Services total expenditure is \$18.8 million and is \$3.1 million favourable to budget. The Planning and Development division is \$321k favourable to budget, predominately in the City Strategy department (\$191k favourable) with fewer Strategic Planning and Planning Scheme Amendments. The Community Sustainability division is \$0.85 million favourable to budget predominately due to reduced aged and children's services on offer/being taken up during the COVID19 pandemic. The Corporate Services division is \$494k favourable to budget due to reduced events, training and postage costs during the COVID19 restrictions. The City Assets and Environment division is \$0.8 million favourable to budget due to lower contract payments in the Civil Maintenance team (\$238k), savings from New Handovers in the Parks team (\$325k), and savings in the Property & Arts team (\$94k) from buildings and centres being closed during the pandemic.
7	Interest/Borrowing Costs	Interest / Borrowing Costs total expenditure is \$134k and is \$20k unfavourable to budget.

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Cash Flow Statement

	Actual YTD to September 20 \$'000	Revised Budget YTD to September 20 \$'000	Favourable/ (Unfavourable) \$'000	Favourable/ (Unfavourable) %	Ref
Cash Flows from Operating Activities					
Rates	28,427	29,000	(573)	-2.0%	
Grants - Operating	5,975	7,157	(1,182)	-16.5%	1
Grants - Capital	2,688	2,714	(26)	-1.0%	
Contributions	2,755	81	2,674	3301.2%	2
Statutory fees and fines	1,290	1,635	(345)	-21.1%	3
User fees	3,160	4,075	(915)	-22.5%	4
Interest	294	500	(206)	-41.2%	5
Increase/(Repayment) of Trust Funds and Deposits	2,212	0	2,212	100.0%	6
Other Receipts	135	200	(65)	-33.5%	7
Payments to Employees	(20,773)	(22,161)	1,388	6.3%	
Payments to Suppliers	(27,401)	(21,417)	(5,984)	-30.6%	8
Net Cash Provided by Operating Activities	(1,238)	1,784	(3,022)	-169.4%	
Cash Flows from Investing Activities					
Payment for Infrastructure, Property, Plant & Equipment	(8,986)	(14,595)	5,609	38.4%	8
Proceeds from sale of Infrastructure, Property, Plant & Equipment	41	0	41		
Net Cash Provided by Investing Activities	(8,945)	(14,595)	5,650	38.7%	
Cash Flows from Financing Activities					
Borrowing Costs	(11)	(8)	(3)	-37.5%	
Increase/(Repayment) of interest bearing loans & borrowings	(342)	(379)	37	9.8%	
Repayment of lease liabilities	(468)	(305)	(163)	-53.4%	9
Net Cash (used in) Financing Activities	(821)	(692)	(129)	-18.6%	3
Net Increase in Cash and Cash Equivalents	(11,004)	(13,503)	2,499	18.5%	
Cash and Cash Equivalents at the Beginning of the Financial Year	129,860	129,860	0	0.0%	
Cash and Cash Equivalents at the End of Period	118,856	116,357	2,499	2.1%	

Variance Explanations (for material variances > 10%)

Ref	Item	Explanation
1	Grants - Operating	Operating grants received are \$1.2 million unfavourable to budget. Operational grant income is on budget and therefore this cash variance is due to some grants being invoiced but not yet received as at the reporting date.
2	Contributions	Contributions received are \$2.7 million favourable to budget, predominately due to \$1.8 million received for cash developer contributions which aren't budgeted for. These contributions are transferred to a reserve for later use on open space and stormwater redevelopment. The remaining contributions are cash contributions from local clubs towards capital projects.
3	Statutory fees and fines	Cash received for statutory fees and fines are \$0.3 million unfavourable to budget due to less than budgeted receipts for family day care and boat shed permit fees which are delayed due to COVID19 restrictions.
4	User Fees	Cash received for user fees are \$0.9 million unfavourable to budget. This is due to less than budgeted receipts for long day care, before & after school care and holiday programs which have all been impacted by the COVID19 pandemic.
5	Interest	Interest received is \$0.2 million unfavourable to budget. COVID19 and the cash we currently have on hand have impacted the amount of cash we have invested (\$79.1 million vs \$123.1 million at the corresponding time last year). The average rate of return on our investments has been in decline for over a year. The average rate at September 2020 is 1.11% (vs 2.23% at the corresponding time last year and 2.61% the year before that).
6	Trust funds and deposits	Trust funds and deposits have increased by \$2.2 million. This is not budgeted for. Trust funds and deposits include retentions held for capital works in progress and refundable deposits, including asset protection deposits, which will be required to be returned on completion of works.
7	Other receipts	Other receipts are \$65k unfavourable to budget. Workcover income received is \$73k and is \$17k unfavourable to budget. Right of Way Income received is \$0 and is \$38k unfavourable to budget.
8	Payments to suppliers & Payments for Infrastructure, Property, Plant and Equipment	Payments to suppliers are \$6.0 million unfavourable to budget. This is mostly offset by a favourable variance of \$5.6 million in payments for infrastructure, property, plant and equipment. These variances are expected to match budgeted figures as the year progresses and capitalisation of expenditure is reflected in the transactions.
9	Repayment of lease liabilities	Repayment of lease liabilities is \$0.2 million unfavourable to budget. The budget was based on a conservative estimate at the time.

Kingston City Council
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For the 3 Months ending 30th September 2020

Balance Sheet						
	Actual as at September 20 \$'000	Annual Revised Budget \$'000	Favourable/ (Unfavourable) \$'000	Favourable/ (Unfavourable) %	Ref	
Current Assets						
Cash and Cash Equivalents	118,856	103,258	15,598	15.1%		1
Trade and Other Receivables	132,664	21,455	111,209	518.3%		2
Non-current Assets classified as Held for Sale	0	0	0			
Other Assets	375	1,532	(1,157)	-75.5%		3
Total Current Assets	251,895	126,245	125,650	99.5%		
Non Current Assets						
Trade and Other Receivables	0	0	0			
Infrastructure, Property, Plant & Equipment	2,502,408	2,535,709	(33,301)	-1.3%		
Right of use assets	10,519	9,606	913	9.5%		
Investment Property	3,750	3,750	0	0.0%		
Intangible Assets	711	999	(288)	-28.8%		4
Total Non Current Assets	2,517,388	2,550,064	(32,676)	-1.3%		
Total Assets	2,769,283	2,676,309	92,974	3.5%		
Current Liabilities						
Trade and Other Payables	9,429	18,590	9,161	49.3%		5
Trust Funds and Deposits	6,984	4,772	(2,212)	-46.4%		6
Unearned income	7,451	8,442	991	11.7%		7
Provisions	22,255	21,362	(893)	-4.2%		
Interest Bearing Loans and Borrowings	1,043	0	(1,043)	100.0%		8
Lease Liabilities	1,134	1,186	52	4.4%		
Total Current Liabilities	48,296	54,352	6,056	11.1%		
Non Current Liabilities						
Provisions	1,707	1,707	0	0.0%		
Interest Bearing Loans and Borrowings	687	555	(132)	-23.8%		8
Lease Liabilities	9,616	8,785	(831)	-9.5%		
Total Non Current Liabilities	12,010	11,047	(963)	-8.7%		
Total Liabilities	60,306	65,399	5,093	7.8%		
Net Assets	2,708,977	2,610,910	98,067	3.8%		
Equity						
Accumulated Surplus	1,552,749	1,456,011	96,738	6.6%		
Asset Revaluation Reserve	1,121,316	1,121,316	0	0.0%		
Other Reserves	34,912	33,061	1,851	5.6%		
Total Equity	2,708,977	2,610,388	98,589	3.8%		

Variance Explanations (for material variances > 10%)

Ref	Item	Explanation
1	Cash & Cash Equivalents	Cash and cash equivalents are \$15.6 million favourable to budget. The budget is a year-end position and the cash position is expected to decrease as operational and capital expenditure is incurred during the year.
2	Trade & Other Receivables	Trade and other receivables are \$111.2 million higher than the year-end budgeted total of \$21.4 million. Of the total \$132.7 million trade and other receivables, \$127 million is related to rate debtors which are expected to decrease significantly during the year as rate instalments are paid.
3	Other Assets	Other assets of \$0.4 million are \$1.2 million unfavourable to budget. Actual other assets includes accrued interest income only. The total budget of \$1.5 million includes prepaid expenditure which is recorded at year end. 30 June 2020 total prepaid expenditure was \$0.7 million.
4	Intangible Assets	Intangible assets are \$0.3 million unfavourable to budget. The budget of \$1.0 million includes \$0.2 million as work in progress for the cloud transition which will be included in the total intangible assets by year end.
5	Trade & Other Payables	Trade and other payables are \$9.2 million favourable to budget. The budget is a year-end position and the level of creditors and accruals is dependent on the timing of invoices and expenditure receipted as at reporting date.
6	Trust Funds & Deposits	Trust funds and deposits are \$2.2 million unfavourable to budget. The budget is a year-end position and actuals are expected to match budget by 30 June 2021 as retentions and deposits are refunded during the year.
7	Unearned Income	Unearned income is \$1.0 million favourable to budget. Actual unearned income doesn't include unearned capital grants or user fees which will be recorded as at 30 June 2021.
8	Interest Bearing Loans & Borrowings	Interest bearing loans and borrowings are \$1.2 million unfavourable to budget. The budget is a year-end position and actual loans will equal budget by 30 June 2021 as per loan repayment schedules.

Kingston City Council
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Capital Works

Asset	Actual YTD to September 20 \$'000	Annual Revised Budget \$'000	% Complete	Ref
Property				
Land	849	2,805	30%	
Buildings	2,943	19,447	15%	
Plant & Equipment				
Plant, machinery and equipment	0	370	0%	1
Fixtures, Fittings and Furniture	111	3,458	3%	2
Computers and telecommunications	188	1,181	16%	
Library Books	392	1,099	36%	
Infrastructure				
Roads	1,365	6,403	21%	
Footpaths & cycleways	233	3,478	7%	3
Bridges	0	100		
Drainage	1,749	6,259	28%	
Recreational, leisure & community facilities	762	12,530	6%	4
Parks, open space and streetscapes	545	6,717	8%	5
Off street car parks	98	1,210	8%	6
Other infrastructure	134	323	41%	
Other Non-Asset Capital Budget				
Non Asset Capital Projects	0	0		
Total capital works expenditure	9,369	65,380	14%	
Projects Represented by:				
New asset expenditure	1,727	13,843	12%	
Asset expansion expenditure	490	2,947	17%	
Asset renewal expenditure	4,666	29,542	16%	
Asset upgrade expenditure	2,281	17,644	13%	
Non Asset	206	1,403	15%	
Total capital works expenditure	9,369	65,380	14%	

Variance Explanations

Ref	Item	Explanation
1	Plant, machinery and equipment	Plant purchasing versus leasing options are being assessed - No new plant purchases are expected to be placed until 2021.
2	Fixtures, Fittings and Furniture	COVID19 Stage 4 restrictions on construction activities has slowed progress, however 2020/21 projects are expected to achieve full delivery.
3	Footpaths & cycleways	COVID19 Stage4 limitations on construction activities has delayed the commencement of some works. The final stage of Foreshore Trail, Mordialloc is now in progress.
4	Recreational, leisure & community facilities	COVID19 Stage 4 limitations on construction activities has delayed the commencement of some works. Masterplan and Netball Courts for Ben Kavanagh Reserve will start in October and sports lighting projects for Kingston Heath Hockey and Borbeach Res have been awarded.
5	Parks, open space and streetscapes	COVID19 Stage 4 limitations on construction activities along with wet weather have delayed commencement of some projects. Main delay has been Elder Reserve park development that has been shut down for 6 months due to boggy ground conditions. Works recommenced in September.
6	Off Street car parks	COVID19 Stage 4 limitations on construction activities has delayed the commencement of some works.

12. Notices of Motion

Council Meeting

30 November 2020

Agenda Item No: 12.1

NOTICE OF MOTION NO. 45/2020 - CR OXLEY - RECORDING OF COUNCIL MEETINGS POLICY

That Council receive a report to the December Meeting into amending the Recording of Public Council Meetings policy to allow for the recording and retention of the recordings in relation to matters relating to the CEO.

Cr Georgina Oxley

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 Property Acquisition

Agenda item 14.1 *Property Acquisition* is designated confidential because it is:

- Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released, and confidential meeting information, being the records of meetings closed to the public under section 66(2)(a) (section 3(1)(a) and (h)), and
- The report canvasses potential purchase of property that if it were public at this stage would severely impact on Council's capacity to acquire the property at a fair price, additionally the report includes resolutions that were made in camera by Council.

Confidential Appendices

9.1 2020 Youth Awards Nominations

Appendix 2, Nomination Summary - 2020 Youth Awards is designated confidential as it relates to (s3(1)(f))

9.1 2020 Youth Awards Nominations

Appendix 3, 2020 Kingston Youth Awards Nomination Presentation is designated confidential as it relates to (s3(1)(f))

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 Property Acquisition

This agenda item is confidential information for the purposes of section 3(1) of the Local Government Act 2020 because it is:

- *Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released, and confidential meeting information, being the records of meetings closed to the public under section 66(2)(a) (section 3(1)(a) and (h)), and*
 - *The report canvasses potential purchase of property that if it were public at this stage would severely impact on Council's capacity to acquire the property at a fair price, additionally the report includes resolutions that were made in camera by Council.*
-

Confidential Appendices

9.1 2020 Youth Awards Nominations

Appendix 2, Nomination Summary - 2020 Youth Awards

This appendix is confidential in accordance with the Local Government Act 2020, s3(1) as it relates to (s3(1)(f).

9.1 2020 Youth Awards Nominations

Appendix 3, 2020 Kingston Youth Awards Nomination Presentation

This appendix is confidential in accordance with the Local Government Act 2020, s3(1) as it relates to (s3(1)(f).