

# Agenda

## Ordinary Meeting of Council

**Monday, 23rd September 2019**

Commencing at 7.00pm

Council Chamber  
1230 Nepean Highway, Cheltenham

[kingston.vic.gov.au](http://kingston.vic.gov.au)

Julie Reid  
Chief Executive Officer  
Kingston City Council

*community inspired leadership*



City of  
**KINGSTON**

**City of Kingston  
Ordinary Meeting of Council**

**Agenda**

**23 September 2019**

**Notice** is given that an Ordinary Meeting of Kingston City Council will be held at 7.00pm at Council Chamber, 1230 Nepean Highway, Cheltenham, on Monday, 23 September 2019.

**1. Apologies**

**2. Confirmation of Minutes of Previous Meetings**

Minutes of Ordinary Council Meeting 26 August 2019

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

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

**4. Petitions**

Nil

**5. Presentation of Awards**

Marion Harriden  
Bentleigh Greens

**6. Reports from Delegates Appointed by Council to Various Organisations**

**7. Question Time**

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Refer to Confidential Items - 14.1 Notice of Motion No. 45/2019 - Cr Brownlees - Property Acquisition

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**14. Confidential Items ..... 427**

- 14.1 Notice of Motion No. 45/2019 - Cr Brownlees - Property Acquisition
- 14.2 Response to Notice of Motion No. 30/2019 - Cr Barth - Early Childhood Education
- 14.3 Council's Before & After School Programs
- 14.4 Proposed Acquisition
- 14.5 Response to Notice of Motion 33/2019 - Solar Energy
- 14.6 KP-2018/459 - 54 - 64 Pier One Drive, & 115A McLeod Road Patterson Lakes - VCAT Appeal Position Sought

**Confidential Attachments**

- 8.3 Implementing the Removal of Fees at the Governor Road Boat Ramp  
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- 9.2 Delivered Meals Program - Award of Contract  
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# Explanation of Meeting Procedure



## Meeting Procedure is Regulated by Local Law

The procedures for this Ordinary Meeting of Council are regulated by Council's Meeting Procedures Local Law.

## Chairperson

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

## Agenda

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

## Motions

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

## Voting

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

## Amendments

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

## Speaking at the Meeting

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

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

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

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# Explanation of Meeting Procedure

## Questions

Members of the public present at the meeting may put questions in writing to Council which will be dealt with during Question Time. The Question Box is located in the foyer. Questions must be placed in the Question Box by 7.30pm. You don't have to be a resident to ask a question.

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

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

Individual members of the public are permitted to ask a maximum of three (3) questions.

## Confidential Business

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

## Courtesy to the Mayor

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

## Emergency Evacuation of Chamber

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

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

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

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

# Explanation of Meeting Procedure

## Do You Have a Hearing Difficulty?

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

## Language Line



## Recording of Meetings

Council Meetings are recorded and streamed live on the internet.

Recordings are archived and available on Council's website [www.kingston.vic.gov.au](http://www.kingston.vic.gov.au).

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

## **8. Planning and Development Reports**

# Ordinary Meeting of Council

23 September 2019

Agenda Item No: 8.1

## RESPONSE TO NOTICE OF MOTION 31/2019 - GARDENS FOR WILDLIFE

Contact Officer: Emily Boucher, Team Leader, Environmental Planning  
Tony Collins, Team Leader Parks

### Purpose of Report

This report provides information on the Gardens for Wildlife program and details resource implications of Council delivering this program.

### Disclosure of Officer / Contractor Direct or Indirect Interest

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

### OFFICER RECOMMENDATION

That Council support a two year trial of the Gardens for Wildlife Program and provide for a resource allocation of 0.6 EFT at Band 6 level to administer the program.

## 1. Executive Summary

At the 24<sup>th</sup> June 2019 Ordinary Council Meeting Council resolved “That officers prepare a report for the August Ordinary Council Meeting about ‘Gardens for Wildlife’ scheme and include any resource implications if Kingston were to be involved in the scheme.”

Gardens for Wildlife is a program delivered by many Councils across Victoria focusing on encouraging residents to establish native habitat in private gardens. Originally established by Knox City Council in 2006 the program has since been taken over by Gardens for Wildlife Victoria who provide a framework for program delivery.

Officers have carefully considered the standardised approach to Gardens for Wildlife which utilises volunteers to undertake assessment of private gardens and provide reports to landowners. Kingston Officers feel this approach presents logistical, administrative and risk challenges. Many of these would be avoided by directly employing an Officer to deliver Gardens for Wildlife which also supports several actions from the Biodiversity Strategy 2018 – 2023 and the recently introduced free tree voucher program.

By employing a temporary officer to deliver Gardens for Wildlife, Council can test the community demand for the program and delivery method.

## 2. Background

At the 24<sup>th</sup> June 2019 Ordinary Council Meeting Council resolved “That officers prepare a report for the August Ordinary Council Meeting about ‘Gardens for Wildlife’ scheme and include any resource implications if Kingston were to be involved in the scheme.”



Gardens for Wildlife is a program delivered by many Councils across Victoria focusing on encouraging residents to establish habitat in private gardens. Gardens for Wildlife was established in 2006 by Knox City Council in conjunction with the Knox Environment Society. It set out to improve biodiversity by improving habitat of smaller parcels of land, thereby creating wildlife corridors. The City of Knox program became a model for Gardens for Wildlife Victoria, which was established in 2016 to provide a framework which community members and Councils across the state could implement. Currently twelve councils are delivering the program whilst a further eight are actively considering the program.

Kingston City Council has experienced increased interest from the community regarding biodiversity. The development of the Biodiversity Strategy 2018 – 2023, several submissions through the 2019/20 budget process and increased participation in National Tree Day events 2019 all demonstrate the community's willingness to be involved in such programs.

Council has also just launched a 'tree voucher' offer through the rates notices which is also consistent with this program; and is developing an Urban Cooling Strategy.

### **3. Discussion**

#### **3.1 Council Plan Alignment**

Goal 2 - Our sustainable green environment with accessible open spaces  
Direction 2.2 - Greening Kingston and place making

If Council were to support the delivery of Gardens for Wildlife this would contribute to 'greening Kingston' by providing advice on how to improve the habitat of private gardens.

#### **3.2 Consultation/Internal Review**

##### External – Council

Council officers have attended several Gardens for Wildlife workshops in order to develop a greater understanding of the program and delivery options.

Knox as the founding Council has delivered over 900 assessments in the thirteen years since launching the program (approx. 1% of all properties in the municipality). They currently have 33 trained volunteer assessors supported by two volunteer administrators. Knox average about two requests for assessments each week. Volunteer turnover increases Council staff involvement in thorough recruitment and training; with Knox volunteers undertaking a formal induction process.

Frankston Council launched Gardens for Wildlife in March 2019, however it took eighteen months of development. They have eight trained volunteers who undertake a total of twenty assessments per quarter. Frankston Council see this program as a way of supporting the development of native wildlife habitat corridors.

Bayside Council also ran Gardens for Wildlife however recently ceased the program due to lack of Council staff support, despite high community interest.

##### External – Community

Council received two budget submissions on Gardens for Wildlife as presented at the 24<sup>th</sup> June Ordinary Council Meeting:

"Clare McPhee - Council should provide \$62k p.a. for a Gardens for Wildlife program."

“Judy Wilks - Gardens for Wildlife program is community owned with strong Council partnership which seeks to enable everyone to engage with nature in their local space. We seek the employment of a Biodiversity-Community Engagement Officer. This person would be paid \$62k per year over a two-year period.”

Internal

The Parks and Environmental Planning Teams have attended many of the workshops together to gather information and have discussed delivery options which are further discussed below.

**3.3 Operation and Strategic Issues**

**3.3.1 Delivery Model**

Councils that currently deliver Gardens for Wildlife rely on trained volunteers who (in pairs) visit residents houses to undertake a habitat assessment and provide a report with recommendations on how to improve habitat (an example can be seen in Appendix One).

All Councils have expressed issues with aligning volunteer availability and resident demand for the program. Further, there is also a risk in volunteers delivering a Council program with adequate checks, security and safety considerations required.

Limited evaluation of existing Gardens for Wildlife programs delivered by other Councils has been undertaken. Evaluation which has been completed highlighted “*all [participants] had planted indigenous species and all but one had removed environmental weed species because of the program, regardless of years in the program or prior gardening experience.*”

**3.3.2 Resourcing**

Direct employment of an Officer to deliver Gardens for Wildlife (discussed further in 3.4.3) would in Officers view be the most efficient program delivery method. Anticipated resource allocation would be 0.6EFT or approx. \$65,000 per annum over the two-year trial. A two year trial timeframe would allow the Officer to re-visit assessed properties to monitor the implementation of recommended actions and track vegetation change over time.

**3.4 Options**

**3.4.1 Kingston not delivering Gardens for Wildlife**

Kingston City Council could opt not to support the delivery of Gardens for Wildlife. Council is already undertaking programs which support increasing vegetation in the private realm such as the free tree vouchers being delivered with rates notices. This option would have no resource implications to Council.

***This option is not recommended.***

**3.4.2 Deliver Gardens for Wildlife using trained volunteers**

Kingston City Council could deliver Gardens for Wildlife using the same model as other Councils. Training volunteers to undertake assessments and the volunteers providing reports to landowners. Screening of volunteers, training and coordination would be required by Council staff. Booking of residents requesting assessments and assigning them to available volunteers would also need to be managed by Council staff.

Kingston officers believe there is significant risk in having volunteers enter private property to undertake Gardens for Wildlife assessments. Both risk in adequately screening volunteers and protecting residents; but also in protecting volunteers from risks posed by entering private property. The coordination of volunteer time with residents has proven difficult for other Councils and resulted in long waiting lists for the service.

Other Councils have a dedicated half a day a week resource to coordinating the program at a level that is heavily reliant on volunteers. Neither Parks nor Environmental Planning currently have capacity to be able to support coordination.

***This option is not recommended.***

#### 3.4.3 Kingston Officer delivery of Gardens for Wildlife

Council could choose to employ an Officer to be responsible for undertaking assessments and providing customized advice to private property. This would reduce risk exposure to Council as it would not involve volunteers. It would also facilitate easier follow up with landowners to check in regarding actions they might have taken following the advice. In this way significantly, more households could be reached than under the volunteer model.

This Officer could also be responsible for assisting the Parks Department with actions from the Biodiversity Strategy 2018 - 2023 which focus on community engagement and understanding of biodiversity. Specific actions from the Biodiversity Strategy 2018 – 2023 are:

1.5 Council to raise awareness within the local community about the value of local indigenous plants and animals, and historic and cultural sites.

1.6 Council to continue to provide opportunities for community engagement

2.6 Assist the public to understand the role of prescribed burning in biodiversity

3.2 Provide up to date information to residents

The provision of a temporary part time (0.6 EFT) officer would enable a comprehensive and professional delivery of Gardens for Wildlife and assist the focus in the delivery of the above-mentioned actions from the Biodiversity Strategy and the free tree voucher offer through the rates notice.

***This option is recommended.***

## 4. Conclusion

Employing a temporary part time officer focusing on increasing vegetation, habitat and biodiversity within the private realm would assist Council in meeting a number of actions under the Biodiversity Strategy, successfully deliver the free tree vouchers and Gardens for Wildlife.

### 4.1 Environmental Implications

The Biodiversity Strategy 2018 – 2023 identifies that in recent years Council has been concerned that some of Kingston's unique natural assets have been under constant pressure and some 'indigenous' flora, fauna and vegetation communities have already been lost.

Employing a temporary part time Officer to be responsible for increasing vegetation, habitat and biodiversity within the private realm would go some way to allaying these concerns.

**4.2 Social Implications**

The Biodiversity Strategy aims to increase residents' awareness, appreciation and understanding of biodiversity, and encourage them to actively participate in managing biodiversity in their local community. Implementing Gardens for Wildlife through a dedicated, part time officer would assist in achieving this aim.

**4.3 Resource Implications**

Employing a 0.6 EFT Band 6 Officer over the next two years would cost approximately \$65,000 per year (including on costs). This Officer would be based in the Environmental Planning Team but work closely with the Natural Resource Area staff within Parks.

**4.4 Legal / Risk Implications**

Employing an Officer to deliver the program is the lowest risk option on the basis Council wishes to proceed with the program. Whilst some risk still exists in having an Officer enter a private property, this can be managed through existing Council procedures.

**Appendices**


Appendix 1 - Gardens for Wildlife - Sample Assessment Report (Ref 19/204707)  

Author/s:	Emily Boucher, Team Leader, Environmental Planning Tony Collins, Team Leader Parks
Reviewed and Approved By:	Paul Marsden, Manager City Strategy Jonathan Guttman, General Manager Planning and Development David Shepard, Manager Parks and Open Space Daniel Freer, General Manager City Assets and Environment

# 8.1

## RESPONSE TO NOTICE OF MOTION 31/2019 - GARDENS FOR WILDLIFE

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# Gardens for Wildlife Habitat Assessment Report

24 May 2018

## 1. Property Details

<b>Name:</b>	<b>Date of Assessment:</b> 21/5/18 – 2.30pm
<b>Address:</b>	<b>Assessor 1:</b> (Report Writer)
<b>Gardens for Wildlife Member No:</b>	<b>Assessor 2:</b> volunteer's name
<b>Property/garden description:</b> A well planted, west facing front yard contains a mature <i>Corymbia ficifolia</i> , with a variety of indigenous and native understory plantings The back yard has a central lawn with surrounding native small trees and shrubs. A Japanese Maple borders the east facing decking.	
<b>Proximity to Coastal or Inland reserves:</b> The property is less than 100m from Victoria Golf Course and approximately 200m from the edge of Cheltenham Park. These areas contain many trees and act as wildlife corridors for the local fauna.	

<b>Current Garden Needs/Uses:</b>	
<input type="checkbox"/> Children play space	<input checked="" type="checkbox"/> Vegetable Patch
<input type="checkbox"/> Formal entertaining	<input checked="" type="checkbox"/> Passive recreation
	<input checked="" type="checkbox"/> Compost
	<input checked="" type="checkbox"/> Pets
	<input type="checkbox"/> Other __
<b>Fauna currently observed in the garden (visiting/inhabiting):</b> Wattle Birds (Red and Small), Magpies, Mudlarks, Noisy Miners, Lorikeets, Ringtail and Brushtail possums, geckos, blue tongue lizard	
<b>Types of fauna wishing to attract into the garden:</b> Interested in attracting more small birds, especially blue wrens and eastern spinebills into the garden.	

(03) 9599 4444  
PO BOX 27 SANDRINGHAM VIC 3191  
www.bayside.vic.gov.au



## 2. Garden Habitat Assessment

Habitat Criteria	Points	Score
A tall mature tree		
Non-native/fruit tree	10	20
Native/indigenous	20	
Mulch patch – for beetles and worms	5	5
Dense prickly shrub patch –for bird shelter		
Non-native prickly plants	5-15	
Native/indigenous dense (not Prickly)	10-20	25
Native/indigenous dense and prickly	20-30	
Nectar plants with concealed flowers – for honeyeaters	20	20
Birdbath		
Not protected/no plant cover	5	
Well protected with overhanging tree	10	8
Well protected with dense prickly plants	15	
Frog friendly pond		
Water	5	-
Water with Logs and Rocks	10	
Water with logs, rocks and surrounding plants	15	
Warm, sheltered corner with logs and stones for lizards	5	2
Butterflies: Multiple flowers	5	
: Multiple flowers and larval food plants	10	7
<b>SUBTOTAL HABITAT SCORE</b>		<b>87</b>
<b>BONUS POINTS</b>		
Bat or Possum Box	5	-
No weeds	5	5
Indigenous species	5	5
Responsible pet management (or no pet)	5	
<b>Total Bonus Points</b>		<b>10</b>
<b>DEMERIT POINTS</b>		
Environmental Weed Species present	- 10	
<b>Total Demerit Points</b>		
<b>TOTAL GARDEN HABITAT SCORE</b>		<b>97</b>

### Garden Category

**1= 80+ points**    2= 70+ points    3= 60+ points    4= 50+ points    5= <50 points

This is an interesting garden that contains many of the features of a wildlife-friendly garden. With time the existing plants will mature and create even more habitat for the local wildlife. The garden is already a Category 1 Garden but would still benefit with further planting of indigenous understory plants. Plans for the back yard could also be developed with the same principals in mind.

### 3. Current Garden Habitat Features

- The front garden contains a large *Corymbia ficifolia* and a selection of indigenous, native and exotic understory plants. The variety of existing plants includes:
  - indigenous plants: *Correa alba*, *Correa reflexa*, *Acacia suaveolens*, *Allocuarina paradoxa*, *Stylidium graminifolium*, *Goodenia ovata*, *Lasiopetalum baueri*, *Epacris impressa*, *Patersonia occidentalis*, *Dianella brevicaulis*, *Clematis microphylla*, *Billardiera scandens*, *Ficinia nodosa*, *Acacia ulicifolia*, *Acacia oxycedrus*, *Acacia paadoxa* and *Banksia marginata*
  - native plants: *Eucalyptus caesia*, *Grevillea sp*, *Callistemon sp.*, *Adenanthos sp*
  - exotic plants: *Salvia*, *Dietes*

This variety of plants provides food and shelter options for visiting birds, butterflies and other pollinators.

- The predominantly native garden is complemented by a mature Paperbark on the naturestrip.
- The mature trees are valuable habitat for the possums. These possums cause some damage to garden plants, but are still an important part of our native wildlife.
- There is a birdbath at the side of the house, but it is a little exposed .
- The back yard has a central lawn area with large shrubs or small trees such as *Hakea sp.*, *Leptospermum sp.* *Melaleuca nesophylla*, *Banksia sp.*, *Lagerstroemia sp.*(Crepe Myrtle) and *Acer palmatum* (Japanese Maple). These plants are quite dense at fence height, and therefore provide good shelter at this level.
- There is a very big Lily Pily in the neighbors yard to the south.
- The garden contains natural mulch, rocks and leaf litter which are ideal for garden skinks, beetles and other insects. These insects in turn attract the insect-seeking birds.

### 4. Current Garden Constraints

- The neighbors' cat is a welcome visitor to the property, but this makes it difficult to provide a protected environment for the smaller birds and frogs.
- Difficult to suggest plans for the back yard as residents are still to work out a plan that meets their needs
- Resident is concerned that addition of logs to the garden may provide food for termites.



## 5. Specific recommendations to enhance habitat and attract wildlife to your garden

Over an extended timeframe, consider implementing as many of the following recommendations as possible:

- Increase diversity of indigenous, understory or low growing plants, particularly native grasses, to increase variety of flower types and length of flowering period. This will attract greater diversity of birds and insects.

Recommended additions to garden include

:groundcovers - *Kennedia prostrata*, *Chrysocephalum apiculatum*, *Coronidium scorpioides* and *Platylobium obtusangulum*. Daisies are particularly attractive to insects that may in turn attract the insect eating birds, eg. Pardalotes and Blue Wrens

:grasses/rushes – *Themeda triandra*, *Poa spp* and *Rytidosperma spp* that provide food for various butterfly larvae. Also consider *Dianella brevicaulis* and *Dianella admixta*

:prickly shrubs – continue your plantings of these, eg. *Acacia oxycedru*, *Acacia paradoxa*, *Hakea ulicina*, *Hakea nodosa*, *Acacia ulicifolia*, *Leptospermum continentale* to provide habitat for small birds, particularly near the birdbath.

- Introduce native pea plants into the front yard.eg. *Bossiaea cinerea*, *Dillwynia glaberrima*.
- Provide water at ground level for potential use by lizards. Place a branch or rock into existing bird bath to allow access to smaller birds and insects.
- Plant dense prickly shrubs near the bird bath or move it to existing protective plants.
- Maintain a thick layer of natural mulch and a few logs. The mulch is good habitat for bugs and insects, which attract insect-seeking birds and lizards.
- Replace exotic violets with indigenous *Viola hederaceae*.
- Replace Dietes growing near the corner of the house with *Dianella brevicaulis*.
- Consider removal of Agapanthus and Gazania on naturestrip and replacement with ground covers and grasses. (see page 36 in “Live Bayside Plant Bayside”)
- Consider widening garden beds in back yard and planting lower growing plants in front of taller existing plants. This layering will increase the interest and habitat value of the entire garden.
- Consider introducing a frog pond underneath the Japanese Maple where it will receive dappled light

## 6. General Recommendations to Attract Honeyeaters

- a. Refer to *Live Bayside Plant Bayside* page 22
- b. Increase number of indigenous shrub species especially prickly shrubs for shelter for small birds.
- c. Lightly prune some planted shrubs to encourage them to thicken up so they act as good shelter and food sources.
- d. Increase food species e.g. *Correa reflexa*, *Billardiera mutabilis* and *Epacris impressa*.
- e. Establish birdbath amongst prickly shrubs.

## 7. General Recommendations to Attract Butterflies

As a general rule, butterflies thrive with the following:

- Plants native to the area – both as host plants for caterpillars and food as butterflies (see suggestions below)
- Sunshine, so plant flowering shrubs in full sunlight
- Brightly-coloured nectar producing flowers, especially bright pink, white and red
- A shallow dish of muddy water – they like to sit in water and suck moisture from the soil.
- A pesticide-free garden

Plants that attract butterflies:

The following native and indigenous plant layers supply a variety of food and habitat for many and various butterflies, but also to birds, skinks, insects and bugs, microbats and invertebrates.

**Table 2: Recommended plants to attract butterflies and other pollinating insects**

Trees	Wattles ( <i>Acacia</i> sp. including small and larger), <i>Allocasuarina</i> sp, <i>Melaleuca</i> sp. and <i>Banksia</i> sp.
Shrubs	<i>Bossaiaea</i> sp, <i>Bursaria</i> sp, <i>Correa</i> sp, Bottlebrushes ( <i>Callistemon</i> sp), Hop Goodenia, <i>Hakea</i> sp, <i>Pimelia</i> sp, <i>Boobialla</i> ( <i>Myoporum</i> sp), Bush Peas ( <i>Pultenaea</i> sp) and Kangaroo Apples ( <i>Solanum</i> sp)
Ground Covers	Purple Coral Pea ( <i>Hardenbergia violacea</i> ), <i>Kennedia</i> sp (Running Postman) and Native Violet ( <i>Viola hederacea</i> )
Grasses	Kangaroo Grass ( <i>Themeda triandra</i> ) <i>Lomandra</i> sp, <i>Poa</i> sp, <i>Dianella</i> and sedges.
Climbers	<i>Clematis</i> sp, Common Appleberry ( <i>Billardiera</i> )
Wildflowers	Just about all of them!

## 8. General Recommendations for Creating Frog Friendly Habitat

- If interested in creating a frog pond, consider creating an area of shallow and deeper water, with graduated sides and a variety of perches and shelter (logs and rocks) on the edges. Additional planting may be required to provide protected habitat. Terrestrial plants may include *Lomandra spp*, *Ficinia nodosa*, *Juncus pallidus*, *Patersonia spp*, *Lobelia anceps* and *Viola hederaceae*. Aquatic plants in submerged pots may include *Ornduffia reniformis* (Running Marsh Flower), *Baumea sp.*(Twig-rush), *Goodenia humilis*, *Triglochin striatum* (Streaked Arrow-grass), *Cotula coronopifolia* (Waterbuttons) and *Eleocharis acuta* (Common Spike-sedge). Check with Bayside Nursery re availability or ask staff for alternative suggestions. :

### Frog call identification and census

Frog census is the Frog App you can use to identify frog calls you may hear. Frogs may move in to appropriate habitat during particularly favorable conditions.

<https://www.melbournewater.com.au/getinvolved/protecttheenvironment/Pages/Frog-Census.aspx>

### To create your pond:

[www.melbournewater.com.au/sites/default/files/Frog-friendly-habitat-guide.pdf](http://www.melbournewater.com.au/sites/default/files/Frog-friendly-habitat-guide.pdf)

or refer to Live Bayside Plant Bayside page 26 for pond design

## 9. Further links and resources

### Bayside Community Nursery

319 Reserve Rd, Cheltenham, Phone 95838409, [www.bayside.vic.gov.au/community-nursery](http://www.bayside.vic.gov.au/community-nursery)

### For bee hotel and possum box designs

[www.aussiebee.com.au/beesinyourarea.html](http://www.aussiebee.com.au/beesinyourarea.html)

[www.backyardbuddies.org.au/](http://www.backyardbuddies.org.au/)

### For bat box designs

Contact Bayside Friends of Native Wildlife to order a batbox.

[www.bayfonw.org.au](http://www.bayfonw.org.au)

### For small birds

[www.birdsinbackyards.net/Choosing-Native-Plants](http://www.birdsinbackyards.net/Choosing-Native-Plants)

[www.birdsinbackyards.net/Tips-Designing-Garden-Birds](http://www.birdsinbackyards.net/Tips-Designing-Garden-Birds)

[www.abc.net.au/gardening/stories/s2195321.htm](http://www.abc.net.au/gardening/stories/s2195321.htm)

[www.birdlife.org.au](http://www.birdlife.org.au)

[www.sgaonline.org.au/attracting-birds-to-your-garden/](http://www.sgaonline.org.au/attracting-birds-to-your-garden/)

**For more information about frogs in Bayside:**

[www.bayfonw.org.au/g4ws/frogs](http://www.bayfonw.org.au/g4ws/frogs)

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Thank you for participating in Bayside Gardens for Wildlife!

We encourage you to read through the list of recommendations we have prepared for you and select which of these you would like to implement. When considering new plants for the garden, remember that planting is best carried out during winter and early spring. Water new plants in well and water them regularly (weekly in summer) for the first 6-12 months until their root systems are established.

Happy gardening,

**Gardens For Wildlife Team**

Bayside City Council

76 Royal Avenue Sandringham VIC 3191

Tel 9599 4339 | Fax 9598 4474

# Ordinary Meeting of Council

23 September 2019

Agenda Item No: 8.2

## GOLF COURSE REDEVELOPMENT ADVISORY COMMITTEE

Contact Officer: Amber Swales, Strategic Planner

### Purpose of Report

The purpose of this report is to provide an update to Council in relation the State Government's recently appointed Golf Course Redevelopment Advisory Committee.

### 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 endorse the submission at Appendix 3 as Council's response to the State Government's draft Planning Guidelines for Golf Course Redevelopment and formally lodge it with Planning Panels Victoria.

## 1. Executive Summary

The Golf Course Redevelopment Advisory Committee (the Advisory Committee) was appointed in August 2019 to review and provide the Minister for Planning advice on draft Planning Guidelines for Golf Course Redevelopment. The Advisory Committee will also advise on proposals for redevelopment of golf course land within the Urban Growth Boundary of metropolitan Melbourne.

The work and scope of the Advisory Committee is guided by its Terms of Reference (Appendix 1) as outlined by the Minister for Planning. The Standing Advisory Committee has been appointed to:

- Part 1 - Review and provide advice on the *Draft Planning Guidelines for Golf Course Redevelopment* (Appendix 2) which includes a decision making framework that will be used to assess proposals for the future redevelopment of surplus golf course land primarily within metropolitan Melbourne and advise how the guidelines can be given effect in the Victorian Planning System.  
The Committee will consider all submissions and provide a report to the Minister no later than 40 business days from the collection of submissions.
- 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 to facilitate redevelopment for urban purposes satisfy the planning guidelines and are consistent with state and local policy.

The Committee will provide advice and recommendations to the Minister for Planning following a public exhibition period and hearing at which all submitters may be heard.

Submissions on the draft Planning Guidelines for Golf Course Redevelopment are open until 30 September 2019 and may address any matter relevant to the draft Planning Guidelines, including whether the draft Guidelines are supported or objected to or any recommended changes.

Officers have prepared a submission in relation the draft Planning Guidelines for Golf Course Redevelopment (Appendix 3). Subject to Council endorsement, it is proposed that the submission be lodged with Planning Panels Victoria.

## **2. Background**

Golf has traditionally been a widespread and attractive recreational activity in Australia, though the sport is experiencing a decline in participation over recent years. The diminishing popularity of traditional golf club membership means that clubs are being forced to merge or close. This trend has drawn developer interest in golf course land.

To ensure consistency in approach to golf course rezoning proposals, the Minister for Planning has assembled a Standing Advisory Committee of five experienced members to provide advice on the draft state-wide guidelines for golf course redevelopment proposals as well as their consideration of individual proposals referred to them by the Minister.

## **3. Discussion**

### **3.1 Council Plan Alignment**

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

Direction 1.1 - Intergenerational land use planning for a sustainable community

### **3.2 The Golf Course Redevelopment Advisory Committee**

The Minister for Planning has set out Terms of Reference for the Golf Course Redevelopment Standing Advisory that outline the Committee's remit.

The Committee consists of five members and is Chaired by Lester Townsend. The Terms of Reference require members to have skills in strategic and statutory planning, urban design and landscape architecture, environment and biodiversity and transport planning.

The TOR state the group's purpose (outlined in the Executive Summary) and gives background to the changing nature of golf and golf courses in Australia. The Terms provide clear guidance on the due process of the two core responsibilities of the group; to provide advice on the Draft Guidelines and assess urban redevelopment proposals of golf course land.

#### **Process direction**

##### *Part 1 - Review of Guidelines:*

The first task of the Committee is to review the Draft Guidelines. The TOR provide guidance on the process this review. Following DELWP's notice to all Victorian Councils, Golf Victoria and any person that made a submission to the Planning for Golf in Victoria Discussion Paper 2017, the Advisory Group is to:

- Consider the submissions received and may conduct workshops or forums with submitters to explore issues or other matters. If held the workshop or forums will be informal and will likely take place in the week beginning the 21 October 2019.

- Submit its report to the Minister for Planning no later than 40 business days from the collection of submissions or 20 business days from the completion of workshop or forums. This report will assess the draft guidelines including recommended changes, assess all submissions and recommend how the guidelines could be operationalised in the Victorian Planning System.

*Part 2 – Review of Redevelopment Proposals*

The second responsibility of the Committee is to review redevelopment proposals. The TOR allows the Minister for planning to refer redevelopment proposals to the Committee for advice on future planning controls on the land, including land owned by the State or local government where it “enables a more comprehensive delivery outcome for the state”. Proposals encompass both planning scheme amendments, planning permit applications and combined planning scheme amendment and permit applications.

In considering a proposal, the Committee is to consider all relevant matters including local and state policies and strategies and the views of referral authorities, the proponent, Council and other submitters and stakeholders.

The process of hearing and advising on golf course land proposals is as follows:

1. Exhibition of the Amendment
  - Undertaken by DELWP
  - Period of at least 30 days
  - Notice will include direct notice to owners and occupiers who may be materially affected by the proposal, government agencies and servicing authorities, relevant Councils and a newspaper notice
2. Public Hearing
  - All submitters will have an opportunity to be heard
3. Outcomes
  - The Committee will produce a written report for the Minister for Planning that advises on whether the proposal should proceed and under what planning controls.

**3.3 The Draft Planning Guidelines for Golf Course Redevelopment 2019**

The *Draft Planning Guidelines for Golf Course Redevelopment 2019* provides guidance to local councils, the Victorian Government, golf courses and clubs and the development sector on the key planning steps and considerations for the future development golf course land.

The guidelines include a planning decision framework that outlines the key planning steps for assessing planning applications.

The overarching principals of the planning decision framework are that golf course land development proposals will be required to:

- Follow the relevant planning processes, and applications that involve rezoning may require ratification by both Houses of Parliament (if outside the Urban Growth Boundary)
- Respond to the planning decision framework for golf course land development proposals.
- Provide a net community benefit and high level of sustainability.

The document outlines a methodology for assessing planning scheme amendment or planning permit applications. For golf course land proposals, one must consider the following three steps;

- Whether there is **strategic support** for the proposal in;
  - State policy and local planning direction including Plan Melbourne 2017-2050, The State Planning Policy Framework and our Local Planning Policy Framework.
  - Relevant state and local strategies including Kingston's Golf Course Policy, Housing Strategy and Open Space Strategy as well as the Victorian 30-Year Infrastructure Strategy and Active Victoria Framework.
  - Relevant legislation including Planning and Environment Act 1987 and the Environmental Protection Biodiversity and Conservation Act 1999
- The **particular site values or constraints** including;
  - High landscape value
  - Biodiversity or wildlife assets
  - Aboriginal cultural heritage sensitivities
  - The sites role in a wider greenspace network or wildlife network
  - The history and origin of the course
- The **net community benefit** of the proposal
  - Whether on balance, any additional public open space, sports or recreational facilities, social or community infrastructure, social housing provide a positive net community and environmental benefit.
  - The document provides a detailed guidance on defining *net community benefit*.

### **3.4 Kingston Golf Course Policy**

In 2015 Council adopted the Kingston Golf Course Policy. The Policy reaffirms Council's existing planning scheme policies to protect the sand belt golf courses. The Policy recognises that although the land is privately owned, the current use provides considerable community amenity. Golf courses provide recreation opportunities, landscape values and can provide environmental benefits.

*The Policy identifies that '...Council wants existing golf clubs to remain economically viable. Where clubs are genuinely unable to be economically viable and should the landowner wish to cease golf operations on the site, the Council is keen that the land is used for public or private open space purposes that allow the land to retain its green and open vistas'.*

### **3.5 Draft Submission**

Officers have prepared a draft submission at Appendix 3 which provides feedback in relation the draft Planning Guidelines for Golf Course Redevelopment. The submission builds on the feedback provided by Council in 2017 in relation the State Government's draft Golf Course Discussion Paper highlighting the importance of Council's adopted Golf Course Policy, the critical role played by the Special Use Zone in guiding land use and development outcomes on golf course land and concerns in relation the State Government's planned use of a Standing Advisory Committee to consider golf course redevelopment applications.



#### 4. Conclusion

Submissions on the draft Planning Guidelines for Golf Course Redevelopment are open until 30 September 2019 and may address any matter relevant to the draft Planning Guidelines, including whether the draft Guidelines are supported or objected to or any recommended changes.


Officers have prepared a submission in relation the draft Planning Guidelines for Golf Course Redevelopment (Appendix 3). Subject to Council endorsement, it is proposed that the submission be lodged with Planning Panels Victoria.

#### Appendices

Appendix 1 - Terms of Reference (Ref 19/224461)  [↓](#)

Appendix 2 - Draft Golf Course Redevelopment Planning Guidelines (Ref 19/224594)



Appendix 3 - Submission to - Planning Guidelines for Golf Course Redevelopment \_  
September 2019 (Ref 19/230475)  [↓](#)

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

# 8.2

## GOLF COURSE REDEVELOPMENT ADVISORY COMMITTEE

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# Terms of Reference

## Golf Course Redevelopment Standing Advisory Committee

Version: 11 July 2019

The Golf Course Redevelopment Standing Advisory Committee is an advisory committee appointed under Part 7 section 151 of the *Planning and Environment Act 1987* to consider Planning Guidelines for Golf Course Redevelopment and proposals for redevelopment of golf course land within the Urban Growth Boundary (UGB) of metropolitan Melbourne.

### Name

1. The advisory committee is to be known as the 'Golf Course Redevelopment Standing Advisory Committee'.
2. The advisory committee is to have members with the following skills:
  - a. Strategic and statutory land use planning
  - b. Urban design and landscape architecture
  - c. Environment and biodiversity
  - d. Traffic/transport planning.
3. The committee will include a Chair, Deputy Chair(s) and other appropriately qualified members.
4. The committee may seek specialist advice as appropriate.

### Purpose

5. The purpose of the advisory committee is to:
  - a. Review the draft Planning Guidelines for Golf Course Redevelopment, which includes a decision-making framework that will be used to assess proposals for the future redevelopment of surplus golf course land primarily within metropolitan Melbourne and advise how the guidelines can be given effect in the Victorian Planning System.
  - b. Advise whether proposals for the rezoning of golf course land within the UGB of metropolitan Melbourne to facilitate redevelopment for urban purposes satisfy the planning guidelines and are consistent with state and local policy.

### Background

6. Golf is one of Australia's most popular organised recreational activities. There are over 1.2 million golfers Australia wide, and more than 300,000 Victorians played golf in 2015 at more than 350 golf clubs across the state.
7. A 2016 study commissioned by Golf Victoria found golf in Victoria contributes \$883.6 million in economic and health benefits to the Victorian community and there are 6,900 full-time equivalent jobs in the golf industry. Visit Victoria figures showed \$564 million in total expenditure from visitors to and within Victoria who played golf while visiting Victoria in 2017.
8. The sport is experiencing big changes in demand. 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 developer interest in golf course land.
9. Victoria has more golf courses per capita than the rest of Australia. There is a need for some rationalisation and possible redistribution of golf course locations to match population growth and strengthen the viability and continuity of clubs.
10. Melbourne is under constant pressure from urban development and competing land use demands. Approximately 290 hectares of golf course land has been sold in recent years.



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11. Golf courses provide social, environmental and cultural heritage values in metropolitan Melbourne:
  - a. 139 are located next to parks
  - b. 69 are on waterways, with some land subject to flooding
  - c. Sixty-five per cent of golf course land provides for biodiversity and native habitat.
12. Acting on Action 67 of the *Plan Melbourne 2017–2050* Implementation Plan, the Victorian Government established a taskforce to inform the development of a Planning for Golf in Victoria Discussion Paper. The discussion paper was published in July 2017 and was followed by a six-week engagement process.
13. The Planning for Golf in Victoria Discussion Paper proposed a suite of ideas to help navigate five key challenges for golf in Victoria. These were:
  - a. Participation challenge – How will golf adapt and attract new participants?
  - b. Membership challenge – Club membership has been in decline and operational costs are rising. How will golf clubs reverse this trend and balance a club's competing interest?
  - c. Supply and demand challenge – Victoria has more golf courses per capita than the rest of Australia. How do we best provide for golf courses in the future?
  - d. Land use challenge – Victoria is faced with a range of land use challenges. How do we protect the land values of golf courses and consider opportunities the land may present to help meet other land use needs?
  - e. Governance challenge – Golf club and course administrators must address multiple challenges and increasing responsibilities as office bearers. How can we support the golf workforce to meet facility and land use challenges?
14. There was broad support from stakeholders, industry groups and the community for many ideas raised in the discussion paper, particularly for addressing the land use challenge presented by proposals for the rezoning and redevelopment of golf course land.
15. Recognising that golf course land, especially land within Melbourne's UGB can be considered for rezoning, the Victorian Government wishes to ensure new proposals for redevelopment are assessed according to consistent criteria outlined in a planning decision-making framework.

## PROCESS

### Part 1: Review of draft Planning Guidelines for Golf Course Redevelopment

#### Scope

16. The Department of Environment, Land, Water and Planning (DELWP) has prepared draft Planning Guidelines for Golf Course Redevelopment.
17. The advisory committee is to provide advice on the draft Planning Guidelines for Golf Course Redevelopment.

#### Stage 1 – Exhibition

18. DELWP will give notice of the draft Planning Guidelines for Golf Course Redevelopment for at least 20 business days. Notice will include:
  - a. all Victorian councils
  - b. Golf Victoria
  - c. Any person or organisation that made a submission to the Planning for Golf in Victoria Discussion Paper.

#### Stage 2 – Workshops

19. The advisory committee may conduct workshops or forums to explore issues or other matters. Any workshops or forums will be held in public.

**Stage 3 – Outcomes**

20. The advisory committee must produce a written report for the Minister for Planning providing the following:
- a. an assessment of the draft Planning Guidelines for Golf Course Redevelopment and decision-making framework including any recommended changes
  - b. an assessment of submissions about the Planning Guidelines for Golf Course Redevelopment
  - c. recommendations on how the guidelines could be operationalised in the Victorian Planning System
  - d. a list of people who made submissions considered by the advisory committee
  - e. a list of people consulted or heard.

**Part 2: Review of redevelopment proposals****Referral**

21. The Minister for Planning or delegate may refer redevelopment proposals in one or more locations to the advisory committee for advice on future planning controls on the land.
22. The Minister for Planning may include land owned by the Victorian Government or local government where it enables a more comprehensive delivery outcome for the state. The inclusion of this land must be agreed to by the Minister for Planning as part of any referral.
23. In making a referral, the Minister for Planning or delegate must be satisfied that the proposed planning controls for the land make proper use of the Victoria Planning Provisions and are prepared and presented in accordance with the Ministerial Direction on the Form and Content of Planning Schemes.
24. A proposal may be in the form of changes to the planning scheme or a combined planning scheme amendment and planning permit.

**Scope**

25. The advisory committee may inform itself in anyway it sees fit, and must consider all relevant matters, including but not limited to:
- a. the suitability of the proposal against the Planning Guidelines for Golf Course Redevelopment reviewed by the advisory committee
  - b. whether the proposed planning provisions make proper use of the Victoria Planning Provisions and are prepared in accordance with the Ministerial Direction on the Form and Content of Planning Schemes
  - c. relevant provisions of the *Planning and Environment Act 1987*, the Victoria Planning Provisions and *Plan Melbourne 2017–2050*
  - d. the relevant local planning schemes, including any exhibited or adopted planning scheme amendments
  - e. any adopted plans or strategies
  - f. strategic work by government in, or affecting, the area where the golf course land rezoning and/or redevelopment proposal is located, such as regional land use framework plans and sport and recreation facility provision plans
  - g. the views of project proponents and all relevant material prepared by or for project proponents, including any amended documentation
  - h. the views of the relevant council in the area where a proposal is located
  - i. the views of relevant referral and servicing authorities and Crown land management agencies
  - j. all relevant material provided the advisory committee by all other participating parties
  - k. all relevant submissions and evidence received
  - l. any additional matters as directed by the Minister for Planning.

**Process****Stage 1 - Exhibition**

26. Following the referral of a redevelopment proposal, the advisory committee will liaise with DELWP to agree:
  - a. the public exhibition period dates
  - b. a directions hearing date (if applicable), and
  - c. the public hearing dates
27. DELWP will give notice of the proposal for at least 30 business days. Notice will include:
  - a. direct notice to owners and occupiers who may be materially affected by the proposal
  - b. a notice in a local newspaper generally circulating in the area
  - c. direct notice to government agencies and servicing authorities
  - d. direct notice to relevant councils.
28. The advisory committee is not expected to carry out any additional public notification or referral but may do so if it considers it to be appropriate.

**Stage 2 – Public hearing**

29. The advisory committee is expected to carry out a public hearing and provide all submitters with an opportunity to be heard. Submitters are not required to have formal representation at the hearing.
30. The advisory committee may limit the time of parties appearing before it.
31. The advisory committee may prohibit or regulate cross-examination.

**Stage 3 – Outcomes**

32. The advisory committee must produce a written report for the Minister for Planning providing the following:
  - a. an assessment of each referred matter against the planning guidelines and decision-making criteria
  - b. an assessment of relevant state and local policy for each referred matter
  - c. an assessment of submissions to the advisory committee
  - d. any other relevant matters raised during the advisory committee process
  - e. recommendations to the Minister for Planning on whether a proposal should proceed and under what planning controls
  - f. a list of people who made submissions considered by the advisory committee
  - g. a list of people consulted or heard.

**General – Applicable to Part 1 and Part 2**

33. The advisory committee may meet and invite others to meet with it when there is a quorum of at least two members.
34. The advisory committee may seek advice from experts when it considers this is necessary.
35. Submissions will be collected by the Office of Planning Panels Victoria (PPV) in accordance with the 'Guide to Privacy at PPV' and collected through the Engage Victoria website. Electronic copies of the submissions will be made available to the proponent, each relevant council and DELWP. Electronic copies may also be provided to other submitters upon request.
36. Petitions and proforma letters will be treated as a single submission and only the first name to appear on the submission will receive correspondence about advisory committee matters.

## Terms of Reference | Golf Course Redevelopment Standing Advisory Committee

37. The advisory committee may conduct workshops or forums to explore design issues or other matters. Any workshops or forums will be held in public.
38. The Minister for Planning may seek additional advice from the advisory committee consistent with the Terms of Reference.
39. The advisory committee may apply to the Minister for Planning to vary these Terms of Reference in any way it sees fit before submitting its report to the Minister for Planning.
40. Following the submission of the report, the advisory committee may deliver an oral briefing to Department staff or the Minister for Planning.

**Submissions are public documents**

41. The advisory committee must retain a library of any written submissions or other supporting documentation provided to it directly to it until a decision has been made on its report or five years has passed from the time of its appointment.
42. Any written submissions or other supporting documentation provided to the advisory committee must be available for public inspection until the submission of its report, unless the advisory committee specifically directs that the material is to remain 'in camera'.

**Timing**

43. **Part 1:** The advisory committee is required to submit its report as soon as practicable but no later than 40 business days from the collection of submissions or 20 business days from the completion of workshop or forums.
44. **Part 2:** The advisory committee is required to submit its report as soon as practicable but no later than 40 business days from the completion of its hearings.

**Fee**

45. The fee for the advisory committee will be set at the current rate for a panel appointed under Part 8 of the *Planning and Environment Act 1987*.
46. **Part 1:** The costs for the advisory committee of 'Stage 1: Review of Planning Guidelines for Golf Course Redevelopment', are to be met by DELWP.
47. **Part 2:** The costs of the advisory committee of 'Stage 2: Review of redevelopment proposals', are to be met by project proponents unless the Minister for Planning directs otherwise.



Hon Richard Wynne MP  
Minister for Planning

Date:

11/8/19



# PLANNING GUIDELINES FOR GOLF COURSE REDEVELOPMENT

August 2019



Environment,  
Land, Water  
and Planning



### Acknowledgment

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.



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These guidelines provide guidance to local councils, the Victorian Government, golf courses and clubs and the development sector on the key planning steps and considerations for the future development of surplus golf course land.

The guidelines include a planning decision framework for assessing planning applications.

### PLANNING DECISION FRAMEWORK

The planning decision framework outlines the key planning steps for developing golf course land in a sustainable way to support the land use and infrastructure objectives for Victoria and enhance open space, environmental and landscape values.

The framework has been developed to reflect a review of relevant planning panel reports and follows an extensive consultation process with stakeholders and community.

The framework supports the existing statutory planning and legislative processes.

- **Step 1:** Golf course land development proposals will be required to follow the relevant planning processes, and applications that involve rezoning may require ratification by both Houses of Parliament.
- **Step 2:** Golf course land development proposals will be required to respond to the planning decision framework for golf course land development proposals.
- **Step 3:** Future golf course land development proposals will be required to provide a net community benefit and high level of sustainability.

The location of the golf course is an important consideration in the assessment of the proposal.

Golf course land within the Urban Growth Boundary can be considered for rezoning, subject to all the overlays and issues being investigated and resolved.

Rezoning land outside of the Urban Growth Boundary involves an authorisation process requiring approval by the Minister and ratification by both Houses of Parliament in accordance with the *Planning and Environment Act 1987*.

### KEY PLANNING STEPS

- The history of how the land was originally provided for a golf course is considered.
- A golf demand assessment is completed that considers whether the golf course is located in an area currently under- or over-supplied with golf courses.
- A response is developed that complies with the *Planning and Environment Act 1987* and other relevant Victorian and Commonwealth legislation and regulations including the *Environment Protection Biodiversity and Conservation Act 1999*, the *Environment Effects Act 1978*, and the *Aboriginal Heritage Act 2006*.
- A Cultural Heritage Management Plan is recommended for golf course land.
- A recreation and open space assessment is completed. The assessment should consider local and regional sport and open space planning strategies, the Victorian Planning Authority Metropolitan Open Space Portal to see whether the golf course is within an area short of open space, and the demand for sport and recreation facilities in the area.
- An assessment is conducted against relevant *Plan Melbourne 2017–50* actions or regional growth and land use plan actions, including those identifying the need for community, education, health and legal services, and those relevant to the environment and biodiversity.
- A place-making approach is adopted by applying design and development principles outlined in the *Creating Places for People* (Australian Sustainable Built Environment Council, 2011) and *Healthy by Design Guidelines* (National Heart Foundation, 2012), *Urban Design Guidelines* (Department of Land, Environment, Land, Water and Planning, 2017) to design future development proposals.
- The proposal must have a net community benefit and achieve a high level of environmental sustainability.

### DEFINING NET COMMUNITY BENEFIT

Assessment of a proposal's net community benefits should consider:

- strategic planning objectives
- environmental factors such as the rehabilitation of land and the mitigation of existing effects
- social factors including the provision of publicly accessible open space, sporting facilities and affordable housing
- economic factors including the economic activity and employment opportunities generated by the proposal.



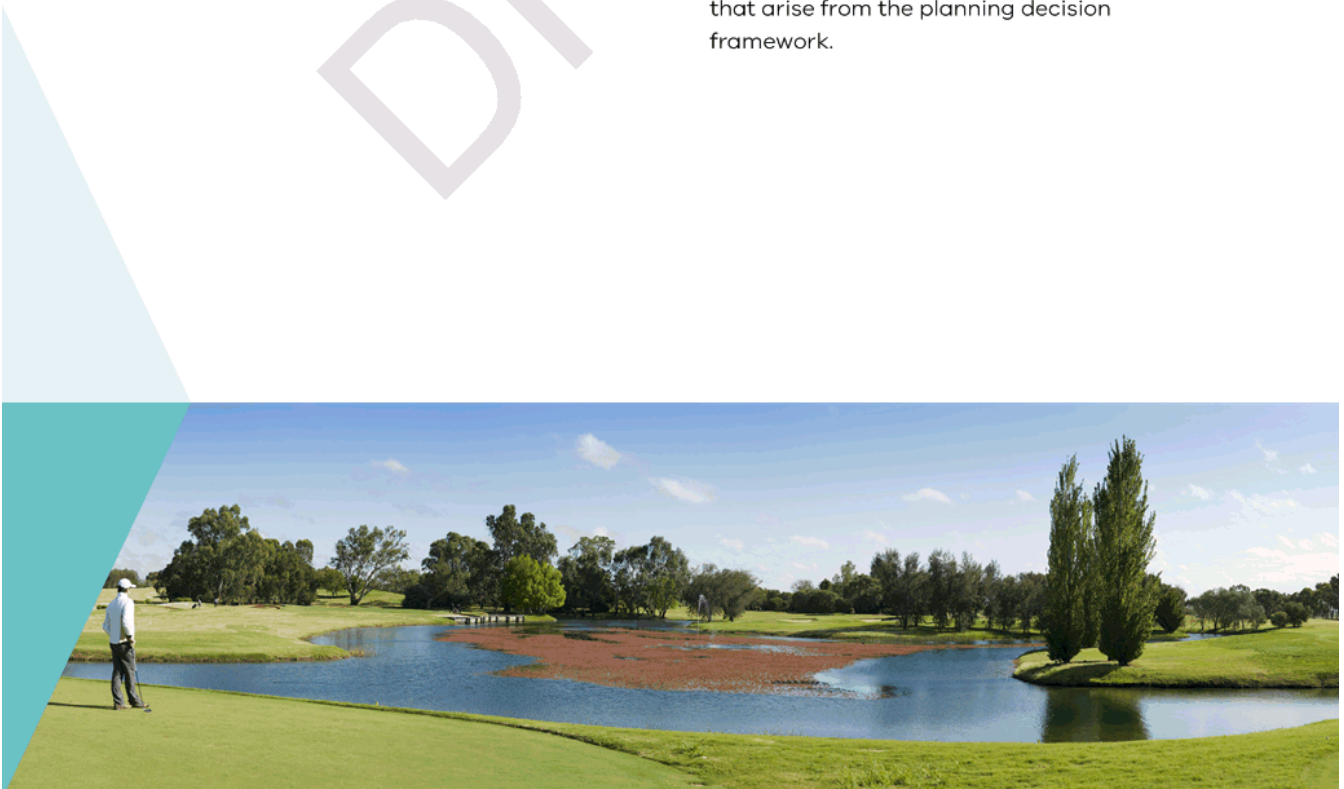
The following guidelines should be considered when designing a proposal's net community benefit:

- Open space is provided in the proposal that offsets the space that has been lost and provides open access to public and environmental benefits. The level of open space provided should be informed by local and regional open space strategies. This can be captured by:
  - o a substantially higher public open space provision in new housing development on golf course land of 20 per cent unencumbered open space for sport and social recreation play and retention of high-value environmental assets and biodiversity corridors due to the site's proximity and landscape amenity value to existing residential and environs
  - o public open space contributions (either land or financial) directed to improve or develop regional and local sport facilities and open space in line with regional or municipal open space strategies
- o Providing a replacement golf course of like-for-like size and quality.
- The proposal supports other state, regional or local public policy objectives, such as contributing to social and community infrastructure such as libraries, medical or education facilities housing or other strategic or local housing priorities such as social housing, sheltered housing or crisis accommodation.
- The proposal complies with *Plan Melbourne 2017–2050* principles including access to transport and activity centres.

All of these factors will be considered and weighed up when determining if, on balance, the proposal provides a positive net community and environmental benefit.

#### ASSESSMENT METHOD FOR PLANNING AMENDMENT OR PERMIT APPLICATIONS

When assessing the merits of golf course land proposals, there are three questions that arise from the planning decision framework.



## STEP 1:

### Is there strategic merit in the proposal?

Strategic planning policy issues must be considered, along with the consistency of the proposal with various state and local policies and relevant legislation.

Establishing the level of 'in principle' strategic merit is the key first step. If there is support, then the details of the site and proposal will be worthy of further detailed assessment.

Is the proposal consistent with:

- *Plan Melbourne 2017–2050* or a relevant regional growth plan
- key directions in the State Planning Policy Framework
- relevant directions in the Local Planning Policy Framework?

Is it consistent with other relevant local or state strategies, such as:

- any council open space strategy
- any council housing strategy
- Active Victoria Framework
- Water for Victoria Water Plan
- Victorian 30-Year Infrastructure Strategy
- Creating Places for People
- Healthy by Design Guidelines?

Is there strategic support for the proposal in the relevant legislation, including:

- *Planning and Environment Act 1987*
- *Environmental Protection Biodiversity and Conservation Act 1999*
- *Environment Effects Act 1978*
- *Aboriginal Heritage Act 2006?*

## STEP 2:

### Are there particular site values or constraints?

The nature and values of the site itself must be considered and whether there are environmental or other factors that constrain its development potential and, if so, whether these can be adequately addressed or mitigated.

- Does the golf course site have a high landscape value, and is it defined in the planning scheme (e.g. Significant Landscape Overlay)?
- Does the site accommodate important biodiversity or wildlife assets and, if so, are they capable of being protected or enhanced through the development?
- Does the site form part of wider greenspace network or wildlife network and would the proposed redevelopment harm this network?
- Does the site have Aboriginal cultural heritage sensitivity and has this been fully assessed?
- Does the site provide public access and informal recreation opportunities in addition to its golf course functions?
- Does the site have a private amenity value to neighbouring properties that would need to be considered in a development proposal?
- What is the history and origin of the golf course? Was the land purchased by the club, or was the land was previously public or gifted to the club?

DRAFT



## STEP 3:

### Does the proposal deliver net community benefits?

Assessment of the proposal should identify what other benefits might be provided by the development.

- Does the proposal provide additional public open space, sports or recreational facilities?
- Does the proposal deliver improved golf facilities with public access?
- Does the proposal provide other social or community infrastructure such as libraries, medical or education facilities?
- Does the proposal contribute to other strategic or local housing priorities such as the provision of social housing, sheltered housing or crisis accommodation?

All of these factors will be considered and weighed up when determining if, on balance, the proposal provides a positive net community and environmental benefit.

Other factors may also be relevant considerations depending on the circumstances of the golf course site and the proposal.



DRAFT

[delwp.vic.gov.au](http://delwp.vic.gov.au)





18 September 2019

Planning Panels Victoria  
1 Spring Street  
MELBOURNE VIC 8002

Dear Sir/Madam

**Re: Planning Guidelines for Golf Course Redevelopment**

Thank you for the opportunity to make a submission to the to the Draft Planning Guidelines for Golf Course Redevelopment (the Guidelines).

In summary, Council is supportive of the proposed development of statewide planning guidelines for golf course redevelopments, subject to changes to address the matters raised in the balance of this submission. This follows deliberations by our Council and the formulation of a Golf Course Policy in May 2015 noting also that in October 2018 Council resolved to abandon Amendment C151 for the redevelopment of the Kingswood Peninsula Golf Club at Dingley Village where over 7,000 submissions were received which is believed to be a record on a single issue in Kingston.

Council is not supportive of the proposed use of a Standing Advisory Committee process to consider and make recommendations to the Minister for Planning in relation redevelopment of golf course land within the Urban Growth Boundary. Council is concerned that this process has removed Council's role as Planning Authority and effectively reduces Council's involvement to that of a submitter. Given Council's extensive local knowledge and experience in considering and assessing applications of this nature it is Council's view that all golf course rezoning applications should be submitted to Council for consideration in its capacity as the Planning Authority.

Council's adopted Golf Course Policy (2015) acknowledges the recreation opportunities, landscape values and environmental benefits that golf courses provide. The Policy seeks to ensure that where clubs are genuinely unable to be economically viable and should the landowner wish to cease golf operations on the site, that the land is used for public or private open space purposes that allow the land to retain its green and open vistas.

Subsequent letters sent to the Ministers for Sport and Planning have reinforced the importance of a State Government land use policy position on private golf courses (which I have attached for your reference). You will note that these letters reinforce the importance of this issue to our Council and the interest Council holds in continuing to work with the State Government on initiatives involving golf.

*community inspired leadership*

TRIM 19/230475 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 kingstoncc

### **Kingston Context**

There are 11 golf courses within the City of Kingston. Council recognises that, although most of the courses are privately owned, the current use provides considerable amenity and recreational opportunities, landscape values and environmental benefits.

As mentioned at its Ordinary Meeting on 25 May 2015, Council resolved to adopt the City of Kingston Golf Course Policy. Council's adopted Golf Course Policy reaffirms existing planning scheme policies which support and protect golf courses and seeks to protect the recreational, landscape and environmental benefits the courses provide to the community. A copy of this policy is attached for your reference.

A primary objective of this policy is to ensure that where a club is economically unviable and should the landowner wish to cease golf operations on the site, that the land retains its primary function as open space. In this regard it is Council's view that the recreational opportunities, landscape values and environmental benefits provided by golf courses is retained and enhanced regardless of whether the site is proposed to be used for non-golf purposes.

Kingston's golf courses are generally contained within a Special Use Zone (SUZ) schedule with the primary purpose of the zone being 'to provide for the use and development of land as a golf course and associated uses'. The longstanding SUZ control affords golf courses within the City of Kingston with the highest level of protection and provides a level of planning certainty for golf course owners, operators and surrounding residential communities. It is noted that Direction 4.2 of Plan Melbourne identifies the sand-belt golf courses as a significant part of the fabric that influences the international reputation of Melbourne.

Over recent years, through changes in participation, pressure has grown on some golf courses within Kingston to grow revenue streams. For some clubs, this has meant rezoning proposals to excise surplus land for housing and for other clubs it has included preliminary and actual merger discussions and sale. Anecdotally some clubs suggest that the reduction in income, coupled with the escalating costs of building and grounds maintenance and repairs means that, unless they increase their income, or decrease their costs, they may become uneconomically viable in the long term.

The Council wants existing golf clubs to remain economically viable where possible. In instances where clubs are genuinely unable to be economically viable and should the land owner wish to cease golf operations on the site, Council is keen that the land is used for public or private open space purposes that maximises net community benefit.

### **Responding to the 'Land Use Challenge'**

The central issue for Council arising from the draft guidelines is the approach taken to future development of golf course land for other 'non' golf purposes.

It is Council's view that where a club is economically unviable and should the landowner wish to cease golf operations on the site, that the land retains its primary function as open space.

Council provides the following feedback in relation the draft Planning Guidelines for Golf Course Redevelopment:

#### **1. Innovation and Diversification**

Council notes that the draft guidelines seek to provide guidance on planning steps for consideration for the future development of surplus golf course land rather than exploring opportunities that exist within the golfing industry to diversify commercial offerings on site or utilize new or emerging technologies to address changing user profiles. The draft guidelines are largely predicated upon the assumption that golf clubs will continue to close and 'golf course uses' will cease on site.

It is Council's view that the State Government should consider and address the manner in which the existing golfing industry can best adapt and change their operating models to thrive in the changing golf landscape. The emergence of new virtual reality technology and more targeted styles of play offer the opportunity to reconsider the traditional club operating structure and land use mix on site.

In this regard it is Council's view that the issue needs to be considered as more than simply a 'land use challenge' and that opportunity exists to fundamentally reconsider the preferred and future best practice business model for golf courses.

## **2. Net Community Benefit**

Council supports the use of 'net community benefit' as the primary objective underpinning the consideration of any golf course redevelopment proposal, particularly as it seeks to facilitate the transition of existing golf course land into areas of passive and active open space. Mindful of the overarching objective to deliver open space outcomes, it is suggested that further consideration be given to the extent to which other public policy objectives can be appropriately accommodated and/or integrated without negatively impacting on the primary objective of open space provision.

The open space, amenity and landscape value provided by existing golf courses is significant, irreplaceable and should be pre-eminent in considering any proposals for golf course redevelopment. Such an outcome would be consistent with Kingston's Golf Course Policy. In our view, golf courses are in themselves valuable community benefits and any loss of golf course land involves a loss of net community benefit.

Council does not believe that the availability of large areas of golf course land across inner and middle Melbourne should be viewed simply as an opportunity to respond to population growth occurring in the inner and middle suburbs of Melbourne and the increasing pressure this places on community infrastructure, active and passive open space, affordable housing and the environment. Council considers that this does not constitute a net community benefit nor should it ever be considered sufficient reason or justification for allowing golf courses to be closed, particularly if they are then, even in part, sold off or rezoned for residential or other urban development.

It is noted that the term 'net community benefit' is undefined in the Victoria Planning Provisions and its interpretation and application could easily be challenged through a Planning Scheme Amendment process.

It is considered that the guidelines provided in the draft to consider a net community benefit are insufficient and do not provide adequate guidance to assess what an appropriate net community benefit is or whether a net community benefit has been achieved. Council is also concerned that the guidelines for assessing net community benefit include various matters which would more appropriately be considered a standard expectation of any redevelopment proposal as opposed to a net community benefit.

Specifically, it is the view of Council that:

- *'Environmental factors, in terms of rehabilitation of land and mitigation of existing effects'* should not be considered as a net community benefit. Such works are simply a requirement of any development proposal and do not provide for any significant benefit to the broader community.
- Council is supportive of the inclusion of publicly accessible open space, sporting facilities and affordable and social housing as outcomes which could be used to justify a net community benefit.
- *'Economic factors including economic activity and short-term employment opportunities generated by the proposal i.e. through construction'* should not be considered as a net community benefit. Again, these are standard outcomes of any redevelopment proposal and do not represent an appropriate basis upon which to measure net community benefit.
- It is also noted that the draft guidelines provide for a high level of environmental sustainability but no guidance is provided as to what this is or how it should be measured.

### 3. Open Space

Council acknowledges the significant work already undertaken by the Victorian Planning Authority in the development of the Metropolitan Open Space Portal and its value in providing a consolidated data set to identify areas of open space shortfall across the city. Clearly Council wishes to reinforce that the VPA's work clearly highlights the golf courses in Kingston as organised recreation assets.

It is Council's view that the recent work of the VPA in providing an audit of open space across metropolitan Melbourne, coupled with the planned future development of a Metropolitan Open Space Strategy, should inform the open space outcomes to be sought through the proposed Planning Guidelines for Golf Course Land. Further, Council believes it would be very helpful to, wherever possible, prescriptively quantify a 100 per cent minimum area contribution that should be allocated to encumbered or unencumbered open space on the basis a rezoning of a Golf Course were to be entertained.

The draft guidelines identify a requirement for a 20% unencumbered open space provision however no direction is provided as to whether this is mandatory, minimum or maximum. This is considered particularly problematic on the basis that some Councils, including, Kingston, define encumbered and unencumbered open space with Local Planning Policy. It is recommended that clear guidance is provided in this regard with open space definitions contained within the relevant municipal Planning Scheme to take precedence over any definition provided in the Guidelines.

Given the highly significant tracts of vegetation often found on golf course sites, further consideration should be given to the extent to which open space objectives, in particular in relation to active open space, interrelate with vegetation retention objectives. Under certain circumstances, not clearly defined within the Guidelines, it is Council's view that offsite financial contribution contributions may be a more appropriate way in which to deal with active open space provision. This is a critical component in the formulation of sound 'public policy' as it sends a critical signal to the market around how such land should be priced on the basis it were the decision of a golf clubs membership to offer a site for sale.

It is Council's view that the draft Guidelines provide a very basic framework which does not provide sufficient guidance to inform the assessment of development of golf course land – be that by Council or the Standing Advisory Committee. Matters requiring further consideration and clarification include:

- It is unclear how a 'golf demand assessment' is to be prepared or used in the assessment of a golf course redevelopment proposal. Given the extensive work underway through the State Government's Golf Course Taskforce and open space planning work completed by the VPA it is Council's view that such an assessment should be undertaken by State Government at a metropolitan scale. This would also assist in providing for a holistic appreciation of golf course demand noting this extends beyond municipal boundaries.
- It is unclear how existing '*regional or municipal open space strategies*' could meaningfully inform the quantum of open space to be provided on site noting that the demand and need identified in these projects would likely not have contemplated the demand generated by the ad hoc rezoning of a golf course site.
- It is unclear under what scenario a developer could possibly provide for '*...a replacement golf course of like-for-like size and quality*' as a net community benefit. Further guidance and clarification of this is required in the Guidelines.

It is unclear what is meant by the statement open space should be '*...provided in the proposal that offsets the space that has been lost*'. Further direction is required to define 'lost open space' and to clarify the extent to which this would override or complement the earlier direction in the Guidelines to provide for 20% unencumbered open space.

#### **4. Housing Affordability and Diversity**

Beyond the clarity provided through the implementation actions of Plan Melbourne, Council notes the State Government's release of Homes for Victorians in March 2017 and its focus on:

- Developing new planning tools to increase the supply of affordable housing.
- Supporting inclusionary housing in major developments to increase the supply of social and affordable housing.
- Building more social housing and redeveloping ageing supply.
- Facilitating the delivery of 6,000 social housing dwellings including new builds and subsidised rentals.

Further, Council recognises the recommendations to Government by Infrastructure Victoria and the role it feels affordable housing needs to play in the future structure of the City.

Mindful of the clear direction contained within the State Government's Homes for Victorians report and work of Infrastructure Victoria, it is felt that greater clarity and direction can be provided to inform the need to provide for social and affordable housing.

It is also suggested that further consideration not be given to the extent to which other public policy objectives (social housing, education precincts etc) can be appropriately accommodated and/or integrated as these should be provided by means other than by depriving communities of the community benefit of golf courses and of public and private open space.

#### **5. Environmental Sustainability**

Council notes the extent to which golf courses across Kingston and metropolitan Melbourne are home to large tracts of remnant, indigenous and planted vegetation, native flora and fauna, waterways and habitat for endangered plant and animal species.

Any requirement to provide a 'substantially higher public open space provision' and 'open space substantially greater to that which has been lost' would appear to have a strong nexus with the retention of significant flora and fauna on site. In this regard, it is considered important that the draft guidelines clearly articulate the role that open space areas play in preserving significant vegetation and habitat corridors. The provision of clear objectives which seek to align the principles of open space provision and vegetation retention would assist Council in ensuring that the identification of open space areas is not simply an afterthought of the planning process.

Once again building upon one of the significant changes in the refresh of Plan Melbourne, Council notes the increased profile provided to renewable energy targets and innovation in relation to investment. Council considers the opportunity presented by golf courses to provide precinct scale renewable energy solutions within established areas of Melbourne may warrant consideration as a means in which a broader net community benefit could be derived and/or an income stream could be generated to sustain the operating costs of a potentially smaller scaled golf course. Council has recently initiated a feasibility study into solar renewable energy generation on former landfill sites in the Kingston Green Wedge. It is considered that the open space areas provided by golf course land across metropolitan Melbourne presents a similar opportunity to explore innovative models for renewable energy generation on the basis that they are:

- Often located near critical infrastructure including electric transmission lines and roads.
- Often located within existing residential areas with high energy demand and a large population base.
- Constructed with large areas of minimal grade land (0 to 2 percent) needed for optimal siting of solar PV structures.

Council would welcome the opportunity to share the findings of the current Green Wedge Solar Feasibility Study with the taskforce once completed but in the interim recommends further consideration be given to this opportunity.

### **7. Land Outside the Urban Growth Boundary**

The draft guidelines highlight the fact that rezoning land outside the Urban Growth Boundary involves an authorisation process requiring approval by the Minister for Planning and ratification of both Houses of Parliament in accordance with the Planning and Environment Act 1987.

Council does not support any process or policy which would seek to facilitate the rezoning or redevelopment of golf course land outside the Urban Growth Boundary. In this regard, Council notes the Victorian Government's commitment to maintaining the UGB which is reflected in Plan Melbourne 2017.

### **8. Golf strategic investment**

Mindful of the concentration of Golf Courses within and immediately proximate to Kingston as per the attached correspondence, Council would be supportive of discussions with the State Government on investment in golf related infrastructure into Kingston. .

Such infrastructure could involve the 'Golf Academy of Excellence' and/or the potential consideration of the benefits of introducing Top Golf into Victoria. Council has through a range of recent initiatives including its work with the State Government and St Kilda Football Club at Moorabbin Reserve, the Hawthorn Football Club in Dingley Village and its recent significant pavilion and life-saving club development program shown high capability to deliver strategically significant sporting based infrastructure projects. Its positioning within the Melbourne Sandbelt also make it a strategically recognisable region for Golf based investments.

Should you have any queries in relation the above please contact Paul Marsden, Manager City Strategy on 9581 4789 or email [paul.marsden@kingston.vic.gov.au](mailto:paul.marsden@kingston.vic.gov.au)

Yours sincerely

**Julie Reid**  
CEO, CITY OF KINGSTON

# Ordinary Meeting of Council

23 September 2019

**Agenda Item No: 8.3**

## **IMPLEMENTING THE REMOVAL OF FEES AT THE GOVERNOR ROAD BOAT RAMP**

**Contact Officer: Jaclyn Murdoch, Manager Compliance and Amenity  
Julian Harvey, Manager Property and Arts**

### **Purpose**

The purpose of this report is to provide the Council with information regarding the removal of boat ramp parking and launching fees at the Governor Road Boat Ramp following election commitments made by the Victorian Government.

### **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. Advise Better Boating Victoria that it is prepared to execute an agreement in a form that is to the satisfaction of the Chief Executive Officer that:
  - a. Provides for a direct reimbursement to the Council of fees associated with Parking machine fees (credit and cash payments), Governor Road permits and Infringement revenues for the balance of the 19/20 Financial Year.
2. Instruct the Chief Executive Officer to do all things necessary to commence the process to cede its Committee of Management status for part of George Woods Reserve as indicated on Figure 1 of this report.
3. Upon confirmation of the ceding of the land from the State Government, Council discontinue the request for reimbursement of fees identified in Part 1. a. of this resolution.

### **Background**

During the State Government election campaign leading up to the November 2018 election, the Government committed to several enhancements for the fishing and boating community if re-elected (see attachment). A recent release has also occurred reaffirming this commitment and outlining the recent work the State Government have undertaken (see attachment).

Of these commitments, a number directly relate to the users of the Governor Road Boat Ramp along Mordialloc Creek. The first, and most immediate, relates to the removal (abolition) of boat ramp parking and launching fees where these are currently charged. The second, which will be the subject of further discussions between Officers and the State Government relates to the upgrade of the Governor Road Boat Ramp itself. It is the first of these commitments that is the subject of this report.

Following the re-election of the State Government, Better Boating Victoria was established as the department responsible for delivering the abovementioned election commitments. Better Boating Victoria has actively engaged the Land Managers (often Councils) affected by the changes, through the Municipal Association of Victoria (MAV) to ensure their ability to deliver these changes.

Better Boating Victoria is proposing to enter into an Agreement (draft attached) with Council to make a payment to contribute to the funding of maintenance of boat ramps and associated parking. The figure arrived at in the agreement is based on fees collected, but on the assumption that these fees are a source of funding associated with the cost of maintenance of boat ramps and associated parking.

The agreement prior to execution will require modifications following recent discussions held with Better Boating Victoria whereby it was reinforced that Council intends to cede its Commitment of Management status over the land. The changes will reflect a position where Council is reimbursed for its costs for the balance of this financial year during which time it is hoped that the process required to be followed to cede the land will occur.

### **Issues for Discussion**

- **Payment is to be used for maintenance of boat ramps and associated parking**  
There is an assumption drawn out in section 3.3 of the draft Agreement that all fees collected at the Governor Road Boat Ramp are reinvested in maintenance of the boat ramp and parking facilities. While this income is not directly funnelled in to the budget of the Infrastructure Department currently, it contributes to a range of services provided to the community, and that these fees do contribute to the maintenance of the facility. This clause will require some revision based on recent discussions with Better Boating Victoria.

In discussions with Better Boating Victoria Council has reinforced its desire to progress ceding its Committee of Management Status. The ceding of the land will allow the future land manager the opportunity to determine how it wishes to fund maintenance responsibilities. Better Boating Victoria will undertake a strategic review of boating facilities in the two bays with a view to establishing a long term sustainable management model for boating facilities.

- **Existing maintenance commitments**  
It is noted that the Infrastructure Department had earmarked \$150,000 (approximately) for the reconstruction of a section of the car park and a new asphalt overlay, which will include kerb works, some tree removal and the whole car park being asphalted and line-marked.

Given that another of the State Government commitments was for upgrade of the Governor Road Boat Ramp facility, there is little value in using the committed funding at the ramp until the complete picture is known. Better Boating Victoria have indicated that the State Government is actively exploring as a priority, enhancement works to the Governor Road boat ramp. On the basis, the land is ceded as proposed to the State Government it is likely that the responsibility for the works Council had planned would be scoped and implemented by the State Government.



- **Proximity to Mordialloc Railway Station**

The Governor Road Boat Ramp car park is located approximately 800 metres walking distance from the Mordialloc Railway Station. This has the potential to be used by commuters given the removal of the fees and permits from users of the car park.

Officers will work with the Traffic Department to ensure that upon the commencement of the Agreement, that monitoring occurs to ensure that if conflicts exist with train commuter's alternative signage is implemented.

- **Continued enforcement**

While there is no obligation within the Agreement for Council's on-going enforcement of car parking restrictions within the Governor Road boat ramp car park, it will be in the best interest of Better Boating Victoria, for Council to continue monitoring compliance with parking restrictions (given the above). On the basis Council cedes the land to the State Government it will need to consider whether it wishes to enter into an agreement with Council to continue to provide any enforcement services to this area.

- **Committee of Management**

Council is the appointed Committee of Management under the Crown land Reserves Act for the George Woods Reserve. The boat trailer car park and associated facilities, including the toilet block and boat launching ramp, form part of the reserve. Given the policy direction of the State through Better Boating Victoria to provide free access to boat launching facilities throughout the state, this can be facilitated by Council ceding its Committee of Management responsibilities of that section of the reserve devoted to boat launching facilities.

The steps required to seek cede the Committee of Management role for part of the George Woods Reserve are for Council to resolve that it wishes to formally cede its Committee of Management appointment for that portion of the George Woods Reserve as indicated on the following plan and authorise the CEO to write to the Minister requesting that the ceding be enacted by the Minister publishing a declaration of revocation. It is anticipated that this process will take between 3 and 12 months to finalise which will allow time for Better Boating Victoria to progress work on the development of a strategic management model across the State.



Figure 1

**Resource Implications**





For the 2018/2019 financial year the total fees from boat ramp parking and launching fees at the Governor Road boat ramp was \$83,779.52. This was made up of the following:

- Parking machine fees (credit card)      \$23,599.57
- Parking machine fees (cash)            \$19,129.95
- Governor Road Permits                  \$13,795.00
- Infringement issued                    \$20,255.00

Included in the above total is approximately \$7,000 spent annually on civil maintenance and the maintenance of the water-based assets.

It is proposed that for the balance of the 2019/2020 financial year an agreement be established with Better Boating Victoria to provide for the reimbursement of the above costs to Council whilst the ceding process of the land occur.

**Appendices**

- Appendix 1 - Election policy boating and fishing (Ref 19/193001)  
- Appendix 2 - Boat Ramp Agreement - v. 3.0 - 28June2019 (Ref 19/193003) - Confidential
- Appendix 3 - Media Release 190804-Abolishing-Ramp-Fees-To-Get-More-Victorians-Out-On-The-Water (Ref 19/193746)  

Author/s:    Jaclyn Murdoch, Manager Compliance and Amenity  
     Julian Harvey, Manager Property and Arts

Reviewed and Approved By:                      Jonathan Guttman, General Manager Planning and Development  
     Daniel Freer, General Manager City Assets and Environment

# 8.3

## IMPLEMENTING THE REMOVAL OF FEES AT THE GOVERNOR ROAD BOAT RAMP

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## FISHING AND BOATING

Fishing and boating allows families and friends to spend time together in the outdoors, improves physical and mental health and allows people to connect with nature.

That's why Labor has a plan to get more people fishing and make boating better, cheaper and easier for all Victorians.

If re-elected, we will make an unprecedented investment in fishing and boating.

We'll spend over \$27 million on fishing, ensure that every dollar collected from boat licence and registration fees is spent on improving facilities and safety for boaters, and abolish boat ramp parking and launching fees.



## BOATING

A re-elected Andrews Labor Government will embark on the biggest reforms to the way that boating infrastructure is managed that Victoria has ever seen. We will fix our boat ramps, abolish all boat ramp parking and launching fees, and reform boat ramp management in Port Phillip Bay and Westernport.

If re-elected we will:

- allocate all the proceeds of collected boat licence and registration fees to improving facilities and safety for the boating community
- establish the Better Boating Fund to facilitate urgent boat ramp upgrades and continual maintenance for Victoria's boating infrastructure
- abolish boat ramp parking and launching fees at Victorian boat ramps

And so that we are never in a position where our boat ramps and boating infrastructure are left in a state of disrepair again, Labor will review the management of boating infrastructure in Port Phillip Bay and Westernport.

This work will be done in direct consultation with recreational fishing and boating stakeholders, with a view to establishing a dedicated boating infrastructure authority.





## FISHING

In 2014 we said we would grow participation in recreational fishing to one million anglers by 2020, and we are well on track.

We have ended net fishing in Corio Bay, removed most net fishing from Port Phillip Bay, increased fish stocking to 6 million fish a year, boosted facilities, opened up new fishing spots, and supported fishing clubs right around Victoria.

A re-elected Labor Government will build on these initiatives with another massive investment to support recreational fishing:

- grow fish stocking to a record 10 million a year by 2022, providing more fish to catch for Victorian families
- provide \$7 million for a new native fish hatchery in Shepparton
- end commercial netting in the Gippsland Lakes with a compulsory buy-out of the last remaining licences, returning the lakes system for recreational fishing and boosting local tourism and jobs
- guarantee access to fishing and camping on crown land that has grazing licenses and river frontage
- protect recreational fishing of Southern Bluefin Tuna from Federal Liberal Government cuts and invest \$2.5 million into improving fish habitat in Port Phillip Bay, with reef development
- guarantee access for non-powered craft and small craft with electric motors to more waterways including Tullaroop, Lauriston, Hepburn, Barkers Creek, Upper Coliban and Malmsbury reservoirs
- invest in fishing infrastructure providing more fish cleaning tables and more fishing platforms
- introduce a Fishing for All Program promote fishing among groups with low participation
- allow recreational fishers to get recreational fishing numberplates for their cars and trailers
- develop a Recreational Fishing Tourism Plan to boost regional jobs with a focus on events, and marketing regions and towns with specific species.
- \$1.5 million for a new on-water café on Bullock Island in partnership with the Lakes Entrance Fishermen's Co-Operative Society

# Media Release

The Hon Dan Andrews MP  
Premier



Sunday, 4 August 2019

## ABOLISHING RAMP FEES TO GET MORE VICTORIANS OUT ON THE WATER

The Andrews Labor Government is making it cheaper and easier for more Victorian families to get out on the water by abolishing parking and launching fees at public boat ramps.

Premier Daniel Andrews and Minister for Fishing and Boating Jaala Pulford visited the Warmies boat ramp at Newport today to announce that parking and launching at boat ramps across Hobsons Bay City Council is now free.

The costs of parking and launch fees can make a day on the bay more expensive than it should be. That's why the Labor Government promised to remove launching and parking fees at all public boat ramps across the state.

The abolition of fees at the Warmies boat ramp is the first step in delivering on this major election commitment and will save families up to \$315 a year on an annual parking permit.

Boat ramps at Port Welshpool, Portland, Corinella, Lake Nagambie and Torquay are also now free, as well as four ramps managed by Bass Coast Shire Council. Every public boat ramp across Victoria will be free by Spring – ready for the busy summer boating period.

Better Boating Victoria was established earlier this year to oversee the introduction of free parking and launching, and deliver upgrades and maintenance at Mordialloc, Queenscliff, Point Richards, Hastings, Rhyll and Cowes Jetty.

It's all part of the Labor Government's unprecedented investment in boating and fishing that will ensure every dollar of licence and registration revenue goes towards improving boating facilities and safety.

Better Boating Victoria is building on the success of the Labor Government's record investment in the *Target One Million* program which includes a huge boost to fish stocking, a new native fish hatchery and better planning for fishing tourism.

For more information visit [transport.vic.gov.au/betterboating](http://transport.vic.gov.au/betterboating).

### Quotes attributable to Premier of Victoria Daniel Andrews

*"These fees cost Victorian families hundreds of dollars a year – we said we'd abolish them and we're delivering."*

*"Free public boat ramps will make it cheaper and easier to get out on the water and enjoy everything our bays, lakes and rivers have to offer."*

### Quote attributable to the Minister for Fishing and Boating Jaala Pulford

*"We've listened to boaters and are delivering on our commitment to scrap parking and launching fees – making it cheaper and easier more for more Victorians to get involved in recreational boating and fishing."*

### Quote attributable to Member for Williamstown Melissa Horne

*"Making it free to park and launch a boat at Hobsons Bay will encourage more people to get out and enjoy the bay and provide a boost to the local economy."*

**Media contact:** Bob Neilson 0400 378 197 | [bob.neilson@minstaff.vic.gov.au](mailto:bob.neilson@minstaff.vic.gov.au)

## **9. Community Sustainability Reports**



# Ordinary Meeting of Council

23 September 2019

Agenda Item No: 9.1

## KINGSTON WOMAN OF THE YEAR AWARD - REVIEW

Contact Officer: Amy Wallis, Community Engagement Officer

### Purpose of Report

The purpose of this report is to provide a review of the Kingston Woman of the Year Award scheme after the first year of implementation to assess its effectiveness and identify opportunities for improvement.

### Disclosure of Officer / Contractor Direct or Indirect Interest

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

### OFFICER RECOMMENDATION

That Council approve:

1. Continued implementation of the Kingston Woman of the Year Award scheme as proposed with presentation at the annual International Women's Day civic event.
2. The allocation of resources to implement the revised Award Scheme consistent with option 1a as detailed in the report.

## 1. Executive Summary

The inaugural Kingston Woman of the Year Award was presented at International Women's Day (IWD) on 8 March 2019. Community consultation and internal review indicated strong support for the implementation of this Award scheme as an effective way to celebrate and recognise the outstanding contributions of women in our community.

Feedback highlighted opportunities for improvement, including refining the nomination categories and suggestions for extending the community reach by exploring partnership opportunities with secondary schools. The review of this Award scheme has highlighted its potential to act as an additional mechanism to promote, broaden and showcase the leading role that Council can play in reaching gender equality. This aligns with and strengthens the vision of the *Kingston's Prevention of Family Violence Action Plan 2019-2021* to create safe, equal and respectful relationships where family violence and gender inequality are not tolerated.

## 2. Background

International Women's Day is celebrated annually on 8 March in recognition of women's rights, achievements and advancement in political, economic and social spheres. Celebrating women's contributions in varied domains provides a positive way to challenge gender stereotypes, promote women's leadership and independence, and advocate for gender equality. Promoting and normalising gender equality in public and private life is required to help prevent family violence.

At the Ordinary Council Meeting on 25 June 2018, in support of International Women's Day and in recognition of the aim to celebrate and promote women's outstanding contributions in Kingston, Council endorsed:

1. The *Woman of the Year Award* proposal.
2. Development of the Award scheme and outlined criteria to facilitate the Kingston Woman of the Year Award to be presented at the International Women's Day (IWD) event on 8 March 2019.
3. Review the scheme after the first year of implementation to assess its effectiveness and identify opportunities for improvement.

The inaugural Kingston Woman of the Year Award scheme was implemented from November 2018 to March 2019. There was an overwhelming response from the community with a total of 46 nominations received for 26 nominees. Twenty-five nominees agreed to be recognised at Council's IWD event on 8 March 2019. Council chose to select the Kingston Woman of the Year Award winner and five Honourable Mentions reflecting each of the nomination categories (Champion of Change, Excelling in Arts and Sport, Inspiring Innovation, Success in STEM, Humanitarian).

The Award scheme was implemented without a budget allocation and proved to be resource intensive.

### **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.

Celebrating women's outstanding contribution in diverse fields promotes gender equality, recognises women in positions of leadership, supports inclusion, health, cohesion and connectedness amongst the community.

#### **3.2 Community Consultation and Internal Review**

There was strong support from nominators, nominees, community members, attendees at IWD, and Council staff for the introduction of this Award scheme. Support was reiterated by the media coverage and uptake from local media outlets (Mordialloc News, the Leader, Bayside News, Frankston Times).

The few complaints received from the community that questioned Council's focus on women's achievement (compared to men's) were expected. This provided an opportunity for increasing community awareness of Council's commitment to promote gender equality and challenge the gendered drivers of family violence by celebrating women's contribution and leadership in the community.

The award scheme was an unbudgeted event. The nature and scope of the event, due to popularity, placed significant pressure on internal resources to deliver all elements of the scheme.

Elements that required intensive resourcing included:

- a. Targeted promotion with diverse community groups and organisations.

- b. Responding to the increased contact from nominees, nominators and interested community members with questions about the Award, support with the nomination application, enquiries about the IWD civic event. Informing nominees and nominators about the process, requirements prior, on and after the event (including media promotion and follow up with nominees not present).
- c. Co-ordination of the nomination and selection process that included responding to the extensive interest with 46 nominations, requiring review of applications and collating succinct summaries to present to Council for selection, gaining informed consent from all nominees, approval of summary information photo permission for online promotion and recognition at the IWD event.

### 3.2.1 Feedback from Attendees

Of the 80 attendees at the Award ceremony, the 37 respondents to the post-event survey indicated strong support for continuing annual implementation of the Award scheme.

- i. 97% agree and strongly agree that it is important to celebrate women in our community.
- ii. 97% agree and strongly agree that the Kingston Woman of the Year Award is an effective way to celebrate and recognise local women.

Qualitative feedback reiterated this support:

- iii. *“Such a wonderful celebration of women and achievements”*
- iv. *“Thank you for a truly moving and inspiring morning”*
- v. *“I have attended many times and thought this year was the best”*

Other feedback received from the survey included:

- vi. More opportunities to hear from the nominees about their achievements and passions.
- vii. Complaints of venue facilities (heating and seating in foyer) and limited parking;
- viii. Reduce the length of the Melbourne Playback Theatre performance;
- ix. Promote IWD event on the Council website (i.e., increase invitations to IWD to broader community members);
- x. Increase venue capacity for more guests to attend and increase the presence of young people; and
- xi. Consider timing of the Award ceremony and whether an evening event would better accommodate the work commitments of nominees and their families.

### 3.2.2 Internal Review

Key operational issues identified by officers included:

- i. Mixed feedback about the nomination categories with strong support for increasing the diversity of nominations received and some confusion about the number of awards reflecting each category. There was more frequent overlap between two categories (*Champion of Change* and *Humanitarian*).
- ii. Challenges in the selection process due to the number and calibre of nominees leading to additional time commitment required from Councillors to select Award winner.
- iii. Restriction on attendee numbers at the IWD ceremony due to venue size.

- iv. Significant time and resources required to support the delivery of the Award Scheme and IWD event due to the high level of interest and participation from the community.

Improvement opportunities as identified from internal and external sources include:

- i. Continued recognition of nominees that extends beyond the IWD event.
- ii. Increased participation from young people and emerging leaders through targeted engagement with schools, sporting clubs, and community groups.
- iii. Leadership and development support of potential future nominees through mentoring opportunities (rather than a one-off event).

### 3.3 Recommended Revisions to the Award Scheme

The results of the community consultation and internal review process demonstrates strong support for continued implementation of the *Kingston Woman of the Year Award* scheme as a beneficial mechanism to celebrate local women's leadership, achievements and contributions to the Kingston community. This aligns with and strengthens the vision of the *Kingston's Prevention of Family Violence Action Plan 2019-2021* and complements the following actions in the plan:

1.7.1 Provide a leadership role in improving gender equity and educating about the drivers of family violence.

1.7.16 Improve female interest in traditionally male-oriented roles.

1.7.17 Celebrate women's achievements and empower women's voices.

1.4 and 2.4 Extend community strengthening and partnerships activities to embed the promotion of gender equality, women's independence and decision making throughout the community, including time to engage with schools, sporting clubs and priority populations i.e., Aboriginal and Torres Strait Islander communities, multicultural, interfaith, LGBTIQA+, and people with a disability.

For implementation in 2020 it is recommended that:

- i. The 2019 *Eligibility and Assessment Criteria* remain the same.
- ii. The *Nomination Categories* are refined to 4 instead of 5 categories and the following used:
  - **Courageous Commitment** – For women who are dedicated to making a difference to the health, wellbeing, safety and/or sustainability of our community through advocacy, campaigning, fundraising, community work and/or thought-leadership.
  - **Excelling in Arts and Sport** – For women using their sporting and/or creative talents to represent, motivate and inspire our community.
  - **Inspiring Innovation** – For women who are leaders in business, economics, politics and/or an entrepreneur.
  - **Success in STEM** – For women who are excelling in science, technology, engineering and mathematics.

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iii. Proceed with the following Key Dates annually:

Nominations Open	Early November
Nominations Close	Mid January
Council select Award winner	February
Eligible Nominations announced online	Early February
Award winner notified	Late February
Kingston Woman of the Year Award presented	IWD event (on or near 8 March)

iv. There is provision of a project-specific resource (0.4EFT) for an Officer to co-ordinate the community engagement, planning, implementation and evaluation of the Award Scheme and project management of the IWD Civic event. Given the high level of interest and extent of uptake from the community, the Scheme and IWD Civic event could be enhanced to promote nominees' presence within our community and increase the reach of community participation as well as further strengthen the delivery of *Kingston's Prevention of Family Violence Action Plan 2019-2021*.

The Officer would be responsible for:

Phase A Tasks	Timing
1. Broad promotion of the Award Scheme to continue to encourage the diversity of nominations.	Nov-Jan
2. Co-ordination of the nomination and selection process.	Nov-Feb
3. Responsive communication to nominees, nominators and interested community members.	Nov-Mar
4. Planning and co-ordination of the IWD event and Award ceremony.	Oct-Mar
5. Systematic evaluation of the Award Scheme.	March
Phase B Tasks	Timing
6. Continued recognition of nominees that extends beyond the IWD event (i.e., facilitating opportunities for nominees to be guest speakers to promote the consistent message of celebrating women's role as leaders in our community throughout the year).	Mar-Oct
7. Targeted engagement with schools, sporting clubs, and community groups to invite participation from young people and emerging leaders. This strengthens the purpose, sustainability and long-term impact of the Award Scheme with opportunities for partnerships that align with Council's prevention of family violence initiatives.	Apr-Oct
8. Leadership and development support of potential future nominees through mentoring opportunities (rather than a one-off event) that provides an innovative response to broaden Council's Family Violence prevention objectives and strengthen Council's leadership role in achieving gender equality.	Apr-Oct

### 3.4 Options

#### 3.4.1 Option 1a

That Council approves continued implementation and extension of the Kingston Woman of the Year Award scheme (Phase A and B tasks 1-8 in section 3.3) with resource allocation for a 0.4EFT position.

#### 3.4.2 Option 1b

That Council approves implementation of the Award Scheme in the same structure and standard as delivered in 2019 (Phase A Tasks 1-5 in section 3.3) with resource allocation for a 0.4EFT position for 6 months (October to March).

#### 3.4.3 Option 1c

That Council does not approve continued implementation of the Kingston Woman of the Year Award scheme as outlined in section 3.3 of this report.

## 4. Conclusion

### 4.1 Environmental Implications

None arising directly from this report.

### 4.2 Social Implications

The Woman of the Year Award recognizes the outstanding contributions that women make to the community, industry and society. It provides a platform to celebrate and support the work that these women do and also inspire and motivate other members of the community.

By encouraging diversity of nominations with women who are leaders in industry, STEM, arts, sport and community realms allows gender stereotypes and norms to be challenged. Challenging gender roles is part of the deliberate efforts needed to reach gender equality and, in turn, help prevent family violence.

### 4.3 Resource Implications

Given the high level of community interest and extent of uptake, co-ordination of the Award Scheme requires additional budget allocation. Resource implications vary pending Council's preferred option.

**Option 1a.** Delivery and enhancement of the Award Scheme to increase sustainability, community partnership opportunities and consistent gender equality messaging in support of Council's *Prevention of Family Violence Action Plan 2019-2021*. This extension and strengthening of the scheme requires implementation of all tasks outlined in section 3.3.iv and equates to a 0.4EFT position (\$42000 incl. on costs).

**Option 1b.** Delivery of the event-based Award Scheme in the same structure and standard as delivered in 2019 requires additional funding in the order of \$21,000 (incl. on costs) for a 0.4EFT for 6 months (October to March) to implement Phase A Tasks 1-5 outlined in section 3.3.iv.

### 4.4 Legal / Risk Implications

NA

**City of Kingston  
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Author/s: Amy Wallis, Community Engagement Officer  
Reviewed and Approved By: Jihan Wassef, Team Leader Community Engagement  
Jane Grace, Manager Libraries & Social Development  
Mauro Bolin, General Manager Community Sustainability

# Ordinary Meeting of Council

23 September 2019

Agenda Item No: 9.2

## DELIVERED MEALS PROGRAM - AWARD OF CONTRACT

Contact Officer: Margie Hanrahan, Manager Community Care & AccessCare Southern

### Purpose of Report

The purpose of this report is to seek Council approval to award Contract 19/60 – Delivered Meals Program to the recommended tenderer from the tender submissions received.

### Disclosure of Officer / Contractor Direct or Indirect Interest

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

### OFFICER RECOMMENDATION

That Council:

1. Award Contract 19/60 – Delivered Meals Program – to Ranahans Pty Ltd at an estimated annual sum of \$450,000 on the basis of one (1) year and nine (9) months tenure; and
2. Authorise the Chief Executive Officer to exercise the two (2) additional two (2) year option periods subject to satisfactory performance.

### 1. Executive Summary

Tenders have been sought via open tender procedure to provide fresh meals delivered to Council's kitchen for the Delivered Meals Program.

This report seeks Council's approval to award Contract 19/60 Delivered Meals Program to Ranahans Pty Ltd for one (1) year and nine (9) months with the options to extend for two (2) additional two (2) year periods at CEOs sole discretion.

### 2. Background

Council's current Delivered Meals Contract with ICook expired on 30 June 2019 resulting in the requirement to progress a tender process to identify a suitable supplier.

Tenders have now been received and evaluated. Officers are now seeking approval to award Contract 19/60 – Delivered Meals Program to the contractor considered by the Tender Evaluation Panel to offer best service and value to Council. Contractors who have submitted tenders have undergone a series of assessments in relation to experience, organisational capacity, financial status, OHS, insurances, systems compliance and referee checks.



### 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

Goal 3 – Connected, inclusive, healthy and learning community.

3.2.1 Provide equity of choice for older people and people with a disability.

To provide nutritious freshly cooked meals to vulnerable people living in their own homes while providing an opportunity to stay connected through regular visits from volunteers and staff. The program also provides opportunities for volunteers to participate in a meaningful community role.

#### 3.2 Consultation/Internal Review

N/A

#### 3.3 Operation and Strategic Issues

##### 3.3.1 Tender evaluation

Tenders closed at 2pm on Thursday 20<sup>th</sup> June 2019, with four (4) tender submissions received from the following contractors:

<b><i>Tenders Submission Received at Close of Tender Period (in alphabetical order)</i></b>
Australian Catering Solutions -Trading as Hearty Health
Lite n Easy
Ranahans
RFK PL – Community Chief

The Tender Evaluation Panel (TEP) comprised the following Officers:

- Margie Hanrahan – Manager AccessCare
- Juli Stickler – Team Leader Community Support
- Tami Cuthbert – Coordinator Contracts and Quality
- Stephen Wyatt – External Consultant

The evaluation criteria used to evaluate all tenders under Contract 19/60 (listed in order of importance) were as follows:

- (i) PASS/FAIL
  - Compliance with OHS, Environmental and Insurance requirements (A copy of the recommended tenderer's OHS Compliance Certificate is attached as Appendix 1)
  - Financial Capacity
- (ii) Weighted Scored Criteria
  - Price
  - The tenderer's previous relevant experience with delivering similar services and proven ability to perform
  - Food Safety Plan

- Quality Assurance
- Flexibility (including menu cycling)
- Food Quality
- Special Meals
- Contingency Plans
- Capacity to Deliver / Resourcing; Methodology and ability to perform the Works in compliance with the Specification

As part of the tender submission the tenderers provided an assortment of de-identified meals and packaging. The meals along with the packaging was judged and scored by a panel consisting of three current meals clients and the manager of AccessCare.

Following close of tenders, the TEP identified that two (2) of the tender submissions received were non-conforming in nature and were excluded from further evaluation.

- Lite n Easy tender was deemed non-conforming as they tendered to provide frozen meals only when the specification was for fresh meals.
- Australian Catering Solutions - Trading as Hearty Health was deemed non-conforming as they failed to provide a price for the main meal component which was a key element of the tender submission. Further, the main meal portion was deemed inadequate and quality sub-standard.

Based on the application of the above assessment criteria, the TEP identified two (2) tenderers to be shortlisted for interviews. These tenders were scored and interviewed by the TEP with these contractors to identify any errors and/or omissions made within their initial tender submissions.

Following the interview, referee and financial checks were carried out on the two conforming applicants.

On the basis of the evaluation, Ranahans Pty Ltd was selected as the preferred tenderer.

A confidential tender evaluation matrix is attached to this report (see Appendix 2).

## **4. Conclusion**

### **4.1 Environmental Implications**

The environmental impact of packaging material and was a consideration of the tender process in line with Council's procurement policy.

### **4.2 Social Implications**

Council's delivered meals program provides nutritious meals and welfare checks for the most vulnerable residents while also providing meaningful volunteering opportunity for people of all ages, including special needs groups in the community.

**4.3 Resource Implications**

In 2018/19 Council provided 30,572 meals at a cost of \$406,125 which is directly recovered through client fees. The new contractor pricing is slightly higher than the previous contractor, with an increase in the cost of the main meals of .55c, soup .64c and \$1.93 for a dessert. Officers are committed to keeping the meals costs as low as possible for our clients. The estimated sum of the contract based on tendered pricing at 34,000 units is \$450,000 pa.

**4.4 Legal / Risk Implications**

Failure to provide the meals program is likely to put frail older people living alone in their own homes at risk due to lack of monitoring and access to a ready to eat nutritional meal along with reputational risk due to longstanding association Councils have with the meals program.

**Appendices**

Appendix 1 - Certificate of Compliance Ranahans Pty Ltd (Ref 19/206880)  

Appendix 2 - Final evaluation Combined Tender Evaluation Matrix - CON-19 60 (Ref 19/206884) - Confidential

Author/s: Margie Hanrahan, Manager Community Care & AccessCare  
Southern

Reviewed and Approved By: Mauro Bolin, General Manager Community Sustainability

# 9.2

## DELIVERED MEALS PROGRAM - AWARD OF CONTRACT

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CERTIFICATE OF COMPLIANCE  
AMALGAMATED COUNCILS OF VICTORIA

# Ranahans Pty Ltd

Have been assessed and have provided sufficient evidence to be Compliant as a Level 4 Contractor / Consultant within the Amalgamated Councils of Victoria OHS Contractor management system.

Date: Wednesday, 21 August 2019

This assessment remains valid for a period not exceeding 2 years from the issue date.

Certification will be suspended upon the expiry of Insurance Policies, Licences and Certification documents.

Repeated or serious safety breaches may lead to the cancellation of this certification.

Compliance to Level 4 allows the contractor to undertake tasks assessed as Medium and Low Risk

*community inspired leadership*



# Ordinary Meeting of Council

23 September 2019

**Agenda Item No: 9.3**

## **ADOPTION OF KINGSTON YOUTH STRATEGY**

**Contact Officer: Zorica Djuric, Team Leader Youth & Family Services  
Mark Patterson, Manager Family Youth and Children's Services**

### **Purpose of Report**

The purpose of this report is to seek final adoption by Council of the 2019-2022 Kingston Youth Strategy.

The 2019-2022 Kingston Youth Strategy provides Council with a youth participation framework and strategic priorities for the delivery of youth services, in particular Council's key direction of supporting young people to be resilient, healthy and engaged.

### **Disclosure of Officer / Contractor Direct or Indirect Interest**

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

### **OFFICER RECOMMENDATION**

That Council adopt the 2019-2022 Kingston Youth Strategy (refer Appendix 1).

### **1. Executive Summary**

The 2019-2022 Kingston Youth Strategy has been finalised following community consultation and receipt of feedback.

The draft Strategy was presented to Council in July 2019. Council approved the release of the draft Strategy for the purpose of community consultation.

### **2. Background**

The development of the Strategy was based on extensive research and community consultation, which has informed the Strategy's themes, priority areas, key directions and actions.

The Strategy outlines how Kingston City Council will support, empower, and advocate for young people aged 12 to 25 years. It guides the design and delivery of youth services provided by Council and informs youth services delivered by government and not-for-profit organisations.

Officers are seeking endorsement of the 2019-2022 Kingston Youth Strategy. *Please refer to Attachment 1: 2019-2022 Kingston Youth Strategy.*

### **3. Discussion**

#### **3.1 Council Plan Alignment**

Goal 3 - Our connected, inclusive, healthy and learning community  
Direction 3.3 - Enhance the wellbeing and participation of families and children

3.3.3 Support young people to be resilient, healthy and engaged

The Strategy shows Council's commitment to support our young people to achieve their goals and aspirations. It prioritises programs, services and initiatives that support youth resilience, empowerment and voice.

#### **3.2 Consultation/Internal Review**

The Strategy was open for public comment for a period of four weeks and community feedback was sought via Council's "Your Kingston Your Say".

The open consultation received 69 visitors, with 11 document downloads and 4 completed online surveys.

The feedback indicated strong support for the Strategy's four priority areas. Several suggestions for specific programs / activities were made, which will be actioned during the Strategy's implementation.

Feedback and suggestions from the public consultation included:

- increasing young people's awareness of sexually transmitted diseases;
- partnering not only with Council departments but with other external agencies; and
- providing diverse opportunities for young people to engage with us, through a range of mediums.

In summary feedback referred to issues, opinions and ideas that could influence the implementation of the Strategy via suggested actions rather than influencing the structure of the key priority areas and directions.

#### **3.3 Operation and Strategic Issues**

There were no significant operational and strategic issues identified through the public consultation.

#### **3.4 Options**

Two options are identified for Council's consideration:

1. To endorse the 2019-2022 Kingston Youth Strategy;
2. To not endorse the Strategy.

### **4. Conclusion**

#### **4.1 Environmental Implications**

Access to the public consultation was encouraged online. No further environmental implications arose from finalising the Strategy.

**4.2 Social Implications**

Young people make up 16.7% of the Kingston municipality. The development of the Strategy provides an opportunity for Council to publicly demonstrate its support for young people and the important role we have in our local community. The Strategy provides a clear pathway for strengthening the health and wellbeing of young people.

**4.3 Resource Implications**

The Strategy will be implemented within current budget allocations. External funding opportunities will be pursued to strengthen service delivery where appropriate and as described in the key priority areas.

**4.4 Legal / Risk Implications**

The Strategy has taken into consideration changes in the legislative and regulatory context for youth service provision, in particular, the introduction of the Child Safe Standards in Victoria.

**Appendices**

Appendix 1 - 2019-2022 Final Kingston Youth Strategy PDF Version (Ref 19/213344)



Author/s:

Zorica Djuric, Team Leader Youth & Family Services

Mark Patterson, Manager Family Youth and Children's Services

Reviewed and Approved By:

Mark Patterson, Manager Family Youth and Children's Services

Mauro Bolin, General Manager Community Sustainability



# 9.3

## ADOPTION OF KINGSTON YOUTH STRATEGY

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# 2019-2022 Kingston Youth Strategy

Healthy & Resilient | Acknowledged | Engaged | Prepared

Final Report 27 August 2019

*community inspired leadership*





## Aboriginal Acknowledgement

The City of Kingston acknowledges the Kulin Nation as the custodians of the land on which the municipality is a part and pays its respect to their Elders past and present.

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## Mayor's Foreword

It is with great pleasure that I present our new Youth Strategy for 2019-2022. This document is a strategic plan for the City of Kingston to support, empower and advocate on behalf of young people aged 12 to 25 years in Kingston.

This Strategy was developed with young people and for young people because

- the process empowers young people to actively shape the future of their City;
- young people possess unique ideas and lived experiences that may differ greatly to adults; and
- youth participation creates important partnerships between Council and young people where we better understand and learn from each other

From the many youth voices who shared their ideas and opinions during the surveying and consultation program, common themes emerged. These themes were reinforced in the views shared by parents/carers and representatives of our schools and youth services organisations.

**The four priority areas are:**

1. Healthy and resilient
2. Acknowledged
3. Engaged
4. Prepared

This Strategy shows Council's commitment to support our young people to achieve their goals and aspirations. It prioritises programs, services and initiatives that support youth resilience, empowerment and voice.

I would like to thank the 5,664 young people and 68 community members who contributed their thoughts, concerns and ideas that have informed the development of this Strategy.

**Cr Georgina Oxley**  
**Mayor**  
**2019**

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## Our mission, commitment and approach to youth participation

### Our Mission

*"Here for young people"*

### Our commitment to young people

Kingston Youth Services is committed to ensuring when we deliver our services and programs that we:

- Provide ongoing support where needed;
- Create meaningful opportunities for participation;
- Foster independence and prepare young people for their future; and
- Acknowledge that young people come with their own aspirations.

### Our approach to genuine youth participation

Council's Youth Participation Framework (*Appendix 1: Youth Participation Framework*) outlines the commitment of Kingston Youth Services to the practice and principles of youth participation. Youth participation has been articulated as a right in the United Nations Rights of the Child (*Source: Articles 12 to 14*) and identified as a protective factor in Child Safe Standard 7 (*Source: State of Victoria - Department of Health and Human Services*).

As a practice, youth participation involves young people in activities, organisations, government and community structures, and engages them on issues that directly affect them. Fundamentally it is about meaningful opportunities for young people, valuing their contributions and empowering them to help shape our world.

Kingston Youth Services supports young people's right to be involved in decisions that affect them. We feel young people have the right to represent their own interests in decision making. This includes individual care planning and goals, program design and evaluation and strategic planning. Youth participation benefits both young people and our organisation.

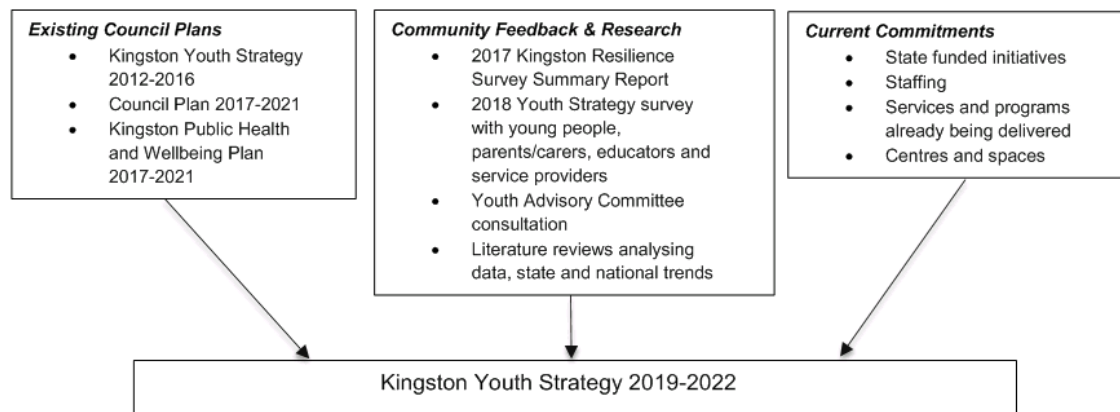
For further information about our approach please see Appendix 1.

## Overview of key inputs for this Strategy

### Inputs and Priorities

When determining priorities for the 2019-2022 Youth Strategy, several inputs were considered as shown below. This approach aimed to ensure the Strategy would align with existing organisational plans and current research, honour current commitments and encourage community ownership. *For more details, see Appendix 2: Background Information*

*Diagram 1: Key Inputs*



Subsequently, four priority areas were identified:

1. Healthy and resilient
2. Acknowledged
3. Engaged
4. Prepared

*Priority areas discussed in further details commencing from page 8*

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## Some statistics about young people in Kingston

### Key Statistics

- Many of Kingston's 151,389 residents are young people. As at **2016**, over **25,300** (or **16.7 %** of) residents were young people aged 10 to 24 years and this is forecast to increase. (Source: *id consulting 2016*)
- **By 2026**, Kingston's population is forecast to reach 173,315 with **18,718 young people** 10 to 19 years and **10,572** aged 20 to 24 years. (Source: *id consulting 2016*)
- **Top 3 Resilience Domains** as identified from the 2017 Kingston Resilience Survey are Hope 72%, Adult Support 67%, and Healthy Mind 64% (Source: *Kingston Youth Resilience Initiative: 2017 Resilience Survey Summary Report*)
- **Top 3 Resilience Domains to improve** – only 39% of young people surveyed identified that they felt they had a Positive Identity, followed by 50% with Positive Values and 59% identifying Educational Engagement (Source: *Kingston Youth Resilience Initiative: 2017 Resilience Survey Summary Report*).
- **27.5%** of young people reported feeling **unsure about their future** (Source: *2018 Kingston Youth Strategy Survey*).
- **37%** of young people identified a **lack of understanding** and **support** for mental health and depression (Source: *2018 Kingston Youth Strategy Survey*).
- **37%** of young people reported concerns about **housing affordability and accessibility** (Source: *2018 Kingston Youth Strategy Survey*).
- **36%** of educators and service providers recognise that young people are having challenges **coping with stress** (Source: *2018 Kingston Youth Strategy Survey*).
- **33%** of parents surveyed identified concerns around **bullying** for their children. (Source: *2018 Kingston Youth Strategy Survey*).



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## Priorities, key directions and actions

### Our plan

These priorities and underpinning key directions aim to address the challenges facing our young people. To achieve these objectives, we will review and refine our existing commitment to services, programs, spaces and activities. We will also partner with education providers, youth support agencies, community organisations, parents and carers to enhance greater outcomes for young people.

A supporting Action Plan will set out the annual program of youth programs, services, initiatives and activities to track our progress against each key direction. Outcomes will be reported at the end of each financial year.

The following information is presented for each of the four priorities:

- high level description
- snapshot of what young people, parents, educators and youth services organisations have said
- key points from research around Australia
- key directions and actions for Kingston Youth Services

### Four Priority Areas

1. Healthy and resilient
2. Acknowledged
3. Engaged
4. Prepared

## PRIORITY 1:

### Kingston's young people are healthy and resilient

Good physical and mental health is integral to youth resilience and a quality life. Resilience is drawn from positive experiences and qualities that assist young people to becoming caring, responsible and productive adults. We want to support young people, so they feel confident and equipped to face the challenges that come their way. We want to create an environment where young people, parents and carers can easily access reputable services and credible information when they need to.

### What our young people told us

Findings from the 2017 Resilience Survey for secondary students showed that some young people could strengthen their health and resilience in several areas:

- 79% eat breakfast at home 3 or more days a week
- 75% are able to concentrate
- 72% keep physically fit
- 68% are not unhappy or depressed
- 66% are not constantly under strain
- 64% not losing sleep through worry
- 63% are getting 8 hours sleep
- 62% feel good about themselves
- 54% text between 10pm and 6am

### In the consultation for this Strategy we heard

- *"My school and relationship with my family and friends is going well and is the most important thing to me"* **Young person aged 15**
- *"My social life and working life are going super well. Getting involved with the community and planning a heap of events which is super satisfying. Also getting a lot of shifts at work which is awesome :)"* **Young person aged 20**
- *"Be more visible and come into the school and engage with students, run lunch time activities"* **Educator/Service Provider**
- *"Greater awareness of supports and local programs. It's always hard to get information out to young people, but better consistent and accessible information would ease the stress young people face of not knowing where to go for help or advice"* **Educator/Service Provider**
- *"A complete follow up of families and children at risk"* **Parent/Carer**

### What the research says

Research from around Australia highlights the importance of youth resilience, health challenges and emphasis on good mental health:

- The National vision is for all young people to grow up safe, healthy, happy and resilient and to have the opportunities and skills they need to learn, work, engage in community life and influence decisions that affect them (Commonwealth of Australia, 2010)
- Research identifies five megatrends impacting the mental wellbeing of young Victorians over the coming 20 years (VicHealth, 2015a)

- A 10-year action agenda for health promotion in Victoria focuses on understanding mental wellbeing, a new focus on resilience and where to intervene (VicHealth, 2015b)
- Top three issues of personal concern to young people aged 15-19years: coping with stress, school or study problems and mental health (Mission Australia, 2018)
- There has been a focus on suicide prevention and the co-ordination of planning and treatment and mental health support for over two decades (Department of Health, 2017)
- Eating disorders are complex neuropsychiatric disorders and affect up to 9% of the Australian population in their lifetime, with an increase to 15% for females (Butterfly Foundation, 2017)
- A heavy burden of youth mental health is falling onto schools. Schools must have adequate wellbeing staff, but better local service provision is also needed, from prevention to tertiary intervention (Youth Affairs Council Victoria, 2018)

#### Key directions and actions for Kingston Youth Services

Key directions	Actions
1.1 Young people are supported when facing a set-back	<ul style="list-style-type: none"> <li>• <b>Providing more targeted resources and information nights:</b> Providing further information and support to raise the awareness of parents, carers and educators about current issues affecting young people in Kingston.</li> <li>• <b>Continue to provide a free counselling service:</b> Providing access to medium/long-term counselling at no cost to young people.</li> </ul>
1.2 Partnering with organisations and sporting clubs to enhance wellbeing opportunities for young people.	<ul style="list-style-type: none"> <li>• <b>Using social media to encourage healthier choices:</b> Informing young people using social media about ways to make positive choices regarding emerging health and wellbeing issues.</li> <li>• <b>Creating new pathways to accessing support:</b> Leveraging existing and new partnership opportunities to strengthen young people's access to support and advice.</li> <li>• <b>Collaborating to expand our understanding of vulnerable young people:</b> Working in partnership with local providers such as Les Twentyman Foundation to develop a greater understanding into the local needs of vulnerable young people.</li> </ul>
1.3 Young people have access to mental health support and resources in times that are challenging or stressful	<ul style="list-style-type: none"> <li>• <b>Increasing understanding and awareness of mental health:</b> Strengthening partnerships with schools, community agencies and sporting clubs to raise awareness of mental health, school stress, anxiety and body image issues and reduce the stigma around seeking support.</li> <li>• <b>Enhancing and expanding the Kingston Youth Services website:</b> Reviewing and improving the capacity and user-friendliness of the Kingston Youth Services website, ensuring mental health resources and information is current and relevant.</li> </ul>

## PRIORITY 2:

### Kingston's young people are acknowledged

Young people in Kingston are “*creative, energetic, innovative and have a voice that needs to be heard*”. These are the themes that emerged from educators and service providers when asked what is great about young people. Many young people have a social conscience and are positive and accepting of others and differences. We want to create an environment where young people feel welcome and their positive traits and contributions are acknowledged, valued and celebrated.

### What our young people told us

Findings from the 2017 Resilience Survey for secondary students showed that some young people are participating or contributing and feel that they are being heard, but this could be increased:

- 92% value diversity
- 85% are eager to achieve
- 74% feel adults listen to them
- 52% are helping to make the community a better place
- 52% stand up for what they believe in
- 51% are involved creatively in music, art or similar

### In the consultation for this Strategy we heard

- “*I am very happy with my family and friends. They are very accepting, understanding and I love them*” **Young person aged 13**
- “*School is going pretty well. I'm going to get an award at presentation night*” **Young person aged 14**
- “*Young people are really creative about things and often have a tendency to think outside the box*” **Educator/Service Provider**
- “*Young people have amazing ideas and are capable of so much*” **Educator/Service Provider**
- “*Provide leadership opportunities for young people to engage in*” **Parent/Carer**

### What the research says

Research from around Australia highlights the importance of inclusion and youth being valued, recognised, acknowledged and celebrated.

- The Cultural and Linguistic Diverse youth population has grown at a faster rate over the past five years compared to the total and Australia-born population aged 12 to 24 (Centre for Multicultural Youth, 2014)
- Broad-level and targeted changes need to be implemented to support young gender diverse and transgender young people to foster consistency of rights across Australia (Smith, Jones, Ward, Dixon, Mitchell & Hillier, 2014)
- Victorian Youth Week is a week-long celebration of young people (aged 12–25) that happens every April. The week provides young people a chance to express their ideas

and views, and act on issues that affect their lives. It also celebrates the positive contributions young people make to their communities (Youth Central, 2019a)

- Every year young Victorians are honoured for their outstanding contributions to the Victorian community at the Young Achiever Awards. The awards recognise and celebrate young people who excel in fields like community service, volunteering, small business, digital innovation, environmental sustainability, healthcare, arts and fashion, and education (Youth Central, 2019b)

#### Key directions and actions for Kingston Youth Services

Key directions	Actions
2.1 Young people feel welcome and accepted	<ul style="list-style-type: none"> <li>• <b>Encouraging inclusion:</b> Providing youth events and programs that meet the needs of our diverse community. Encouraging young people to participate and engage in Council's community events and festival program.</li> <li>• <b>Providing places and spaces to socialise and build social connections:</b> Exploring new ways that young people can socialise, participate in hobbies/activities and be comfortable with their uniqueness and diversity.</li> <li>• <b>Ensuring youth friendly service provision:</b> Working with young people to ensure Kingston Youth Services continues to be welcoming and easy to reach.</li> </ul>
2.2 The efforts and contributions of young people are recognised and rewarded	<ul style="list-style-type: none"> <li>• <b>Showcasing positive stories about young people through media channels:</b> Using new and current media channels to regularly share a variety of stories and announcements about the efforts and journeys of young people.</li> <li>• <b>Facilitating youth leadership and consultation:</b> Ensure that young people have a genuine voice and contribution when participating in Kingston Youth Services leadership programs and consultation processes.</li> </ul>
2.3 Young people are valued and acknowledged in their community	<ul style="list-style-type: none"> <li>• <b>Promoting the achievements and impact of young people:</b> Co-designing an approach that recognises and rewards individual and collective achievements of young people and youth volunteers in both private and public.</li> </ul>

### PRIORITY 3:

#### Kingston's young people are engaged

Being connected and having a sense of belonging is important to overall resilience and well-being. Young people benefit from having positive connections with their family, at school and within the community. Young people told us they want to feel empowered. They want to feel safe and be involved. We want to create an environment where young people feel engaged and heard.

#### What our young people told us

Findings from the 2017 Resilience Survey for secondary students showed many young people are connected to school and community and have a sense of belonging, having a say, but being engaged within their communities could be increased:

- 90% feel safe and secure at home
- 86% are engaged in the learning process
- 84% feel connected to school
- 84% say they have a safe neighbourhood
- 79% have not been bullied online in the last 12 months
- 77% are part of a club, sport or similar
- 52% are helping to make my community a better place
- 51% are involved creatively in music, art or similar
- 35% are involved in serving the community

#### In the consultation for this Strategy we heard

- *"I hope to have a family, good job and awesome neighbourhood"* **Young person aged 16**
- *"More youth-based community events based around all genres of music"* **Young person aged 17**
- *"Approaching schools directly with flyers, brochures outlining the programs in Kingston and getting the schools on board with referring young people to programs"*  
**Educator/Service Provider**
- *"Opportunity for youth to have open discussions about their problems and a space to connect, use each other as resources"* **Educator/Service Provider**
- *"Get young people involved in planning community and environmental initiatives. The world we live in needs stronger community connections"* **Parent/Carer**

#### What the research says

Recent research from around Australia on young people focuses on student engagement, youth voice as well as the safety and protection of children, young people and families.

- Every school in Victoria is required to have a student engagement policy (Department of Education, 2019) and student voice and participation in Victorian government schools is being encouraged and monitored (Department of Education and Training, 2014)

- Youth voice in government priority setting and youth-focused policy, program and service design and empowering individual young people in their own care (State of Victoria, 2016)
- We need to make sure adults listen to children and young people and take their views seriously (Australian Human Rights Commission, 2018)
- The National framework for protecting children focuses on early intervention and prevention and action on critical areas of children's wellbeing (Commonwealth of Australia, 2009)
- Improving the safety of young people and reducing the likelihood that individuals will engage in offending behaviour is an important priority (Australian and New Zealand Crime Prevention Senior Officers' Group, 2012) There is significant evidence to show that young people are disproportionately affected by crime as both offenders and victims
- There is a National plan to achieve a significant and sustained reduction in violence against women and their children (Department of Social Services, 2011, 2016).

#### Key directions and actions for Kingston Youth Services

Key directions	Actions
3.1 Young people feel safe, connected and a sense of belonging	<ul style="list-style-type: none"> <li>• <b>Ensuring young people have a genuine voice and input:</b> Providing opportunities for young people to have direct input into Council plans, programs and services and ensuring that youth participation principles are applied.</li> </ul>
3.2 Young people and their families have easy access to youth-related information and resources	<ul style="list-style-type: none"> <li>• <b>Strengthening our online and social media networks:</b> Increasing and improving Youth Services' online and social media presence (i.e. Facebook, Instagram and emerging platforms). Developing and curating digital resources. Establishing a profile as the "go-to place" for young people and adults to locate credible youth-related facts, tips and resources.</li> </ul>
3.3 Young people are involved and have a voice in local matters that affect them	<ul style="list-style-type: none"> <li>• <b>Partnering with others to increase visibility in the community:</b> Increasing outreach efforts, having a visible presence at Council events, partnering and co-branding youth events and communicating via school and community newsletters.</li> <li>• <b>Partnering with teams across Council departments:</b> Increasing outreach efforts, having a visible presence in the community and building organisational capacity to consistently access and engage with young people.</li> <li>• <b>Increasing our engagement with young people aged 18 to 25:</b> Increased efforts in understanding the needs of 18-25 year old and providing additional services.</li> </ul>

#### PRIORITY 4:

##### Kingston's young people are prepared

Many young people told us they feel unsure about the future which can lead to feelings of anxiety and stress. Young people experience many significant changes and transitions including: commencing Year 7, the next step after VCE/VCAL (Year 13), starting work and becoming an independent young adult. We want to create an environment where they feel optimistic, hopeful and confident to take the next step and understand what that might look like.

##### What our young people told us

Findings from the 2017 Resilience Survey for secondary students showed that many young people can make good decisions, but feeling positive and have a purpose about their future could be increased:

- 79% make good decisions
- 67% feel positive about their future
- 63% feel in control of their life and future
- 62% feel a sense of purpose in life

##### In the consultation for this Strategy we heard

- *"Programs to prepare students for the working world and how to deal with life after school"*  
**Young person aged 16**
- *"Training about general life stuff: taxes, bills, super etc"*  
**Young person aged 19**
- *"Greater access to volunteer opportunities and internships"*  
**Young person aged 20**
- *"Creating volunteering groups which work towards helping others in their community"*  
**Educator/Service Provider**
- *"More working and volunteering opportunities"*  
**Educator/Service Provider**
- *"Assistance in volunteering opportunities and work experience"*  
**Parent/Carer**

##### What the research says

Recent research from around Australia on young people focuses on being prepared for, and having pathways, to work and independent living.

- There are challenges and opportunities ahead for young people as the most significant disruption in the world of work since the industrial revolution begins to have an impact in the next decade. Young Australians need to learn the skills to be digitally-literate, financially-savvy, innovative and adaptable to help them navigate complex careers of the future (Foundation for Young Australians, 2016)
- As technology reduces the need for workers to complete routine, manual tasks they will spend more time focusing on people, solving more strategic problems and thinking creatively (Foundation for Young Australians, 2017)
- Disruptive innovations are creating new industries and business models, and destroying old ones. New technologies, data analytics and social networks are having a huge impact on how people communicate, collaborate and work (PwC, no date)



- While the overall rate of homelessness has been relatively stable over the last 12 years, increasing numbers of children, families and older people are experiencing homelessness (Commonwealth of Australia, 2008)
- Youth homelessness continues to be a problem in modern Australian society and is symbolic of social inequality and injustice in an otherwise affluent society (Commonwealth of Australia, 2012)
- Research shows while there are over 1,000 different occupations in Australia, they fall within seven new job clusters. The portability of skills has important implications for how we think about our careers and provide career education (Foundation for Young Australians, 2019)
- The Victorian Government supports mentoring in lots of different ways as part of the larger goal to improve things for all young Victorians. Mentoring programs are a way to help you to achieve your goals and improve your connection to family, friends, school and your community. They also help you to get involved in new opportunities that can lead to long-term positive outcomes (Youth Central, 2019c)

#### Key directions and actions for Kingston Youth Services

Key directions	Actions
4.1 Young people are supported to make good choices and handle transition periods	<ul style="list-style-type: none"> <li>• <b>Partnering to deliver new “Adulting” workshops:</b> Covering basic life skills and general knowledge around topics such as how to rent, preparing a budget, paying taxes and securing a loan</li> <li>• <b>Strengthening support to Year 7 students:</b> Providing support to Year 7 students during lunchtime to reduce social isolation and build young people’s capacity to address challenges.</li> </ul>
4.2 Young people to gain transferable skills to strengthen employment options	<ul style="list-style-type: none"> <li>• <b>Facilitating work-ready accredited/certified workshops:</b> Including Responsible Service of Alcohol, Responsible Service of Food (RSF) and Prepare and Service Espresso Coffee.</li> <li>• <b>Collaborating to raise awareness about the world of work:</b> Exploring ways to increase young people’s employability skills and understanding about the changing employment landscape.</li> </ul>
4.3 Meaningful developmental opportunities are available to young people	<ul style="list-style-type: none"> <li>• <b>Co-designing services and programs:</b> Providing opportunities for young people to participate in the development of new and revised programs and services provided by Kingston Youth Services.</li> <li>• <b>Short term internships within existing service scope:</b> Providing opportunities that allows young people to be gain hands on experience with Kingston Youth Services staff.</li> <li>• <b>Establishing a creative theatre program:</b> Providing a platform for 17 to 25 year olds to upskill and establish themselves in the theatre world.</li> <li>• <b>Increase local youth volunteering opportunities:</b> Facilitating volunteering options where young people can connect, interact, develop new relationships within the wider community.</li> </ul>

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## Implementing and Reporting

This Youth Strategy outlines Council's commitment to hearing from and collaborating with young people. The Youth Services team will oversee and coordinate the implementation of the key directions and actions in this Strategy. The team will also work collaboratively within Council, with external stakeholders and the community to implement or advocate for agreed key directions and actions. The team will monitor and report progress made on an annual basis. These reports will be made available online via [www.kingstonyouth.org.au](http://www.kingstonyouth.org.au)

## Young people's aspirations for their future

### When thinking about their future and the next 10 years, young people hoped for....

- *"I hope to be happy, have finished education, good income and be surrounded by family"* **Young person aged 12**
- *"A roof over my head and food on plate"* **Young person aged 12**
- *"Alive"* **Young person aged 13**
- *"Famous, rich, loved, have friends"* **Young person aged 13**
- *"I will have a job and a house which I will have enough money to pay for maybe even travel"* **Young person aged 14**
- *"Happy"* **Young person aged 14**
- *"Good job"* **Young person aged 15**
- *"Do the things I like"* **Young person aged 15**
- *"Going to Uni and having a house"* **Young person aged 16**
- *"Hopefully I'll be working in the Police force"* **Young person aged 16**
- *"Good job that pays well, nice home, starting a family"* **Young person aged 17**
- *"I don't even know if I will be alive by then. But if I am I would like to be living alone, travelling a lot, doing what I love, working in film and not struggling to get by"* **Young person aged 17**
- *"I have no idea, I am very uncertain about the future and haven't set my mind on anything"* **Young person aged 18**
- *"I hope I will have a good job that I enjoy and love"* **Young person aged 18**
- *"Family, job security, safety"* **Young person aged 19**
- *"Not sure yet"* **Young person aged 19**
- *"Own a house"* **Young person aged 20**
- *"Well travelled and educated. Climbing in a job I love"* **Young person aged 20**
- *"Rich and famous"* **Young person aged 21**
- *"Have my own house, supporting my future"* **Young person aged 21**
- *"Hopefully I'll be working as a Paramedic. It's the Australian dream to own your own home so I suppose investing in property would be ideal, although I struggle to imagine being able to afford a house"* **Young person aged 22**
- *"I'd like to be an accomplished artist and or musician"* **Young person aged 22**
- *"Kids, stable job, husband, good health and house"* **Young person aged 23**
- *"Unsure"* **Young person aged 23**
- *"Business goals"* **Young person aged 24**
- *"Moved out of home. In a job I love to do full time"* **Young person aged 24**
- *"Breathin n still pretty stoked"* **Young person aged 25**
- *"Owning a property - adopting more animals - stable career - physically, mentally, and emotionally healthy"* **Young person aged 25**

## Appendix 1: Youth Participation Framework

### Westhorpe's Continuum (1987)

Kingston Youth Services embraces the continuum proposed by Westhorpe (1987) as the basis for youth participation practice. As shown below, there are six points on the continuum which move from ad hoc input, structured consultation, influence, delegation and negotiation through to control. The continuum does not imply more or less control is better, but rather that certain stages will be more appropriate than others, depending on the situation and the young persons' capacity to be involved.

Diagram 2: Westhorpe Continuum (1987)



Kingston Youth Services enables and promotes genuine youth participation by:

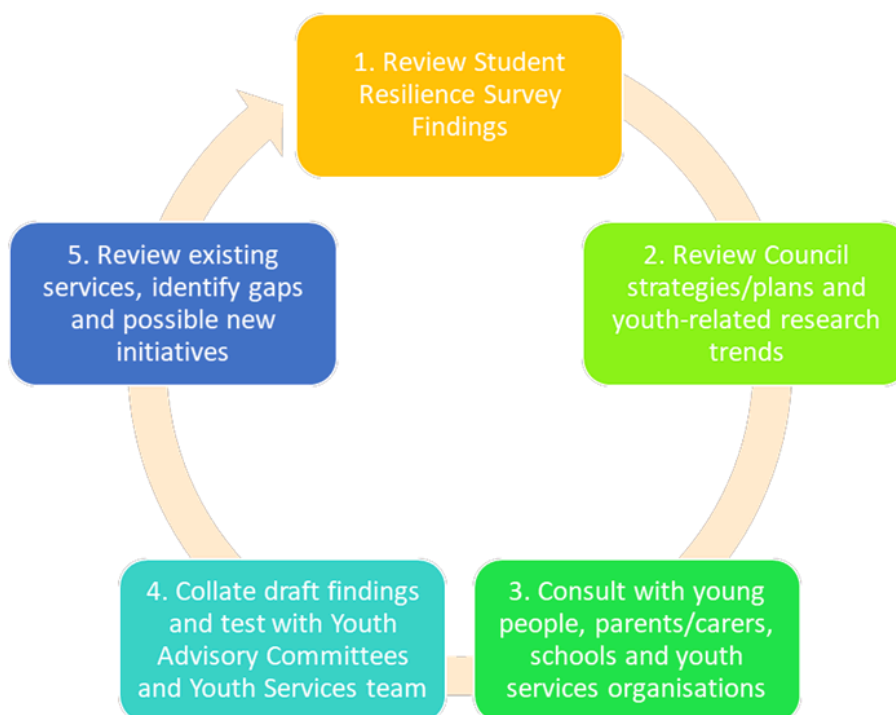
- Having a youth participation framework, action plan, policies and procedures that are clear and agreed upon as well as clear communication mechanisms so young people, families, staff and other stakeholders are aware of youth participation approaches, practices and outcomes.
- Supporting young people to understand their rights. Resources that can be accessed include: Rights and Responsibilities information, feedback and complaints mechanisms.
- Promoting and encouraging youth participation in strategic planning, program planning and review and project development.
- Dedicating resources to support and systematically monitor youth participation strategies and outcomes.
- Establishing a supportive, youth friendly environment for young people to ask questions, raise concerns and exercise their rights.
- Ensuring individual treatment, support planning and goal setting involves the young person and reflects their perspective.

## Appendix 2: Background Information

### Development of this Strategy

Kingston's Youth Strategy 2019-2022 is a partnership between Council and our young people and builds on the current services, programs and events offered by Youth Services. It presents our shared, priorities, key directions and actions, new initiatives and advocacy areas to empower local young people to be the best they can be.

This Strategy has been developed by Council based on direct input from local young people, parents/carers of young people and representatives of local schools and youth service organisations. This process involved **five key steps** as shown below.



### Overview of consultation program and description of participants

In 2017, **5,065 students in Years 3 to 12 across 19 schools** within the Kingston municipality completed the online Resilience Survey. Students shared their thoughts on 10 key areas relating to resilience. The findings from this Survey was an important input into the development of the Strategy and informed subsequent engagement activities.

In 2018 and early 2019, **667 participants** were engaged via the following activities:

- 587 Youth IPad Survey responses (online and paper-based submissions)
- 18 Parent and carer online survey responses
- 50 Educators and youth services organisation online survey responses

- 12 Youth Advisory Committee participants in workshops

**Overall, a total of 5,732 participants were engaged via the consultation program.**

The demographic and descriptive features captured via engagement activity varied. However, the participation profile shows a broad cross-section of students and young people in Kingston participated. A variety of education and youth services representatives and organisations were engaged and parents/ carers were less engaged.

- **2017 Student Resilience Survey** – participating schools: Aspendale Gardens Primary School, Cheltenham Secondary College, Dingley Primary School, Edithvale Primary School, Heatherton Christian College, Holmesglen Vocational College, Kilbreda College, Kingswood Primary School, Le Page Primary School, Mentone Girls Grammar School, Mentone Girls Secondary College, Mentone Park Primary School, Mentone Primary School, Mordialloc Secondary College, Parkdale Primary School, Parkdale Secondary College, Parktone Primary School, Patterson Lakes Primary School, Patterson River Secondary College, St Andrew's Catholic Primary School, St Catherine's Primary School, St Louis de Montfort's Primary School, St Marks Primary School, Westall Primary School and Westall Secondary College.
- **2018 Youth Strategy Survey** – respondents: Connections: 71.5% live, 41.5% study, 13.1% work and 39.7% play or socialise in Kingston; Gender: 53.7% females, 42.9% males, 3.4% other; Age: 12 to 25 years (although 49% aged 12 to 14 years); Diversity: 16.9% speak a language other than English at home, same sex attracted/ intersex/ gender diverse or questioning (10.8%), 7.3% migrant or refugee, 3.1% person with a disability, 1.9% ATSI, 1.7% carer of a person with a disability.
- **2018 Parent/Carer Survey** – respondents: Connections: 94.4% live, 33.3% work, 16.7% volunteer and 22.2% socialise in Kingston; Gender: 77.8% females, 22.2% males; Age: 26-69 years of which 66.7% aged 35-39 years
- **2018 Educators and Youth Services Organisation survey** – organisations represented: Working in varied roles in the following local institutions/organisations – BGKLLLEN, Brighton Secondary College, Cheltenham Secondary College, City of Kingston, Department of Education and Training, Family Life, Headspace Elsternwick/Bentleigh, Les Twentyman Foundation, Mentone Girls Secondary College, Monash Health, Moorabbin Rugby Club, Mordialloc College, OutlookVic, Patterson River Secondary College, Riding for the Disabled, Rotary, Scout Association of Australia, Scouts Victoria, TaskForce community agency, Westall Secondary College and Whitelion.

### Legislation surrounding the provision of youth services

In Australia, there is Federal and State Government legislation and regulations outlining the rights and entitlements of young people. Organisations, including the City of Kingston, providing services to, and interacting with, young people must consider establishing suitable structures and allocating sufficient resources to ensure compliant service provision.

Legislation and regulations relevant to young people Australia-wide includes:

- Family Law Act 1975
- Family Law Regulations 1984
- Family Law Rules 2004
- Human Rights and Equal Opportunity Commission Act 1986 - Declaration of the United Nations Convention on the Rights of the Child
- National Code of Practice for Providers of Education and Training to Overseas Students 2017
- National Disability Insurance Scheme (Children) Rules 2013
- Youth Allowance (Activity Test Exemption Guidelines) Determination 1998

Legislation and regulations relevant to young people in the State of Victoria includes:

- Charter of Human Rights and Responsibilities Act 2006
- Child Employment Regulations 2014
- Child Wellbeing and Safety Act 2005
- Child Wellbeing and Safety Regulations 2017
- Children, Youth and Families Act 2005
- Education and Training Reform Act 2006
- Education and Training Reform Regulations 2007
- Education and Training Reform (School Safety) Regulations 2011
- Equal Opportunity Act 2010
- Failure to Disclose 2014
- Failure to Protect 2015
- Freedom of Information Act 1982
- The Commission for Children and Youth People Act 2012
- Working with Children Act 2005

### Local government and youth services provision

The Victorian local government sector plays an important role supporting and empowering young people. There are several contemporary issues which may affect local government youth services provision.

**The Child Safe Standards of Service Delivery impact the way Council interacts with young people.** Since January 2016, all Councils have been required to meet 'child safe' standards of service delivery for children under the age of 18 years. Child safe standards apply to all staff and volunteers at organisations delivering services for children. The standards refer to cultures of child safety, commitments and codes of conduct, appropriate screening, supervision, training and HR practices, processes for reporting and responding to suspected child abuse, strategies to identify and remove risks of abuse, and strategies to promote children's participation and empowerment. Organisations must demonstrate particular measures to protect the safety of Aboriginal children, children with disabilities, and children from diverse cultural backgrounds. Along with the recent

'Failure to Disclose' and 'Failure to Protect' laws, the Child Safe Standards have significant implications for Councils.

**The Victorian Charter for Child Friendly Cities and Communities focuses on increasing participation by children in decision making forums and creating child friendly environments.**

Established in 2012, the Victorian Child Friendly Cities and Communities Network has grown to over 70 members across the local government and planning sectors. The Charter is supported by a Hub which acts as a central location for information and resources (<http://www.vlga.org.au/Policy-Advocacy/Victorian-Child-Friendly-Cities-and-Communities-Hub>).

**Local government has a role to play in encouraging inclusion and supporting the participation of LGBTI+ community members.**

The Local Government Act directs that Councils play a critical role in encouraging and supporting active participation in civic life and ensuring that their delivery of services is both accessible and equitable. Councils are also required to act consistently within the framework of the Victorian Charter of Human Rights and Responsibilities and are bound by statutes relating to equal opportunity. Legal and social frameworks are in place to assist local governments to demonstrate diversity and inclusiveness across their culture and practice, both internally with staff and externally with community members who identify as lesbian, gay, bisexual, transgender, intersex or queer/questioning (LGBTIQ).

**Emphasis on improving the quality of public participation and engagement approaches.**

Community engagement is an important part of the good and democratic governance of local government. Councils have been leaders in the constant challenge to adapt and find new ways to engage meaningfully with their communities, including young people. Recent developments by IAP2 (2015 - Quality Assurance Standard for Community and Stakeholder Engagement) and Victorian Auditor General's Office (Public Participation in Government Decision-making: Better Practice Guide) emphasise better practice in citizen participation.

**Councils play a lead role in community planning and advocacy, engage and consult with young people, provide funding for youth services, programs and events and have a compliance responsibility.**

Local government is the backbone of generalist youth service delivery in Victoria, working with large numbers of young people (Youth Affairs Council Victoria, 2016). Youth Services teams promote young people's health, social inclusion, skill development and leadership, and provide young people with opportunities to engage in arts and culture, community strengthening and civic life and assist young people to navigate challenges and access specialist services where needed. Local government youth services include, but are not limited to:

- Leading community planning and advocacy for young people. Local government youth services play a vital partnership-building role, bringing together the different stakeholders that work with young people to coordinate service delivery, advocate for young people's needs, and leverage resources to meet local priorities. Many services and schools would struggle to work effectively together and access adequate resourcing without local government's support.
- Engaging and consulting with young people, and building young people's capacity as advocates and community leaders. Local government youth services are recognised as experts in youth engagement – an essential resource for councils wishing to hear young people's ideas and solutions to local problems.
- Funding, planning and delivering services, programs and events for young people. These are very diverse, ranging from holiday activities to mentoring programs, anti-discrimination campaigns, volunteering opportunities, L2P programs for novice drivers, and social supports for young people at risk of disengagement or marginalisation.
- Enabling local governments to prepare for and comply with their statutory obligations in relation to children up to the age of 18.



Some Councils also provide counselling services; drug and alcohol services; skate parks; youth oriented festivals; neighbourhood houses; sports programs, youth based advisory councils as well as school holiday and vacation care programs (see Know Your Council website).

### Snapshot of Council's youth services provision

Council plays many roles in relation to young people in Kingston. Kingston's Youth Services team delivers a range of services, programs, spaces and activities that support young people aged 12 to 25 years who live, work, study or socialise within the municipality.

#### **Youth Worker support, information and referral:**

Council provides free individual support services. Youth Workers work alongside young people to support them with problem solving, advocacy, linking to other services, empowerment, decision making, practical assistance, negotiating relationships and communication. Registered psychologists provide psychological counselling aimed at reducing emotional distress and strategies to cope with life's problems.



**Community based youth programs:** Council provides a range of community based youth programs that are free, inclusive and provide young people with the opportunity to learn and develop skills. Current programs include AYC Cooking Program, Content Creators, Media Crew, FReeZA Fuse Productions, Universal youth magazine, Queer in Kingston, Social Impact Program, Youth Advisory Committees, Junior Mayor Election and Junior Council Program and Intergenerational Project.

**School Based Programs:** Council develops and facilitates school programs all secondary schools to strengthen youth resilience and address current youth issues as identified by schools and young people. Current programs include Year 7 Transition, Years 7 and 8 L.E.A.D (Leadership, Empowerment, Ambition, Direction), Year 9 Map Your World (co-facilitated with School Focused Youth Service) Year 10 & 11 Breaking the Man Code (Facilitated by Tomorrow Man), VCE / VCAL tailored workshops, Diversity / Diversity Alphabet (gender, sexual diversity, discrimination laws and being a supportive friend), School Information Talks on services and programs offered by Kingston Youth Services as well as Awareness and Engagement Events upon school request.

**Youth Centres:** Council provides free drop-in spaces at Southland Shopping Centre and Aspendale Gardens Community Centre.

**Youth Events and recognition:** Council provides free youth activities and events to promote drug and alcohol-free environments for young people to safely participate in. Kingston Youth Services promotes annual youth awards to recognise and celebrate the achievements and contributions of young people.

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**Youth Engagement:** Council engages with young people and provides input/feedback opportunities through surveys and participant evaluations. The Youth Advisory Committees also provide feedback to Council on local youth issues and provide a platform for other Council departments wishing to seek feedback from young people.

**Volunteer Program:** Both the Youth Services and Family Support Services offer a number of programs and services for children, young people and their families in the City of Kingston. Volunteers provide an important service by assisting in informing and delivering these programs in group settings within the community.

**Parent Education Sessions and Programs:** Council provides information for parents and carers about current issues affecting young people via both Youth and Family Services.

**Youth Networks:** Council supports and participates in youth networks to increase collaboration and information sharing between local youth service providers. Networks include: Bayside, Glen Eira and Kingston Local Learning and Employment Network; Bayside, Glen Eira and Kingston Youth Network; and RESPECT Network.

#### Acknowledgments

Kingston Youth Services acknowledges the contribution of many young people, parents, carers, educators and service providers who participated and assisted others to participate in the Kingston Resilience Survey in 2017 and the Youth Strategy consultation in 2018 and 2019. We would like to thank the members of our Youth Advisory Committees that provided feedback in the development of this Strategy.

A special thanks to Cochrane Research Solutions for assistance in developing this document and collating all background information and research.


We would also like to acknowledge our artist Angharad Neal-Williams, our talented young adult for providing all the drawn illustrations throughout this Strategy. Angharad's work can be viewed by visiting [www.angharadnealwilliams.com](http://www.angharadnealwilliams.com)

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# Ordinary Meeting of Council

23 September 2019

**Agenda Item No: 9.4**

## **YOUTH ADVISORY COMMITTEES**

**Contact Officer: Zorica Djuric, Team Leader Youth & Family Services**  
**Mark Patterson, Manager Family Youth and Children's Services**

### **Purpose of Report**

This report provides an update to Council about the progress and feasibility of running two Youth Advisory Committees; one for 12-17-year-olds and the other for 18-25-year-olds.

Notes of meetings held are also included for Councillors information.

### **Disclosure of Officer / Contractor Direct or Indirect Interest**

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

### **OFFICER RECOMMENDATION**

That:

1. Council endorse the continuation of two separate Youth Advisory Committees;
2. Council endorse the membership of both Committees to a maximum of ten young people for each Committee; and
3. Councillors note the feedback received from Youth Advisory Committee meetings held March – June 2019.

### **1. Executive Summary**

This report provides information to Council about the progress of running two separate Youth Advisory Committees and highlights information arising from meetings held.

### **2. Background**

In October 2018 Council resolved to:

- explore the feasibility of running two Youth Advisory Committees, one committee for young people between the ages of 12 - 17 years and another for those between the ages of 18 – 25 years.
- Conduct Youth Advisory Committee meetings as two separate committees whilst the report is being prepared.

Meetings of the two Youth Advisory Committees under the new model commenced in February 2019.

Several meetings of each Committee have focused around the draft Youth Strategy. Both Committees have had input into the overall direction of the Strategy and have provided advice about specific actions under the four priority areas.

Other topics discussed have included online communication, the redevelopment of the Chelsea Precinct and the possibility of establishing an environmental action group. This month the two Committees will be discussing potential names for the former Mordialloc Masonic Hall.

### **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

3.3.3 Support young people to be resilient, healthy and engaged

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

5.1.2 Provide and promote opportunities for the community to have a say on Council decisions

The Youth Advisory Committees provide a great opportunity for young people to have a say in local matters that impact young people.

Some of these existing consultation platforms do not often engage youth voice and therefore Advisory Committees provide an avenue for services in Council to meet with young people and listen to what is important to them.

#### **3.2 Consultation/Internal Review**

Discussions with both Committees has taken place regarding the effectiveness of running two separate meetings for both age groups. Both Committees are supportive of the current model.

Both committees would benefit from a boost in membership numbers to ensure meetings meet the minimum quorum required to effectively run these meetings. Since Council's resolution there have been three meetings impacted or cancelled due to low attendance or number of apologies received.

#### **3.3 Operation and Strategic Issues**

##### **3.3.1 Feasibility of running two Youth Advisory Committees**

Since the Council resolution in October 2018, Officers have had the opportunity to establish both Committees, run formal meetings and bring external consultants to Committee meetings. Running two separate meetings has proven to be effective for both young people engaged and Kingston Youth Services in these platforms, giving a more robust and age focused discussion, particularly for 18-25 year-olds.

##### **3.3.2 Online Communication Platform**

Members requested a way to have online discussions between meetings to feel more prepared when attending meetings. As a result, Officers have created two separate private groups via Your Kingston Your Say. This platform is currently being trialed as a way of keeping members engaged between monthly meetings.

### **3.4 Options**

#### **3.4.1 Continuation of two Youth Advisory Committees**

Officers recommend after running two separate Youth Committees that the current model facilitates robust age appropriate discussions. Officers are given greater insight into the needs of school aged young people and how to best engage our older cohort.

#### **3.4.2 Increasing membership for both committees**

Officers are seeking to increase the membership numbers of both Committees at a maximum of 10 young people in each age group. Three meetings have been cancelled as a result of not meeting quorum due to low numbers. Increasing membership will allow flexibility for those who are unable to attend meetings whilst also keeping monthly meetings engaging and robust in discussion.

## **4. Conclusion**

### **4.1 Environmental Implications**

Not applicable

### **4.2 Social Implications**

Officers would like to advise that the current separation in Committees for both age groups provides a robust and age appropriate discussion with dedicated conversations being held about the needs of school aged young people and young adults. An increase in membership for both Committees will address the current issues of not meeting quorum or having to cancel meetings due to not having enough young people present at meetings.

### **4.3 Resource Implications**

As a result of running two separate Youth Advisory Committees, there has been an increase in officers' time to prepare, facilitate and administer these meetings. Meetings are currently scheduled monthly for each Committee.

### **4.4 Legal / Risk Implications**

No further legal or risk implications identified at this stage.

## Appendices

- Appendix 1 - Minutes - Youth Advisory Committee - 18 to 25 years - Youth Services - 2019.03.21 (Ref 19/201898)  [↓](#)
- Appendix 2 - Minutes - Youth Advisory Committee - 18 to 25 years - Youth Services - 2019.05.09 (Ref 19/201902)  [↓](#)
- Appendix 3 - Minutes - Youth Advisory Committee - 12 to 17 years - Youth Services - 2019.05.23 (Ref 19/201907)  [↓](#)
- Appendix 4 - Minutes - Youth Advisory Committee - 12 to 17 years - Youth Services - 2019.06.27 (Ref 19/201910)  [↓](#)

Author/s: Zorica Djuric, Team Leader Youth & Family Services  
Mark Patterson, Manager Family Youth and Children's Services

Reviewed and Approved By: Mark Patterson, Manager Family Youth and Children's Services  
Mauro Bolin, General Manager Community Sustainability



# 9.4

## YOUTH ADVISORY COMMITTEES

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## Youth Advisory Committee – 18-25 Years

Thursday, 21 March 2019 at 5:15pm – 6:15pm  
Kingston Youth Services - Shop 1137 Southland Shopping Centre

Cr. Georgina Oxley (Chair)  
Mark Patterson – Council Officer, Youth Services  
Zorica Djuric – Council Officer, Youth Services  
Gowri Rajaram  
Max Timuska-Carr  
Todd Cracknell  
Xia Tiligadis

### 1. Apologies

Cr. David Eden

### 2. Declaration by members & officers of any interest or conflict of interest in items on the agenda

Nil

### 3. Review and confirmation of previous minutes

No previous minutes. February's meeting was dedicated to an external consultant meeting with committee members to seek feedback and information for the development of the 2019-2022 draft Kingston Youth Strategy.

### 4. Chair

- Tonight's meeting was chaired by the Mayor, Cr. Georgina Oxley
- Role of chair was discussed with all members. Cr. Oxley was in favour of the role of chair to be shared with all members of the committee wishing to take on this role, especially in Cr. absence.
- A brief overview of the role of chair was also discussed.

### 5. Terms of Reference (TOR)

- TOR was up for discussion to review and see if any member had any questions about;
  - roles and responsibilities
  - conflict of interest
  - quorum
- Members informed that they felt ok with the TOR and no further questions were discussed at this meeting.

HPE Ref:

1

## 6. Workplan Discussion

A brief discussion was held about the purpose of a workplan for the Youth Advisory Committee and what would be some of the key outcomes YAC would like to oversee and have a say in. The following main points we discussed (based on the draft Youth Strategy):

### *Happy vs. Content*

- This is still a tricky topic and what would it really mean for young people – still needs some work to be developed to re-think the concept for young people. Language may not work.

### *Mental Health*

- Access to resources where young people don't need to directly speak to someone might be really useful
- Youth Services to consider providing a texting service – not all young people like having to speak over the phone to access support.
- Middle secondary school years (a targeted focus at Year 9s was recommended by the older committee)

### *Prepared*

- Communication to be targeted towards Transitions Programs at TAFE
- Targeting careers coordinators at schools – Feedback is that newsletters are not reaching young people and are not effective.
- Zorica provided a brief overview of the work that the Foundation for Young Australians are undertaking. Further information to be provided to the group – this related to co-design and how to engage young people in service design
- Adulting 101 workshop concept – great idea. Committee voiced up that the following topics would be useful to learn about:
  - Taxes
  - Budgets
  - Job Interviews
  - Writing a cover letter
  - Car maintenance

### *Engaged / Involved:*

- More volunteering opportunities expressed by the committee that provide useful transferrable job skills for employment and to gain a great point of reference
- Committee expressed a view on internships and providing spaces for young people to gain further employability skills
- Youth volunteering on Council portals not readily available or visible.
- A suggestion for targeted advertising on Instagram and Facebook.

### *Appreciated and Acknowledged*

- Zorica provided the committee with background information on the review process YAC will undertake of the current Youth Awards for 2020 and beyond

- One member suggested that OTLR in sporting clubs – members provided an overview of the information that sporting clubs are providing regarding developing leadership

**7. Youth Awards – Seeking nominations**

- Council Officers provided information on the current Youth Awards and seeking nominations for both individual recognition and young community groups to be considered.
- Committee to share with networks and spread the word on nominations being sought.
- Committee members expressed a suggestion to review this year's nominations and provide a recommendation from the committee. Cr. Oxley advised that this was a great suggestion and could be considered this year as part of the process.

**8. Future Meeting Dates & Times**

- Committee advised that a 5.30pm start is preferred. Meetings to be moved to 5.30 instead of 5.15pm
- Committee expressed a request to have an online portal for the committee so future discussions can be held online to prepare for meetings. Cr. Oxley advised that Kingston Your Say may provide the option for the committee. Officers to explore further with Councils Communications department for suggestions and recommendations.

**9. Other Business**

- Launch on the Prevention of Family Violence Action Plan – presented by Cr. Oxley at tonight's meeting.
- Cr. Oxley informed the committee of the background and passion to bring together a Council Action plan following numerous calls and statements from adults and young people expressing their situations around family violence.
- Cr. Oxley will now officially launch the Action Plan to the community on Wed 27<sup>th</sup> of March. All committee members invited to attend the community session and provided with an official invitation at tonight's meeting.
- Cr. Oxley expressed her thoughts on the hopes that the Action Plan developed by Council will make a positive impact in the community.

The meeting closed at 6.30pm

# notes



## Youth Advisory Committee – 18-25 Years

Thursday, 9 May 2019 at 5:30pm – 6:30pm  
Kingston Youth Services - Shop 1137 Southland Shopping Centre

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Zorica Djuric – Council Officer, Youth Services – Chair  
Tanya Marques – Council Officer, Youth Services  
Ayda Guclu  
Gowri Rajaram  
Max Timuska-Carr  
Todd Cracknell

### 1. Apologies

Cr. David Eden, Cr. Georgina Oxley, Charan Naidoo, and Xia Tiligadis

### 2. Declaration by members & officers of any interest or conflict of interest in items on the agenda

Nil

### 3. Review and confirmation of previous minutes

Previous minutes dated 21 March 2019 confirmed.

Outstanding business – online platform for sharing information between meetings. Officers still seeking the information on the preferred Council platform for sharing information between meetings

### 4. Workplan Discussion Updates

- Committee members seeking further opportunity to consult with other departments and provide youth voice to Council projects or initiatives.
- Members expressed an interest in understanding how young people can make a difference with recycling.
- Committee members were advised that they would be invited to Council events – Youth Services will notify of these opportunities.
- Youth Awards Consultation – members provided recommendation about going out directly to sporting clubs to seek nominations, call out to schools and local services was also suggested. Members had shared information within own networks.

### 5. Consultation and Feedback – Intergenerational Project

- Zorica provided members with a background of this project for Council.

- Members were asked to fill in a community survey to provide feedback about this annual project for Kingston. *Members present spent meeting time to complete this survey.*

**6. Future Meeting Dates & Times**

- All dates confirmed and provided for 2019

**7. Other Business**

- Seeking additional members for the committee space. Increasing membership by 4 to have a total of 10 members 18-25years.

The meeting closed at 6.30pm

# notes



## Youth Advisory Committee – 12-17 Years

Thursday, 23 May 2019 at 4:30pm – 5:30pm  
Kingston Youth Services - Shop 1137 Southland Shopping Centre

Tanya Marques – Council Officer, Youth Services – Chair  
Kate Logan-Scales – Council Officer, Youth Services  
Aaryan Kulkarni  
Aditri Vemula  
Galen Sullivan  
Hana Northey  
Molly McLeod  
Zachary Heal

### 1. Apologies

Cr. David Eden, Cr. Georgina Oxley, Meesha Salaria (co-opted member)

### 2. Declaration by members & officers of any interest or conflict of interest in items on the agenda

Nil

### 3. Review and confirmation of previous minutes

Previous minutes February's meeting was dedicated to an external consultant meeting with committee members to seek feedback and information for the development of the 2019-2022 draft Kingston Youth Strategy.

March Meeting did not meet quorum, and April's meeting cancelled due to apologies and meeting occurring in school holidays.

### 4. Discussion – Environmental Action Group Concept

- At tonight's meeting Youth Worker Kate Logan-Scales presented to the committee members a concept that's being considered by the Youth Services team – developing an environmental action group.
- Kate discussed this new concept with the committee members to see if young people would be interested in joining a group and what would engage young people.
- The committee members informed that they liked the concept being presented.
- Committee members informed that young people may prefer to attend a action group such as this on a monthly basis.
- Committee members informed that they all knew at least 1-2 young people who would be interested in joining this action group once developed.
- Kate informed that she will provide a detailed scope and concept plan to YAC's next scheduled meeting for further discussion.
- *This discussion took up most of the meeting time tonight.*

HPE Ref:

1

**5. Future Meeting Dates & Times**

- All dates confirmed and provided for 2019

**6. Other Business**

- No further matters discussed tonight.

The meeting closed at 5.30pm



# notes



## Youth Advisory Committee – 12-17 Years

Thursday, 27 June 2019 at 4:30pm – 5:30pm  
Kingston Youth Services - Shop 1137 Southland Shopping Centre

Zorica Djuric – Council Officer, Youth Services - Chair  
Tanya Marques – Council Officer, Youth Services  
Aaryan Kulkarni  
Aditri Vemula  
Galen Sullivan  
Hana Northey  
Meesha Salaria (co-opted member)  
Zachary Heal

### 1. Apologies

Cr. David Eden, Cr. Georgina Oxley, and Molly McLeod

### 2. Declaration by members & officers of any interest or conflict of interest in items on the agenda

Nil

### 3. Review and confirmation of previous minutes

Previous minutes dated 23 May 2019 confirmed.

### 4. Consultation and Feedback – EAG Brief

Tanya informed since the last meeting which was held on the 23 May, Youth Worker Kate has now developed an Environmental Action Group Brief which was circulated to all members at tonight's meeting. Members were provided with some time to review the document.

Initial thoughts of the project brief:

- Mixed knowledge about the urgency level of what is a current environment crisis – young people don't know what's urgent and what action is required now
- YAC members discussed that currently young members obtain their levels of information via social media – word of mouth – school
- YAC members informed that young people feel like they want to make a difference but don't know how – and this message needs to be clearer.

Members then reviewed the background information provided in the brief.

Feedback provided from members tonight included:

- Information about changing climate is both ways
- Young people don't necessarily know what is grass roots movement means/involves; and

- The brief provides a clear intention. When members asked would they join or not - 50% of YAC would be interested to join as a quick poll after reading the briefing tonight.

Some potential barriers discussed included:

- Time commitments – too much happening after school
- School pressure – exams and priorities
- Once a fortnight might be a challenge – monthly will possibly be better

#### 5. **Youth Award Nominations**

Members tonight were provided with an update on the number of applications received for the 2019 Youth Awards.

Members were most impressed with Gemma's nomination given her age and achievements.

A brief discussion about what the model of youth awards could look like for the future. Some suggestions included:

- Awards ceremony – party/celebration. A real emphasise on celebrating their achievements
- Consideration could be given to awarding nominees in the community at place of greater impact to the young person
- Members informed creating a voting system and gathering anonymous votes
- Members informed the importance of mentioning all
- Consideration to awarding a Winner and Runner Up in the future.

#### 6. **Online discussion platform – Your Kingston Your Say**

- Officers discussed with all members online platform and gathered all preferred emails for a private online discussion platform.
- This private group to be set up for information of future meetings and a way to have discussions in preparation for upcoming meetings.

#### 7. **Future Meeting Dates & Times**

- All dates confirmed and provided for 2019. No issues with upcoming dates
- Members reminded that July's meeting will be dedicated to an external consultant meeting with YAC to seek youth input and voice into the Chelsea Precinct development.

#### 8. **Other Business**

- Officers discussed with members what other opportunities members would like from participating in YAC. Members identified leadership

training, public speaking training, understanding decision making processes for Council and Governance.

The meeting closed at 5.30pm

## Ordinary Meeting of Council

23 September 2019

Agenda Item No: 9.5

### **RESPONSE TO NOTICE OF MOTION 43/2019 - CR GLEDHILL - MANAGEMENT OF PUBLIC & CORPORATE CCTV SYSTEMS**

Contact Officer: Steve Lewis, Manager Community Buildings

#### **Purpose of Report**

This report has been prepared in response to the resolution relating to Notice of Motion 43/2019 at the Ordinary Meeting of Council on 26 August 2019.

#### **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 receive the report.

#### **1. Executive Summary**

This report has been prepared in response to Notion of Motion 43/2019, which was considered at the Ordinary Meeting of Council on 26 August 2019 where it was resolved that a report be presented to the September Ordinary Meeting of Council on the implications of the new City of Kingston Public and Corporate CCTV Systems Program Code of Practice for the security of community facilities across the City.

The updated Code of Practice has been prepared following a recent report by the Victorian Auditor General (VAGO) on Security and Privacy of Surveillance Technologies in Public Places, together with a review of best practice across Victoria. The updated Code of Practice will ensure that:-

- management responsibilities for both public and corporate CCTV systems are clearly defined within Council and VicPol and are available to community;
- viewing of collected footage is undertaken only by authorised officers within Council and VicPol and in locations that are secure;
- collection, storage, sharing and the ultimate destruction of collected footage is managed in accordance with the required statutory framework and privacy principles;
- necessary governance, oversight and review of both public safety and corporate CCTV systems is in place; and

- community can have confidence that Council is managing its surveillance systems in public places well and that there is a mechanism in place to deal with public complaints, inappropriate use and privacy breaches if they were to occur in the future.

## **2. Background**

This report has been prepared in response to Notion of Motion 43/2019, which was approved at Ordinary Council on 26 August 2019 and requested that:-

“...officers provide a report outlining exactly how the City of Kingston Public and Corporate CCTV Systems Program Code of Practice is going to be implemented for organisations that currently monitor the public spaces surrounding their facility. The report should specifically address who will be responsible for the security of each location within Kingston.”

Surveillance systems in public places can be perceived to impact on the privacy of individuals and, given the increase in public and corporate CCTV systems, it is important that Council is able to demonstrate to the community that it is managing these systems well and in compliance with the relevant statutory requirements.

Following the publication of recent report by the Victorian Auditor General (VAGO) on Security and Privacy of Surveillance Technologies in Public Places in September 2018, officers have undertaken a review of current management arrangements for Council's surveillance systems against best practice and in line with advice received from separately from the Department of Justice. Amongst other improvements to the management of the system, this review has resulted in the requirement to update the City of Kingston Public and Corporate CCTV Systems Program Code of Practice, which is attached for information.

The updated Code of Practice takes account of the operational arrangements of Council's security and surveillance systems and its application will ensure that Council is able to demonstrate the effective management of the system and compliance with the governing statutory requirements and regulations

Council's CCTV surveillance/security systems fall into three main categories:-

- (i) **Public safety CCTV systems** – these are generally systems which have been installed to discourage and detect antisocial and criminal behaviour in public places defined as “hot spots”. Victoria Police has direct access to monitor and review footage from these systems. In many cases the initial purchase costs of these cameras were funded via State grant assistance, with council now funding ongoing maintenance and replacement costs.
- (ii) **Corporate CCTV systems** – these are systems where Council has funded the installation of localised systems over time to monitor building facilities that include surveillance of outside public spaces, such as council offices, pools, libraries, pavilions and life-saving clubs. These systems are typically located locally within a Council operated facility and are generally locally managed by nominated Council employees at the site.

- (iii) **CCTV Systems located within Council Leased Buildings** - In addition to the above directly managed Council systems there are an increasing number of Council buildings that are managed under leasing arrangements with a third-party organisation, where localised CCTV systems have been installed or may be installed in the future. These localised CCTV systems cover both the building and the public areas immediately adjoining these buildings. The systems provide security for the facility itself, as well as being also used to assist with activities, such as providing local safety arrangements for lone staff/users and supporting operational activities, such as assisting with beach patrols, weather reports, etc.

In developing the new Code of Practice, recent advice received from State Government regarding this category of CCTV system is that, for purposes of compliance, as Council is the building owner, the obligation still remains with Council to ensure that the necessary privacy principles are adhered to at all times.

As such, the new Code of Practice includes the requirement for such third-party systems to be covered by a legal agreement that requires a third party to comply with the requirements of Privacy and Data Protection Act 2014 (PADA). This agreement is intended to take the form of a new standalone section within Council's standard lease agreement template, so that this explicitly high-lights this requirement. Where a lease is already in existence, it is proposed to develop a separate Memorandum of Understanding (MOU) to address this requirement until a new lease is put in place sometime in the future.

Council is asked to note that this process is still in the early development phase and is intended to be progressed over the next 3-6 months with affected building users. In addition, Councillors are asked to note that, once these agreements have been finalised, it is intended to provide ongoing assistance and training to relevant third-party groups to ensure risks around Council's ongoing compliance with the PDPA 2014 are managed.

### **3. Discussion**

#### **3.1 Council Plan Alignment**

Goal 4 - Our free-moving safe, prosperous and dynamic city  
Direction 4.5 - Keeping our community safe and protected

The effective use of security and surveillance equipment enables Council to protect vital assets, prevent anti-social behaviour and to reduce crime and the fear of crime within Kingston's community. Such systems also help to protect the health and well-being of Council staff and the wider community who use Council facilities.

#### **3.2 Consultation/Internal Review**

Consultation has been undertaken with relevant officers within Council on the preparation of this report.

It is proposed to undertake further consultation with third party users of CCTV systems on certain Council buildings, through which MOU's are intended to be developed and specific training on compliance with the requirements of Privacy and Data Protection Act 2014 (PADA)

### **4. Conclusion**

#### **4.1 Environmental Implications**

None arising directly from this report.

**4.2 Social Implications**

Advances in surveillance technology provide the opportunity for Council, VicPol and other relevant agencies, to legitimately collect and use information to prevent and/or detect criminal activity and anti-social behaviour, as well helping to ensure the safety of its staff and building users. In contrast, however, Council is also obligated to ensure that it respect an individuals' right to privacy, by ensuring that the operation of its security and surveillance systems are effectively managed, controlled and subject to effective ongoing oversight to ensure ongoing trust and confidence in these systems.

**4.3 Resource Implications**

None arising directly from this report.

**4.4 Legal / Risk Implications**


The Privacy and Data Protection Act 2014 (PDPA), sets out Information Privacy Principles that apply when public sector agencies collect personal information that enables individuals to be identified, such as the images captured by CCTV systems.

Increasingly, advances in surveillance technology is being legitimately used in order to collect information by Council and other public agencies to prevent criminal activity and anti-social behaviour, as well as to ensure the safety of its staff and building users.

In parallel, Council also needs to respect an individuals' right to privacy, by ensuring that footage collected from surveillance devices is securely collected, stored and managed and that the necessary organisational leadership is in place through the development of robust policies, clear management responsibilities and controls and through effective ongoing oversight of its CCTV systems.

The development and application of the new City of Kingston Public and Corporate CCTV Systems Program Code of Practice provides the necessary framework for Council to provide this assurance and to effectively manage the relevant risks.

**Appendices**

Appendix 1 - Public and Corporate CCTV Systems - Code of Practice - Updated August 2019 (Ref 19/1467) 

Author/s: Steve Lewis, Manager Community Buildings  
Reviewed and Approved By: Mauro Bolin, General Manager Community Sustainability

# 9.5

## RESPONSE TO NOTICE OF MOTION 43/2019 - CR GLEDHILL - MANAGEMENT OF PUBLIC & CORPORATE CCTV SYSTEMS

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# City of Kingston Public and Corporate CCTV Systems Program

## Code of Practice

Last updated August 2019

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## **1. OVERVIEW**

### **1.1 Key Principles**

- 1.1.1. This Code of Practice sets out standards by which the City of Kingston's Public and Corporate CCTV Program (the program) will be conducted.
- 1.1.2. The Code is based on 12 key principles. In each section the key principle is stated with subsequent explanatory information.
- 1.1.3. The key principles are:

#### **Principle 1**

The program will be operated fairly, within applicable law, and only for the purposes for which it is established or which are subsequently agreed in accordance with this Code of Practice.

#### **Principle 2**

The program will operate with due regard to the privacy and human rights of individual members of the public. This includes individuals' rights to freedom of religious and political expression and assembly.

#### **Principle 3**

The public interest in the operation of the program will be recognised by ensuring Standard Operating Procedures protect the security and integrity of the system.

#### **Principle 4**

The City of Kingston has primary responsibility for compliance with the purposes and objectives of the program; for the maintenance, management and security of the program and the protection of the interests of the public in relation to the program.

#### **Principle 5**

The City of Kingston will be accountable to the community for the effective operation and management of the program.

#### **Principle 6**

The community will be provided with clear and easily accessible information in relation to the program.

**Principle 7**

Regular monitoring and evaluation of the program will be undertaken to identify whether the purposes and objectives are being achieved.

**Principle 8**

Access to rooms or cabinets housing CCTV systems will be restricted and protected from all unauthorised entry.

**Principle 9**

Information recorded will not exceed that necessary to fulfill the purpose of the program.

**Principle 10**

Information will be obtained fairly and in accordance with the privacy provisions of the program.

**Principle 11**

Access to and retention of recorded material will only be allowed for the purposes set out in this Code, the MOU with Victoria Police and the related Standard Operating Procedures. Recorded material will be held for a period no longer than is required for the purpose of the program.

Recorded material may also be accessed or obtained through the provisions of the Freedom of Information Act 1982 and/or via a duly authorised subpoena.

**Principle 12**

Contact between Council, Victoria Police and third parties in relation to the program, will be conducted strictly in accordance with this Code of Practice.

## **2. PRELIMINARY INFORMATION**

### **2.1 Introduction**

The City of Kingston recognises that fear of crime impacts on the actual and perceived safety of residents within the municipality. The City of Kingston develops a Municipal Public Health and Wellbeing Plan every Council term (4 years) that includes action to improve safety for the Kingston community.

### **2.2 City of Kingston CCTV program**

The City of Kingston's Public and Corporate CCTV systems aim to reduce crime and anti-social behaviour whilst improving actual and perceived levels of safety within the municipality. They are operated in partnership with Victoria Police.

### **2.3 Code of Practice**

The Code of Practice and Standard Operating Procedures must be adhered to collectively. The Code of Practice sets the policy direction for the CCTV program. The Standard Operating Procedures provide operational guidance to Council officers, third parties and Victoria Police members who use CCTV systems.

### **2.4 System Description, Camera Design and Locations**

The City of Kingston owns multiple CCTV systems in various forms. Please see Schedule 2 in the MOU (HPE 19/8035) for a complete list of cameras.

### **2.5 Accountability for the Program**

The City of Kingston is the owner of the program. Council has ownership and copyright of all recorded information pertaining to the program. The Council's responsibilities in relation to the program are outlined in section five (5), and in the MOU established with Victoria Police.

Victoria Police partners with Council in delivering the program. The responsibilities of both agencies are outlined within this Code of Practice, the Standard Operating Procedures and the MOU between the parties. The MOU outlines in detail the roles and responsibilities of both parties.

### **3. CHANGES TO THE PROGRAM AND/OR CODE OF PRACTICE**

- 3.1 A minor change to the program or the Code of Practice may be made by Council Officers. A minor change may be required for the purposes of adjustment of the program or clarification of the Code of Practice.
- 3.2 A major change to the program or the Code of Practice may be made only after consultation with the CCTV Steering Committee. A major change is one which will have a significant impact upon the operation of the program or the Code of Practice.
- 3.3 The Manager Community Buildings has been appointed by the Chief Executive Officer of the City of Kingston to operationalise Council's CCTV Systems in accordance with the Law.

### **4. OBJECTIVES**

**Principle 1**

The program will be operated fairly, within applicable law, and only for the purposes for which it is established or which are subsequently agreed in accordance with this Code of Practice.

**Principle 2**

The program will operate with due regard to the privacy and human rights of individual members of the public. This includes individuals' rights to freedom of religious and political expression and assembly.

**Principle 3**

The public interest in the operation of the program will be recognised by ensuring operational procedures protect the security and integrity of the system.

- 4.1 The key objectives of the program are:

1. To assist in the prevention of:
  - Graffiti
  - Assault
  - Anti-social behaviour
  - Violence

- Burglary
  - Drug & Alcohol consumption
  - General property damage
  - Litter dumping
2. Improve actual and perceived levels of safety within the City of Kingston.
  3. To assist Victoria Police in the detection and prosecution of offenders.
  4. Provide a safe and secure environment for those who live, work and visit the City of Kingston.
  5. Promote safe community access and use of public spaces.
  6. As a line of enquiry for Victoria Police, Council Authorised Officers, and third parties under legal agreement.

## 5. RESPONSIBILITIES OF THE OWNER OF THE PROGRAM

### Principle 4

The City of Kingston has primary responsibility for compliance with the purposes and objectives of the program; for the maintenance, management and security of the program and the protection of the interests of the public in relation to the program.

- 5.1 The City of Kingston has the primary responsibility for achieving the purpose and objectives of the program. The City of Kingston must also protect the interests of the public in relation to the program.
- 5.2 The City of Kingston will be responsible for:
  - Managing contracts for all installation, servicing, maintenance and replacement of all program equipment;
  - Day to day management of the program;
  - Stakeholder consultation with regard to implementation and on-going operation of the program;
  - Overseeing all monitoring, review, auditing and evaluation processes for the program;
  - Promoting the program and providing information to the public and other agencies about its operations;
  - Working with Victoria Police and other agencies/service providers to ensure all staff are adequately trained for monitoring purposes;

- Develop and monitor all Policies, Protocols and Grievance Processes in relation to the Program.

## 6. ACCOUNTABILITY

### Principle 5

The City of Kingston will be accountable to the community for the effective operation and management of the program.

- 6.1 The CCTV Program must comply with all applicable legislation including the *Privacy and Data Protection Act 2014* and the Freedom of Information Act 1982.
- 6.2 The City of Kingston has established a CCTV Steering Committee to oversee compliance. The committee will:
- Oversee the implementation of the CCTV System and ongoing management, including evaluating requests for additional CCTV cameras and making recommendations to Council on the commissioning or decommissioning of Council's CCTV systems;
  - Develop and implement an agreed monitoring and evaluation framework to ensure system objectives as outlined in the MOU are being achieved;
  - Report on the management of the CCTV System and ensure adherence to this MOU, Council's Code of Practice, Standard Operating Procedures, and the Law;
  - Promote public confidence in the CCTV System by ensuring its operations are transparent and subject to public scrutiny; and
  - Make recommendations to Council and Victoria Police to improve the integrity of the CCTV System.
- 6.3 The CCTV Steering Committee will be made up of 6 representatives, with the following membership structure:
- A senior local representative of Victoria Police and other Victoria Police representatives as required;
  - the Manager Community Buildings;
  - the Manager Compliance and Amenity;
  - the Community Wellbeing Officer; and
  - any other relevant Council Officers.
- 6.4 The Steering Committee will provide an annual report to Council on the performance of the program.
- 6.5 The Community Wellbeing Officer will also provide executive support to the Steering Committee.



## 7. PUBLIC INFORMATION

### Principle 6

The community will be provided with clear and easily accessible information in relation to the program.

- 7.1 In accordance with Legislation, clearly visible signs will be displayed around a perimeter area where CCTV cameras are operating. These signs will:
- Inform the public that CCTV cameras are in operation;
  - Allow all people entering the area to make a reasonable approximation of the area covered in the program; and
  - Identify The City of Kingston as the operator of the system. Information including a contact phone number will be provided, to facilitate customer enquiries about the system.

Fake CCTV signs, where there are no operational cameras, will not be installed.

- 7.2 Copies of this Code of Practice and information access policies will be made available for viewing to the public upon request.
- 7.3 Inquiries in relation to the program and its operation can be made in writing to:

CCTV Program  
City of Kingston  
P.O. Box 1000  
MENTONE VIC 3194

Alternatively, contact 1300 653 356 or email: [info@kingston.vic.gov.au](mailto:info@kingston.vic.gov.au).

## 8. ASSESSMENT OF THE CCTV PROGRAM

### Principle 7

Regular monitoring and evaluation of the program will be undertaken to identify whether the purposes and objectives are being achieved.

- 8.1 The City of Kingston will regularly monitor and evaluate the program to ensure that it is achieving its intended purpose and objectives.

- 8.2 The CCTV Steering Committee will evaluate and review the performance of the program.
- 8.3 The CCTV Steering Committee will report on, and make recommendations to rectify, any divergence from the purposes and objectives of the program.
- 8.4 The results of the review may be taken into account in the future functioning, management and operation of the CCTV Program.

## 9. MANAGEMENT OF CONTROL ROOMS

### Principle 8

Access to rooms or cabinets housing CCTV systems will be restricted and protected from all unauthorised entry.

- 9.1 Council Officers, Victoria Police, and third parties must adhere to the *Privacy and Data Protection Act 2014*, this Code of Practice, the Standard Operating Procedures and the MOU/legal agreement between parties, when operating a control room/cabinet when acting in a monitoring capacity.

## 10. CONTROL AND OPERATION OF CAMERAS

### Principle 9

Information recorded will not exceed that necessary to fulfill the purpose of the program.

### Principle 10

Information will be obtained fairly and in accordance with the privacy provisions of the program.

- 10.1 The location of cameras will not be hidden to the public.
- 10.2 The use of cameras will be in accordance with this Code of Practice, the MOU with Victoria Police and the related Standard Operating Procedures.

- 10.3 Cameras will not intentionally be used to look into adjacent or nearby private dwellings or buildings, unless it is explicitly for the purpose of following (in real time) alleged participants in a crime, which originated in the public domain. Any misuse will be treated as a breach of this Code.
- 10.4 “Dummy”/fake cameras will not be used.
- 10.5 Only nominated Council staff, authorised Victoria Police members, contractors with responsibility for servicing, maintenance and staff training, or a third party under a legal agreement that requires the third party to comply with the requirements of *Privacy and Data Protection Act 2014* (PADA) will have access to the equipment and operating controls.
- 10.6 Operators of camera equipment will act in accordance with the highest standards of probity.
- 10.7 Authorised users will be made aware that all recordings are subject to a routine audit by the CCTV Steering Committee and may need to justify their interest in a particular member of the public or premises.

## 11. RECORDED MATERIAL

### Principle 11

Access to and retention of recorded material will only be allowed for the purposes set out in this Code, the MOU with Victoria Police and the related Standard Operating Procedures. Recorded material will be held for a period no longer than is required for the purpose of the program.

Recorded material may also be accessed or obtained through the provisions of the Freedom of Information Act 1982 and/or via a duly authorised subpoena.

- 11.1 Access to and use of recorded material will only take place:
- In compliance with the needs of Victoria Police, in connection with the investigation of a crime;
  - In compliance with the needs of The City of Kingston Authorised Officers, in connection with the investigation of a crime or anti-social behaviour;
  - In compliance with the needs of The City of Kingston Authorised Officers or a third party for the security of a Council facility, provision of security arrangements for lone staff/users and supporting operational activities;
  - If necessary, for the purpose of legal proceedings;

- When required by a duly authorised subpoena;
  - Under the provisions of the Freedom of Information Act 1982; and
  - As otherwise required or permitted by law.
- 11.2 Recorded material will not be sold or used for commercial purposes or for the provision of entertainment.
- 11.3 The showing of recorded material to the public or the use of recorded material by the media will only be allowed once approval is given by the City of Kingston's Chief Executive Officer and in keeping with Council's policies and procedures, this Code of Practice and the *Privacy and Data Protection Act 2014*.
- 11.4 Appropriate security measures will be taken against unauthorised access to, alteration, disclosure, accidental loss or destruction of recorded material.
- 11.5 All recorded material may be subject to random inspection by the CCTV Steering Committee.
- 11.6 Recorded material will be treated according to legislation and relevant standards, to provide continuity of evidence and to avoid contamination of evidence.
- 11.7 City of Kingston staff involved with the program are required to adhere to the Council's internal policies and the Staff Code of Conduct.
- 11.8 Recorded information will be kept on hard drive for a period no longer than 31 days. Footage removed under application may be kept for as long as is required.

## 12. BREACHES OF THIS CODE

### Principle 12

Contact between Council and Victoria Police in relation to the program, will be conducted strictly in accordance with this Code of Practice.

- 12.1 The City of Kingston has prime responsibility for ensuring that the Code of Practice is adhered to. That responsibility includes ensuring that breaches of the Code are investigated and remedied, to the extent that such breaches of the Code are within the ambit of the City of Kingston's power to remedy.
- 12.2 All personnel involved in the program have a responsibility to adhere to the Code of Practice.

- 12.3** Complaints in relation to any aspect of the management, operation or monitoring of the program may be made in writing to:

CCTV Program  
City of Kingston  
P.O. Box 1000  
MENTONE VIC 3194  
Telephone: 1300 653 356  
Email: [info@Kingston.vic.gov.au](mailto:info@Kingston.vic.gov.au)

The *Privacy and Data Protection Act 2014* authorises the Victorian Information Commissioner to receive and investigate complaints about alleged violations of privacy. Any member of the public is entitled to lodge a complaint with Office of the Victorian Information Commissioner (OVIC). OIVC contacts details are:

Office of the Victorian Information Commissioner (OVIC)  
PO Box 24274  
Melbourne Victoria 3001  
Australia  
Telephone: 1300 006 842  
Email [enquiries@ovic.vic.gov.au](mailto:enquiries@ovic.vic.gov.au)

- 12.4** The City of Kingston will cooperate with the investigation of any complaint by Office of the Victorian Information Commissioner (OVIC).

## Ordinary Meeting of Council

23 September 2019

**Agenda Item No: 9.6**

### **CHELSEA YACHT CLUB - REQUEST TO BRING FORWARD PROPOSED REFURBISHMENT WORKS**

**Contact Officer: Steve Lewis, Manager Community Buildings**

#### **Purpose of Report**

This report has been prepared in response to a request received from the President of the Chelsea Yacht Club seeking Council's assistance to bring forward proposed building refurbishment work to reduce operational impacts on the club and to achieve greater efficiencies by undertaking work as a single phase.

#### **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 note and endorse the request received from the Chelsea Yacht Club.
2. The proposed budget adjustments set out in paragraph 4.3 of this report be approved noting that the project will extend into 2020/21 at an estimated budget allocation of \$800,000 to complete the project.

#### **1. Executive Summary**

This report has been prepared following receipt of a letter from the President of the Chelsea Yacht Club (see attachment 1) requesting Council's assistance in considering the rescheduling of proposed refurbishment work.

The report provides Council with advice on the financial implications of this request in relation to its approved Capital Works Programme and recommends that Council support the requested rescheduling of works and the budget adjustments that are required as a consequence of this, which is set out in section 4.3 of this report.

#### **2. Background**

Council's approved Forward Capital Works Programme includes provision for the proposed future refurbishment of the Chelsea Yacht Club, which is located on Crown Land on Kingston's foreshore.

The Yacht Club building is in fair/good condition for its age and its exposed location. Council is committed to the effective maintenance and protection of such assets, which are located in such high profile and high-risk locations.

The Club have previously successfully sought Council's assistance in bringing forward a proportion of the proposed refurbishment works from 2022/23 into the 2019/20 financial year covering the installation of a compliant lift and associated disabled access works. In working with officers to plan for these works, the Club have become aware of the level of disruption involved and have requested Council's assistance in bringing the entire refurbishment works forward from 2022/23, so that the works can be completed earlier as a single phase and disruption to the Club's operation minimised.

### **3. Discussion**

#### **3.1 Council Plan Alignment**

Goal 1 - Our well-planned, liveable city supported by infrastructure to meet future needs  
Direction 1.3 - Infrastructure and property investment for a functional city now and into the future

The availability of well planned, correctly located and fit for purpose facilities is critical to meeting the needs of current and future residents of Kingston.

#### **3.2 Consultation/Internal Review**

Consultation has been undertaken with relevant Departments at Council.

#### **3.3 Options**

##### **3.3.1 Option 1 : Council does not approve the bring forward of works**

This option is not recommended as it would require works to be completed in two separate phases, which would increase disruption to club activities, especially during the yachting season. In addition, because of the amount of time between the two phases, there is likely to be impacts on the club's operations during the intervening period between the phases of work. The Club have indicated that this would not be desirable from their perspective.

##### **3.3.2 Option 2 : Council approves the bring forward of works, as requested (Officer Recommended Option)**

This option is recommended by Officers on the basis that all works are contained within a single phase, which will increase the prospects of economies of scale and minimize disruption for the Yacht Club.

### **4. Conclusion**

#### **4.1 Environmental Implications**

The refurbishment of the Chelsea Yacht Club will be undertaken in conformance with Council's adopted 2018 Environmental Sustainable Design (ESD) Policy.

#### **4.2 Social Implications**

Chelsea Yacht Club provide important sporting, leisure and recreational activities for Kingston's community, as well as the building be used by other social groups on a hire basis.

#### **4.3 Resource Implications**

The current total capital budget allocation for proposed refurbishment works at Chelsea Yacht Club are as follows:-

**City of Kingston  
Ordinary Meeting of Council**

**Agenda**

**23 September 2019**

<b>TABLE 1 : Capital Programme Budget</b>							
<b>Allocations - Current</b>	<b>A/C Number</b>	<b>2018/19</b>	<b>2019/20</b>	<b>2020/21</b>	<b>2021/22</b>	<b>2022/23</b>	<b>TOTAL</b>
Chelsea Sailing Club - Refurbishment	C0461	\$ 9,971.00	\$390,029.00	\$ -	\$ -	\$ 800,000.00	\$ 1,200,000.00
Notional Building Renewal Allocation (Uncommitted Balance)	C0303	\$ -	\$ -	\$3,230,781.00	\$3,270,941.00	\$7,632,990.00	\$14,134,712.00
<b>TOTAL</b>		\$ 9,971.00	\$390,029.00	\$3,230,781.00	\$3,270,941.00	\$8,432,990.00	\$15,334,712.00

This indicative budget allocation is intended to provide resources to facilitate the refurbishment of the Chelsea Yacht Club, including:-

- Upgrading of toilet facilities
- Upgrading of kitchen facilities
- Disability access improvements
- Asset protection works

Should Council be supportive of the Club's request to bring the proposed refurbishment works forward, as requested, Council would need to agree the following budget adjustment:-

<b>TABLE 2 : Capital Programme Budget</b>							
<b>Allocations - Proposed</b>	<b>A/C Number</b>	<b>2018/19</b>	<b>2019/20</b>	<b>2020/21</b>	<b>2021/22</b>	<b>2022/23</b>	<b>TOTAL</b>
Chelsea Sailing Club - Refurbishment	C0461	\$ 9,971.00	\$390,029.00	\$ 800,000.00	\$ -	\$ -	\$ 1,200,000.00
Notional Building Renewal Allocation (Uncommitted Balance)	C0303	\$ -	\$ -	\$2,430,781.00	\$3,270,941.00	\$8,432,990.00	\$14,134,712.00
<b>TOTAL</b>		\$ 9,971.00	\$390,029.00	\$3,230,781.00	\$3,270,941.00	\$8,432,990.00	\$15,334,712.00


Council is recommended to approve the above budget adjustment to enable the refurbishment of the Chelsea Yacht Club to be brought forward in the capital programme and to refer this to the 2020/21 Budget setting process as a pre-commitment.

#### **4.4 Legal / Risk Implications**

As the building is located on Crown Land, approval of any major refurbishment works will require Marine and Coastal Consent from State Government. If funding is brought forward to enable the earlier commencement of refurbishment as requested by the Yacht Club, this process will need to be commenced as quickly as possible during 2019/20 to ensure that this is in place prior to any works commencing on site.



## Appendices

Appendix 1 - Letter from President of Chelsea Yacht Club - dated 19 August 2019 (Ref 19/212546)  [↓](#)

Author/s: Steve Lewis, Manager Community Buildings

Reviewed and Approved By: Mauro Bolin, General Manager Community Sustainability

# 9.6

## CHELSEA YACHT CLUB - REQUEST TO BRING FORWARD PROPOSED REFURBISHMENT WORKS

1	Letter from President of Chelsea Yacht Club - dated 19 August 2019 .....	159
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The Foreshore - via Kelvin Grove  
Chelsea.  
PO Box 4, Chelsea, VIC 3196  
Phone: 9772 2854 (Clubhouse)  
[www.chelseayachtclub.com.au](http://www.chelseayachtclub.com.au)

Monday 19<sup>th</sup> August 2019

Dear Mayor Oxley,

**Re: Chelsea Yacht Club Major Refurbishment Works**

I am writing to seek Council support please regarding bringing forward the major refurbishment capital works at Chelsea Yacht Club (CYC).

The City of Kingston Council has allocated \$1.2M in the current five-year capital works program to enable a major refurbishment of Chelsea Yacht Club, including significant works required to provide disabled access and address building compliance issues.

Council has already approved \$400K of this overall funding for expenditure this year (2019/2020) to undertake the installation of a disabled lift, associated corridor widening, access ramps and pathway from carpark and related works. We understand that the remainder of the funding is currently allocated for the 2022/23 year.

As it currently stands the timing of funding allocation will see the project completed as a two-phase project. Recently, final steps in completing the design and costings for the lift works revealed some unanticipated compliance and design requirements, works/cost duplication and less than optimal works sequencing. The compelling reasons and CYC's desire to expedite the disabled access works have not changed, however we believe there is opportunity to achieve a better community outcome, value for money and work flow if the overall refurbishment works can be brought forward slightly and phase one disabled access works are delayed slightly to enable the works to be completed as one integrated package, but still achieving disabled access quickly.

CYC is seeking support please from Council for an alternative option which we believe provides a more cost-effective approach, an improved overall project outcome and a faster solution to a fully disabled access compliant facility. This new option involves:

- Council support to bring forward the remaining \$800K CYC major refurbishment funding from 2022/23 year to the 2020/21 financial year;
- CYC supporting a slight delay in the lift and disabled access installation to integrate it as part of the major refurbishment works as one works package;

- using the existing \$400K allocation to complete planning, preparation and approvals and commence initial works consistent with the overall project configuration now.

This option although slightly delaying the installation of the lift would achieve more complete disability access and compliance and functionality faster than the two phased option. If the current phased approach proceeds the earliest timing for lift installation appears to be mid-2020 and this would still leave further works to install disabled toilets and some first-floor access modification unfunded until the final refurbishment phase. If funding can be brought forward to 2020/21, works could be completed by late 2021, essentially only one summer sailing season difference in disabled access timing. Advice to CYC is that approvals required from key authorities (e.g. Department of Environment, Land, Water and Planning) could be achieved by April 2021 if planning for the total works package happens this financial year using a portion of the \$400K allocation.

Because of the lead timing required for either option, CYC is hopeful that the Council can please consider this request and provide CYC with a decision as soon as possible and ideally before mid-October 2019. From a project timing perspective, if Council does not support bringing the remaining \$800K funding forward, the original option of proceeding with the \$400K funded lift works will need to proceed and for this to occur in time for the 2020/21 sailing season CYC understands City of Kingston officers will need to release tender documents in ~October 2019.

From a CYC viewpoint we are supportive of the delay in lift works provided there is adequate assurance from Council about bringing forward the funding for the overall project and support to enable the existing \$400K funding to be utilized to start the design, planning, approvals, site preparation and appropriate initial works now. Council will appreciate that such an assurance will give CYC members and other users of the facility confidence that the overall CYC major refurbishment project is not made vulnerable by virtue of our endeavour to achieve a more cost effective overall community outcome and that the delay in achieving disabled access will be minimal and toward a better end outcome.

CYC appreciates that the option remains to commence lift installation works in April 2020 using the existing \$400K funding allocation if Council does not support bringing the remaining funding forward.

As a club we are committed to making CYC a great place for the community to live, learn and love the sea. We are actively expanding our efforts to embrace a broader section of the community and to encourage a broader range of activities at the club in addition to sailing dinghies. We are expanding some terrific programs to target more active involvement of women and girls, teenagers, groups under-represented in activities on and off the water and other community users. We are extremely eager to refurbish the facility to facilitate the club being more open, more of the time and to enable full access to many individuals who cannot access the facility due to mobility limitations.

We appreciate the Councils support to address obvious limitations with the accessibility and condition of the current CYC facilities that are preventing existing

members and prospective new members with mobility disabilities plus a growing number of aging members and others in the community from accessing the club facilities and/or being engaged actively in a number of fulfilling club roles. In the case of sailing/beach activity-based clubs such as CYC, it is a reality that many of the fulfilling club roles, personal development opportunities, social engagement interactions and amenities most suited to individuals with mobility restrictions, require access to the club levels beyond the ground floor.

The case to implement this access has been made before and CYC appreciates Council's ongoing support to enable disabled access improvements to be made as soon as possible. We now hope the Council will be in agreement with the compelling argument to bring forward the remaining project funding to enable works to be completed in the most optimal manner.

Yours faithfully,



Stephen Fankhauser

President

Chelsea Yacht Club

Ph: 0438 385 081

E: [president@chelseayachtclub.com.au](mailto:president@chelseayachtclub.com.au)

CC: Cr Tamsin Bearsley

Cr David Eden

# Ordinary Meeting of Council

23 September 2019

**Agenda Item No: 9.7**

## **FUNDING MODEL TO SUPPORT SCOUT AND GUIDE HALL DDA COMPLIANCE**

**Contact Officer: Donna Feore, Senior Facilities Development Planning  
Coordinator**

**Steve Lewis, Manager Community Buildings**

### **Purpose of Report**

To provide Council with information regarding the proposed funding model to support the works required to achieve Disability Discrimination Act 1992 (DDA) compliance at Scout and Guide Halls located in Kingston, including estimated costings and a proposed program of works.

### **Disclosure of Officer / Contractor Direct or Indirect Interest**

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

### **OFFICER RECOMMENDATION**

That Council:

1. Note the range of revised potential works required at Scout and Guide Halls as detailed in section 3.3.1 of this report; and
2. Approve Option 1 as its preferred method of funding the proposed Scouts facilities DDA works.

## **1. Executive Summary**

This report has been prepared in response to a Council resolution from the July Ordinary Council Meeting as follows:

1. Undertake works on access to buildings and bathrooms required at Scout Halls as detailed in section 3.3.2, which has been prepared in response to the Notice of Motion No. 36/2019, considered at the Ordinary Meeting of Council on 22 June 2019.
2. Authorise officers to undertake further collaboration with Scouts Victoria and Guides Victoria to:
  - Review need for remaining works as listed in 3.3.2
  - Review the list of facilities and priorities for intervention that targets those of greatest usage; and
  - Provide a further report at the September Ordinary Meeting of Council outlining these priorities including the potential for funding contributions and a proposed funding strategy.

## **2. Background**

This report has been prepared in response to Council direction as noted in the minutes of the July Ordinary Council Meeting, Notice of Motion No. 36/2019 and provides:

- a reviewed list of Scout and Guide halls and revised priorities for intervention that targets those of greatest usage; and
- outlines these priorities including the potential for funding contributions and a proposed funding strategy.

## **3. Discussion**

### **3.1 Council Plan Alignment**

Goal 1 - Our well-planned, liveable city supported by infrastructure to meet future needs  
Direction 1.3 - Infrastructure and property investment for a functional city now and into the future

The proposed upgrade of the Scout and Guide Halls to comply with the DDA is in direct response to the age and condition of the existing facilities and the impact of people of all abilities to access these public buildings.

### **3.2 Consultation/Internal Review**

This report has been developed with input from Property Services.

Further to this Council officers from Community Buildings and Property Services have met with Scouts Victoria representatives to review planned strategic directions for Scouting groups in Kingston and identify priorities and facilities of greatest usage.

### **3.3 Operation and Strategic Issues**

#### **3.3.1 Required compliance works and revised program of proposed works for Scout and Guide Halls**

Table 1 below provides cost estimates and a revised program of proposed works to achieve compliance with the DDA in Scout and Guide Halls where possible. The revised program of proposed works has been prioritised into three categories as follows:

Category 1 - Works that can be completed within 18 months.

Category 2 - Works that may take longer than 18 months due to statutory approvals required.

Category 3 - Projects that should be deferred for broader technical and strategic review.

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Table 1 – Estimated costings and revised program of proposed works to achieve DDA compliance for Scout and Guide Halls

<b>Category 1 – Scout Hall projects that can be delivered within 18 months</b>					
<b>Scout Hall</b>	<b>Carpark</b>	<b>Ramp</b>	<b>Bathroom</b>	<b>Kitchen</b>	<b>Estimated Cost</b>
Regents Park (1 <sup>st</sup> Edithvale)	\$8,000	\$35,000	\$85,000	\$4,000	<b>\$132,000</b>
Dingley	\$2,000	\$45,000	\$85,000	\$4,000	<b>\$136,000</b>
Yet Keiu Sea Scouts (Old Hall)	\$1,200	\$10,000	Completed	\$2,500	<b>\$13,700</b>
Yet Keiu Sea Scouts (New Hall)	NA	NA	\$35,000	\$2,500	<b>\$37,500</b>
7 <sup>th</sup> Cheltenham	\$7,000	\$50,000	\$90,000	\$4,000	<b>\$151,000</b>
Chicquita Park (Mentone)	\$8,000	\$50,000	\$25,000	\$5,000	<b>\$88,000</b>
<b>Category 2 – Scout Hall projects that require additional statutory approvals and may require additional time to be implemented</b>					
1 <sup>st</sup> Mordialloc (DELWP approval required)	\$7,000	\$40,000	\$85,000	\$2,000	<b>\$134,000</b>
Chelsea Aspendale Scouts  (Building located on road reserve and will require formal extinguishment to regularise the site and improvements proposed.)	\$8,000	NA	\$85,000	\$10,000	<b>\$103,000</b>
4 <sup>th</sup> Mordailloc Sea Scouts	Cost for demolition can be accommodated from 19/20 Buildings Demolition budget subject to building being formally relinquished by Scouts Victoria and DWELP approval being obtained.				
5 <sup>th</sup> Mordialloc Sea Scouts	Project to renovate this facility is included in Forward Capital Plan in years 19/20, 20/21 and 21/22 and subject to DWELP approval.				
<b>Category 3 – projects requiring technical and strategic review before commencement – propose to defer works until 2021/22 financial year</b>					
Bonbeach Scout Hall	\$8,000	\$15,000	\$85,000	\$4,000	<b>\$112,000</b>
Bricker Reserve	\$1,200	\$30,000	\$90,000	\$4,000	<b>\$125,200</b>
Former Cheltenham Girl Guides Hall	Cost for demolition can be accommodated from 19/20 Buildings Demolition budget, subject to building being formally relinquished by Scouts Victoria.				
<b>Sub total</b>					<b>1,032,400</b>
<b>Estimated design fees</b>					<b>\$128,240</b>
<b>Estimated project contingency</b>					<b>\$256,380</b>
<b>Estimated asbestos and hazardous material removal contingency</b>					<b>\$250,000</b>
<b>Estimated Total</b>					<b>\$1,667,020</b>



It is important to note that full compliance with DDA may not be achievable at all sites given a range of site and building limitations at some locations. Further to this, no detailed investigative works have been undertaken to date and all costs outlined above are indicative aiming to mitigate this risk. The costs outlined in Table 1 include sizable contingencies for design and to accommodate possible latent conditions, together with an allocation for asbestos and hazardous material removal.

Councillors should note that the renovation of the 5<sup>th</sup> Mordialloc Scouts facility has already been approved in Council's Forward Capital Plan. DDA compliance works at this site will be and undertaken as part of this planned reconfiguration, which is scheduled for completion in the 2021/22 financial year. These works will enable the 4<sup>th</sup> Mordialloc Sea Scouts to relocate to this facility.

Further to this and subject to Council approval, officers recommend that work with Scouts Victoria continues regarding the handover and demolition of the 4<sup>th</sup> Mordialloc Sea Scouts building on Lambert Island which can be accommodated from 19/20 Buildings Demolition budget.

Similarly, with the Cheltenham Girl Guides Hall, and subject to Council approval, officers recommend that work with Scouts Victoria be continued to facilitate the handover and demolition of the Cheltenham Girl Guides Hall as part of the Le Page Master Plan works. This facility is currently being used for storage only and work will be undertaken to accommodate this function at an alternative site.

Please note that the program of works proposed in Table 1 does not include:

- 3<sup>rd</sup> Chelsea Air Scouts (Showers Ave) as this facility is fully compliant with DDA;
- Show Time Scouts (Ewar St) as they are currently working with Council to identify an alternative location; and
- The bathroom upgrade for the Yet Keiu Sea Scout Hall (old) as these works have already been completed.

Given the range of considerations outlined above, the indicative cost for the DDA compliance works for Scout Halls is \$1,667,020 (excl. GST). It should be noted that this indicative cost includes contingency costs and a separate allocation for asbestos and hazardous material removal, should it be required.

### 3.3.2 Funding contribution from Scouts Victoria

Council officers have met with Scouts Victoria to discuss a potential funding contribution for the proposed DDA compliance works at the facilities listed above in section 3.3.1.

Scouts Victoria have confirmed their intention to contribute to the cost of the proposed works listed above in section 3.3.1 and have agreed to respond to Council officers in writing to provide confirmation regarding the level of the contribution.

At this time of writing this report Scouts Victoria are yet to provide confirmation regarding the level of their funding contribution for these works.

### **3.4 Options**

#### **3.4.1 Option 1 - Proceed with the proposed project to achieve compliance with the Disability Discrimination Act and allocate required funding in the Forward Capital Program**

That Council:

1. Note the range of revised potential works required at Scout and Guide Halls as detailed in section 3.3.1, which has been prepared in response to the resolution of the Ordinary Council meeting on 22 July 2019.
2. Approves an appropriate funding model from the three (3) options outlined in section 4.3 of this report

#### **3.4.2 Option 2 – Do not proceed with the proposed project to achieve compliance with the Disability Discrimination Act**

Council may wish to not proceed with the proposed project to achieve compliance with the Disability Discrimination Act at this time and:

- Provide further or varied direction to officers; and/or
- Take no further action.

## **4. Conclusion**

### **4.1 Environmental Implications**

Subject to Council approval, appropriate due diligence will be observed throughout the proposed design process for some sites. This could include the completion of a range of statutory approvals and specialist site assessments including:

- Department of Environment Water Land Planning; and
- Heritage Approvals.

### **4.2 Social Implications**

Scouting is a worldwide movement that has shaped the development of youth and adults for over 100 years. In Victoria there are 17,000 youth members and 5000 adult members.

People with disabilities are one the most disadvantaged groups in Australia and ensuring that Scout and Guide Halls are DDA compliant would provide equal access for children, youth and adults with disabilities and their families to join the Scouts and participate fully in activities.

7,610 people or of 5% of the population in the City of Kingston in 2016, reported needing help in their day-to-day lives due to disability. Further to this there is an increase of 116 people aged 10-19-years in the City of Kingston who have reported a need for assistance.

### **4.3 Resource Implications**

Should Council wish to proceed with the proposed project to achieve compliance with the Disability Discrimination Act, provision of \$1,667,020 will be required to be allocated to the Forward Capital Plan within the 19/20, 20/21 and 21/22 financial years.

On the assumption that Council wishes to proceed as outlined above, officers have identified three (3) potential funding options for Council to consider and direction on its preferred funding option is requested.

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The three identified funding model options are as follows:-

- (i) Option 1 – “Top-slice” \$250,000 per annum funding from the existing building Renewal Program identified from condition audits budget over the next 5 years and bring this forward into 2019/20 and 2020/21 to fund the Scouts DDA works, as per the tables below:-

<b>Option 1 : Topslice Funding from Existing Building Renewal Funding</b>							
<b>Building Renewal Funding</b>	<b>A/C Number</b>	<b>2019/20</b>	<b>2020/21</b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>	<b>TOTAL</b>
Renewal Program Identified from Condition Audits - Current Budget Allocation	N0027	\$1,184,501.00	\$1,300,000.00	\$1,000,000.00	\$ 1,000,000.00	\$ 1,000,000.00	\$ 5,484,501.00
<b>Option 1 : Topslice Funding from Existing Building Renewal Funding</b>							
<b>Building Renewal Funding</b>	<b>A/C Number</b>	<b>2019/20</b>	<b>2020/21</b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>	<b>TOTAL</b>
Renewal Program identified from condition audit - revised budget allocation	N0027	\$ 834,501.00	\$ 950,000.00	\$ 650,000.00	\$ 650,000.00	\$ 732,980.00	\$ 3,817,481.00
New - Scout Hall DDA Programme	TBC	\$ 350,000.00	\$1,079,820.00	\$ 237,200.00	\$ -	\$ -	\$ 1,667,020.00
<b>TOTAL</b>		\$1,184,501.00	\$2,029,820.00	\$ 887,200.00	\$ 650,000.00	\$ 732,980.00	\$ 5,484,501.00

This option would impact on Council’s planned renewal/maintenance programme, due to the significant reduction in the budget allocation, which is the primary budget to support the ongoing upkeep and maintenance of its buildings, which include high priority facilities, such community hubs, childrens’ centres, kinders, pavilions and libraries, etc. If this option is to be pursued, it is recommended that Council agree to minimise the impact on the main building maintenance programme by giving priority to an unspent funds from across the entire Capital Programme in order to replenish the proposed funding reduction should any such funds become available throughout future years. On this basis, this would be the option recommended by officers.

- (ii) Option 2 – Re-prioritise existing capital resources across other projects or asset classes and substitute these resources to fund the required Scouts DDA works

This option would require Council to review its current capital programme priorities and to consider the re-apportionment of existing capital programme resources from other named capital projects within Council’s building programme or from across established named capital projects in other asset classes, e.g. roads/drains, parks, etc. As this option would impact negatively on other named Council projects it is not considered the preferred funding model for the proposed Scouts DDA works.

- (iii) Option 3 – Bring forward untied funding from the Notional Building Renewal Programme Allocation

This option would see the bringing forward and pre-commitment of untied capital resources from the Notional Building Renewal Programme allocation within Council’s forward capital works programme as follows:-

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<b>Option 3 : Bring Forward and Pre-Commit Funding from Untied Notional Building Renewal Capital Programme Resources</b>					
	<b>A/C Number</b>	<b>2019/20</b>	<b>2020/21</b>	<b>2021/22</b>	<b>TOTAL</b>
Notional Building Renewal Allocation Current Uncommitted Balance (NB - this does not include adjustments proposed for Chelsea Sailing Club proposed in another report on agenda)	C0303	\$ -	\$3,230,781.00	\$3,270,941.00	\$ 6,501,722.00
<b>TOTAL</b>		\$ -	\$3,230,781.00	\$3,270,941.00	\$ 6,501,722.00

<b>Option 3 : Bring Forward and Pre-Commit Funding from Untied Notional Building Renewal Capital Programme Resources</b>					
	<b>A/C Number</b>	<b>2019/20</b>	<b>2020/21</b>	<b>2021/22</b>	<b>TOTAL</b>
Notional Building Renewal Allocation Proposed adjusted uncommitted balance (NB - this does not include adjustments proposed for Chelsea Sailing Club proposed in another report on agenda)	C0303	\$ -	\$1,800,961.00	\$3,033,741.00	\$ 4,834,702.00
New - Scout Hall DDA Programme	TBC	\$ 350,000.00	\$1,079,820.00	\$ 237,200.00	\$ 1,667,020.00
<b>TOTAL</b>		\$ 350,000.00	\$2,880,781.00	\$3,270,941.00	\$ 6,501,722.00

Whilst this option would pre-commit future untied notional building renewal capital resources and reduce the ability of a future Council to consider new renewal/redevelopment projects in 2020/21 and 2021/22, as this funding has not yet been formally allocated by Council yet, it would impact least on existing named capital programme projects/commitments.

**4.4 Legal / Risk Implications**

Council could be subject to reputational and legal risk in the instance a complaint is lodged with Equal Opportunity and Human Rights Commission in the area of access to facilities used by the public.

Partial completion of DDA compliance works at Scout and Guide Halls could expose Council to legal challenged based on the DDA.

Author/s: Donna Feore, Senior Facilities Development Planning Coordinator  
Steve Lewis, Manager Community Buildings

Reviewed and Approved By: Steve Lewis, Manager Community Buildings  
Mauro Bolin, General Manager Community Sustainability

# Ordinary Meeting of Council

23 September 2019

Agenda Item No: 9.8

## REVIEW OF CURRENT 2015 - 2019 DISABILITY ACTION PLAN

Contact Officer: Gillian Turnbull, Community Wellbeing Officer

### Purpose of Report

To advise and present Council with options relating to the renewal of Council's current 2015 – 2019 Disability Action Plan (DAP) and outline the implications pertaining to the cessation of the MetroAccess *Building Inclusive Communities* (BIC) program funded by Department of Health and Human Services (DHHS).

### Disclosure of Officer / Contractor Direct or Indirect Interest

Eugenia Grammatikakis has declared that she has a direct Conflict of Interest regarding the matter under consideration as she currently holds the temporary position as Council's MetroAccess Officer position until 31 December 2019.

No other 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. Develop a Disability Action Plan consistent with Option 1. as outlined in this report; and
2. Fund the additional resources as detailed in this report to support the Disability Action Plan development and implementation.

## 1. Executive Summary

Council has a legislated key requirement to support people with a disability living in Kingston. Council's strategic framework that outlines the support offered to people with a disability is delivered through Council's current 2015 - 2019 Disability Action Plan (DAP).

Council is required by the *Disability Act 2006* to develop, implement and report on the delivery of a DAP. The current Kingston DAP is due to expire at the end of 2019.

Kingston's current 2015-2019 DAP has been implemented with the support of a Metro Access Officer, a position that was funded by the Department of Health and Human Services (DHHS) as part of the Building Inclusive Communities (BIC) program. Funding for the BIC program is due to cease at the end of 2019.

With the introduction of the National Disability Insurance Scheme (NDIS), DHHS has formally advised Council that from December 2019, DHHS will cease funding the BIC program (Appendix 2).

## 2. Background

### 2.1 Disability in Kingston

Approximately one in five Australians has a disability. People with a disability make up 18.4 percent of the Victorian population, or about one million people. Approximately one-third of people with a disability, or six percent of the total Victorian population (338,200 people), have a profound or severe disability.

Census data on the level of disability in Kingston is not available. However, given that 20 percent of all Australians and 18.4 percent of Victorians have a disability, it is estimated that approximately 27,700 people in Kingston have a disability.

The number of people with a disability is increasing and is expected to continue to grow due to population growth, ageing and increased life expectancy.

Ageing has a significant impact on rates of disability. After the age of 65 the proportion of the population with a disability increases significantly.

Disability not only affects the individual, but also carers, families and the broader community. The ABS Census 2016 data shows that 7,610 people or 5% of the population of Kingston need help in their day to day lives because of a disability.

Unemployment can cause social isolation, contribute to poor mental and physical health and reduce feelings of being valued and having a sense of purpose. For people with a disability, this disadvantage is compounded by additional living costs related to managing a disability.

Any disadvantage faced by people with a disability is compounded for residents from a multicultural background who may also face language, literacy and cultural barriers.

### 2.2 DHHS funded - MetroAccess *Building Inclusive Communities* (BIC) program

The MetroAccess *Building Inclusive Communities* (BIC) program is a partnership between the Victorian Department of Health and Human Services (DHHS) and Local Government. It has been funded by DHHS since 2003 and is delivered through the 31 metropolitan Councils including the City of Kingston, who have received annual funding of \$135,000.

The funding provided the full-time employment of a dedicated BIC MetroAccess Officer at a Band 6 level. The position supported the delivery of strategic community-based projects and initiatives as well as internally delivered projects. **Appendix 1** outlines a snap shot of some key highlights and initiatives of the BIC MetroAccess program.

The BIC MetroAccess program and Council's Disability Action Plan (DAP) both aim to ensure people with disability are connected to their communities, and that the community becomes more accessible and inclusive of people with a disability. The role of the BIC MetroAccess Officer integrated both the strategic actions of the DAP and BIC program.

### **2.2.1 DHHS Future funding**

With cessation of BIC MetroAccess funding in December 2019, The National Disability Insurance Agency (NDIA) has announced three alternative Information, Linkages and Capacity Building (ILC) funding grant streams, which were open in August and September 2019. These grant rounds include:

- Individual Capacity Building Programs (nationwide peer mentoring support)
- Economic and Community Participation Program (employment options)
- Mainstream Capacity Building Program (links to mainstream health services)

ILC funding rounds are not available to individual Councils, but rather to a regional consortium of partners and state-wide partnerships. ILC grants are provided to organisations to carry out activities in the wider community. ILC funding is likely to be project based and not recurrent.

### **2.3 Kingston's Disability Action Plan (DAP)**

Council is required by the *Disability Act 2006* to develop, implement and report on actions associated with the Council's Disability Action Plan. Council DAP actions pertaining to:

- Removing barriers faced by people with a disability in accessing goods, services and facilities;
- Removing barriers faced by people with a disability in obtaining and maintaining employment;
- Promoting the inclusion and participation in the community of people with a disability; and
- Achieving tangible changes in attitudes and practices which discriminate against people with a disability.

Despite the cessation of BIC funding by DHHS, Council will continue to have a legislated obligation to address the needs of people with disabilities.

Kingston's Disability Action Plan 2015-2019 is due for renewal. The current plan prioritises actions to improve social and community inclusion; increase opportunities for people with disabilities to obtain and maintain employment; change attitudes and practices that discriminate against people with disability; and promote inclusion and participation for people with disabilities in community life.

Some key achievements of Kingston's 2015-2019 Disability Action Plan include:

- The 'YouMeUs' project, an inclusive online training project that increases disability awareness in the community and builds the competence of organisations with respect to disability access and inclusion.
- The installation of accessible 'Changing Places' toilet facilities in Bicentennial Skate Park, Chelsea.
- Annual delivery of the 'Presentation Ball', a dinner dance for people with a disability.

- Collaboration with the Carrum Surf Life Saving Club and the Victorian Government resulting in funding by the State Government for beach accessible equipment (beach mat, mobi-wheelchair, hoist and signage).
- The development of the 'Recharge Scheme' to provide recharge stations for electric scooters around Kingston, and 'Pump 'Em Up' scooter wheel inflation sites.

The achievements of Kingston's Disability Action Plan have been implemented, delivering services above and beyond the standard requirements with the support of the DHHS funded MetroAccess role.

### **3. Discussion**

#### **3.1 Council Plan Alignment**

Council has a commitment to achieving access and inclusion for the Kingston community. This commitment is reflected in Goal 3 in the Council Plan 2017-2021, '*Our connected, inclusive, healthy and learning community*' and Direction 3.2 - Provide equitable access to services and facilities for all community members, irrespective of background and ability.

It is also imbedded in Council's Disability Action Plan 2015-2019:

- Access to Goods, Services and Facilities: *Council will seek to remove barriers faced by people with a disability in accessing goods, services and facilities.*
- Employment Opportunities: *Council will seek to increase opportunities for people with a disability to obtain and maintain employment.*
- Encourage Inclusive Attitudes and Practices: *Council will seek to change attitudes and practices which discriminate against people with a disability.*
- Promote Inclusion and Participation: *Council will promote the inclusion and participation in the community of people with a disability.*

#### **3.2 Operation and Strategic Issues**

With the cessation of DHHS BIC funding component and the current renewal process, Council has two options to consider in deliberating on the implementation of its next DAP; delivering a DAP with a broader reach meeting greater needs of the community; this option has resource implications. Delivering a legislated DAP with limited in scope actions specific to meet the local needs of Kingston residents. This option has no resource implication for Council and can be delivered within existing resources.

**Appendix 3** provides an outline of all initiatives that could be delivered within existing resources and those that can be delivered with additional resources allocation.

#### **3.3 Options**

##### **3.3.1 Option 1**

Approve the delivery of a DAP with additional resource allocation to be considered during Council's Midyear budget bid review.

##### **3.3.2 Option 2**

Approve the delivery of a DAP within existing resource allocation.



#### 4. Conclusion

##### 4.1 Environmental Implications

There are no environmental implications.

##### 4.2 Social Implications

The BIC MetroAccess program will cease in December 2019, with funds transferring to the NDIS. The use of funds through the NDIS will result in a refocus of funds to support community need and Policy priorities.

The development and implementation of a Disability Action Plan has social implications pertaining to the physical accessibility of Kingston, and the inclusion of people with disabilities to participate in community life.

##### 4.3 Resource Implications

Council can achieve a DAP of limited scope within existing resources.

Should Council elect to provide additional resources towards the review and delivery of Council's broad-based DAP, the resource implications to Council is projected be \$105,427 in salary costs (including on-costs) at Band 6C level. A Position Description appropriate to the position will be developed in accordance with Councillors direction.

The scope of both options are detailed in Appendix 3.



External funding sources will continue to be sought to assist in the implementation of the Action Plan. This may take the form of partnerships with other entities.

##### 4.4 Legal / Risk Implications

Kingston City Council continues to have responsibility for the development and implementation of the Disability Action Plan in line with the *Disability Act 2006*.

#### Appendices

Appendix 1 - Key achievements of MetroAccess Program (Ref 19/183372)  

Appendix 2 - Final Funding for the Building Inclusive Communities ( BIC ) program for the final year (2018 - 2019 ) of Victoria's transition to the National Disability Insurance Scheme (Ap1) (Ref 18/75206)  

Appendix 3 - Disability Portfolio Matrix (Ref 19/183370)  

Author/s: Gillian Turnbull, Community Wellbeing Officer  
Reviewed and Approved By: Jane Grace, Manager Libraries & Social Development  
Mauro Bolin, General Manager Community Sustainability

# 9.8

## REVIEW OF CURRENT 2015 - 2019 DISABILITY ACTION PLAN

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### *Key highlights of Metro Access program*

The community mapping exercises conducted within the City of Kingston to inform the development of the Community Building Plan which has supported the effective planning and implementation of the various Metro Access initiatives and projects in the municipality.

1	The 'YouMeUs' project, an Inclusive Online Training Project increasing disability awareness in the community and building the competence of organisations with respect to disability access and inclusion
2	The introduction of 'Big Break', an inclusive arts project providing an opportunity for people living with a disability to participate in arts-based skill development
3	The development of the 'Recharge Scheme' and 'Pump 'Em Up'
4	The installation of the Liberty Swing at Chelsea's Bicentennial Park
5	The purchase of a Beach Wheelchair for the Mordialloc Life Saving Club
6	The development of the Disability Resources Fact Sheet
7	The introduction of monthly Auslan Storytelling sessions at the Cheltenham Library
8	Health promotion for people with a disability
9	Roll out of community information sessions on the NDIS
10	The development of information and resources for Council's website
11	The Bentleigh Greens Soccer Club project in partnership with the Football Federation Victoria, focusing on providing an opportunity for people with disabilities (and their families) to participate in an accessible and inclusive soccer club within their local community
12	The development of the Accessible Information guidelines
13	The development of the 'Access for All - promoting disability inclusion in sport' guide
14	Development of the 'Access for all - promoting disability inclusion in community groups' guide
15	The collaboration with the Carrum Surf Life Saving Club and the Victorian Government resulting in the funding by the State Government for beach accessible equipment (beach mat, mobi-wheelchair, hoist and signage)
16	Development of the 2017-18 beach access program in collaboration with the Mordialloc Life Saving Club with the purpose of improving beach access for people with a physical disability who use wheelchairs and generally those with mobility issues
17	Development of a series of training sessions on 'Families as Planning Partners' targeting parents and carers
18	A series of Disability Awareness Training sessions for community groups promoting inclusive volunteering
19	Provision of Disability Awareness Training for Kingston Youth Services Youth Consultative Committee

20	Development of the <i>'Talking Disability'</i> booklet in partnership with Frankston, Mornington Peninsula, Greater Dandenong and Cardinia Councils
21	Development of a self-audit toolkit for local businesses and services
22	The introduction of the <i>'Come 'n' Try Footy Day'</i> in partnership with local disability service providers Leisure Link Up, Central Bayside Adult Community Options and Vision Australia, the St Bedes Secondary College and Mentone Tigers football club
23	Supported the <i>'No Body Art'</i> exhibition by Art Day South held at the Kingston Arts Centre and the development of a DVD promoting innovation and inclusiveness in arts programs to be shown to specialist disability services, the arts community and the wider public to promote engaging people with disabilities in creativity through art
24	Coordinated the <i>'Get Your Groove On'</i> event in partnership with Aspendale Gardens Community Centre to address the limited social and recreational opportunities after hours for people with disabilities

18/75206



## Department of Health and Human Services

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Melbourne Victoria 3000  
Telephone: 1300 650 172  
GPO Box 4057  
Melbourne Victoria 3001  
www.dhhs.vic.gov.au  
DX 210081  
ADD/18/8618

### CITY OF KINGSTON

15 MAY 2018

PERMANENT  
 1 - 2 YEARS  
 3 - 10 YEARS  
 11 - 25 YEARS

John Nevins  
Chief Executive Officer  
City of Kingston  
1230 Nepean Highway  
CHELTENHAM VIC 3192

Dear Mr Nevins

I am writing to confirm funding for the Building Inclusive Communities (BIC) program for the final year (2018-2019) of Victoria's transition to the National Disability Insurance Scheme (NDIS).

Funding will be provided through your existing funding and service agreement with the Department of Health and Human Services (DHHS).

The Information, Linkages and Capacity Building (ILC) component of the NDIS will commence in Victoria on 1 July 2019. As you know, funding for the BIC program forms part of the Victorian Government's \$2.5 billion financial contribution to the NDIS, which includes ILC.

BIC providers are uniquely placed to contribute to the objectives of ILC, including empowering people with disabilities to achieve their chosen goals in inclusive communities, and increasing the social and economic participation of people with disabilities.

I encourage you to apply directly to the National Disability Insurance Agency (NDIA) to deliver ILC activities that align with these objectives when applications open for ILC grants later this year.

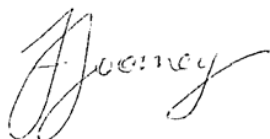
If you would like to keep updated about ILC opportunities, the DHHS Disability and NDIS Branch holds quarterly ILC stakeholder forums with speakers on a range of topics – to register, please email [ndisb.communications@dhhs.vic.gov.au](mailto:ndisb.communications@dhhs.vic.gov.au). The NDIA also provide updates and grant information through the ILC Toolkit at [ilctoolkit.ndis.gov.au](mailto:ilctoolkit.ndis.gov.au).



18/75206

Should you have any questions or require further information, please contact Fleur Campbell, Manager, Sector and Participant Readiness on 9096 7226 or fleur.campbell@dhhs.vic.gov.au.

Yours sincerely



**Janine Toomey**  
Executive Director, Disability and NDIS Branch  
Children, Families, Disability and Operations Division  
Department of Health and Human Services

9 / 5 / 2018

## Appendix 3.

**Disability Action Plan delivery**

Actions	Option 1 DAP delivery with additional resources	Option 2 – DAP delivery without additional resources
Review and develop new Disability Action Plan.	✓	✓
Advocate for Council's Integrated Transport Strategy to be implemented with regard to the access requirements of people with a disability.	✓	
Continue to audit and improve pedestrian and road access for all.	✓	✓
Advocate for Council's Affordable Housing Strategy to have regard to Universal Design concepts.	✓	
Promote access and inclusion in consultations for new and renovated Council buildings and public spaces.	✓	✓
Continue to improve the accessibility of Council buildings with regard to the priorities identified in the access audit that seeks to have all buildings compliant by 2035.	✓	✓
Investigate opportunities to have adult change table and hoist facilities installed in appropriately located public toilets in Kingston and install them.	✓	✓
Continue to advocate with key stakeholders for services and facilities to better meet the needs of people with disability; including transport, housing, retail, open space and sporting clubs.	✓	✓
Work with Council departments to plan and budget for their communications, services events and programs to be accessible for all.	✓	
Continue to improve Council's communications to ensure they are accessible to people of all abilities.	✓	✓
Improve access to Kingston's beaches with the development of maps identifying accessible infrastructure.	✓	
Establish measurable targets for disability access, collect data and report.	✓	
Continue to promote training opportunities to assist people with a disability to obtain paid employment and progress their professional development.	✓	
Continue to support and encourage local businesses to become more inclusive employers.	✓	
Continue to improve and promote volunteer opportunities for people with a disability.	✓	✓

TRIM: 19/183370

Appendix 3.

**Disability Action Plan delivery**

Actions	Option 1 DAP delivery with additional resources	Option 2 – DAP delivery without additional resources
Continue to improve access to employment at Council for people with a disability by reviewing Council's employment services. Continue to work in conjunction People and Support to Autism Spectrum	✓	
Continue to provide access and inclusion education for Council staff and the Kingston community.	✓	
Continue to engage in the Bayside Peninsula Regional Partnership ILC Project Consortium	✓	
Promote the positive contributions people with a disability make to the Kingston community.	✓	✓
Recognise and acknowledge people with a disability as part of the Kingston community via events such as the International Day of People with Disabilities.	✓	
Promote Council's services, programs and events to people with a disability.	✓	✓
Target promotion of Council's services, programs and events to people with a disability.	✓	
Promote accessible social networking places and spaces in Kingston.	✓	
Continue to support people with a disability, carers and disability services to participate in Council's Advisory Committees.	✓	✓
Continue to target arts, culture, recreation and leisure programs to people with disabilities.	✓	
*YouMeUs: Achieving Inclusion Online disability awareness training courses.	✓	
*Employment of People with a Disability – <i>Research</i>	✓	
Disability Awareness Training for the community (sporting clubs, Neighbourhood Houses and Men's Shed).	✓	
Website and document accessibility project 2018-19.	✓	✓
Mordialloc Life Saving Club – beach accessibility MOU	✓	
Beach Access & Good Access is Good Business project.	✓	

TRIM: 19/183370



## Appendix 3.

**Disability Action Plan delivery**

Actions	Option 1 DAP delivery with additional resources	Option 2 – DAP delivery without additional resources
Kingston Neighbourhood Houses Communication Access Assessment Project.	✓	
Communication Access Symbol: Communication Access Assessment Project for Council’s Customer Service Centres and nine Libraries.	✓	
“Big Break” project involving people with disabilities in art	✓	
Pump ‘Em Up and Recharge Schemes to support people in electric scooters.	✓	
Expansion of the Recharge Scheme to support people in electric scooters.	✓	
Beach Accessibility equipment for Carrum Life Saving Club	✓	
Beach Accessibility Project: beach matting & beach wheelchairs at other Life Saving Clubs in Kingston.	✓	
Facilitation of Annual Disability Awards	✓	
Enabling Women’s Leadership Program for Women with Disabilities	✓	
Support delivery of the Chelsea RSL Scooter Project	✓	✓
Continue to support DAP representation on Council’s Access and Equity Committee	✓	✓

\*These actions will be delivered by Brotherhood of St Laurence.

## **10. City Assets and Environment Reports**

## Ordinary Meeting of Council

23 September 2019

Agenda Item No: 10.1

### **RESPONSE TO NOTICE OF MOTION 41/2019 (AMENDED) - IMPACT OF CONSTRUCTION FOR THE BAY TRAIL, MENTONE TO RENNISON STREET**

Contact Officer: Chris White, Team Leader - Public Place Projects

#### **Purpose of Report**

The purpose of this report is to inform Council of construction impacts associated with the Bay Trail, as outlined in a Notice of Motion (NOM) 41/2019 below:

*That Council receive a report at the September Ordinary Council Meeting on the implementation of construction works for the Bay Trail, giving consideration to:*

- *Impact on users of the foreshore, roadway, beach access, club activities, carparks*
- *Construction methodology*
- *Financial impacts of delaying works*
- *Construction impacts of delaying work*
- *Communications Plan*

#### **Disclosure of Officer / Contractor Direct or Indirect Interest**

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

#### **OFFICER RECOMMENDATION**

That Council:

1. Receive the information and note construction methodology, financial and construction impacts of delaying the project contained in the report.
2. Note the communications plan contained in the report.
3. Direct officers to continue as per programmed works schedule from late Sept/October 2019 to June 2020.
4. Ensure the Traffic Management Plan maximises access to the foreshore, clubs and car parking during construction.

## **1. Executive Summary**

The purpose of this report is to outline the construction impacts of the Bay Trail for Council to determine best value for the community.

Whilst there is merit in avoiding construction over summer (peak beach visitation) to minimise impact on foreshore users, there is also a risk that starting works in late summer/early Autumn (with a 9-month construction program) that works could continue through into summer 2020/21. Construction over winter and spring usually has higher lost days of works due to wet weather.

Additional considerations are:

- There are significant financial costs associated with delay of works under contract.
- The impact of construction over summer can be mitigated through approved Traffic Management Programs.
- Current construction program aligns with Parkdale Yacht Club closure in summer 2019/20 due to club renewal works.

This report outlines the above issues for Council consideration, with a recommendation to keep the current programmed works schedule.

The impact of construction can be further mitigated by extending the 'no construction' period until after the Australia Day weekend. This report explores the financial risk of this option.

## **2. Background**

Contract 18/63 was awarded to CDN Constructors Pty Ltd for the construction of the Bay Trail (Mentone to Rennison Street), at the 22 May 2019 Special Meeting of Council. The contract was awarded as an updated contract sum of \$5,155,439.77

As part of the planning for the construction works, hours of work and the staging of the works have been carefully considered to minimise community disruption as much as possible. Reduced work times imposed by Vic Roads has resulted in a longer construction program. The 22 May 2019 Council report for award of contract stated that "works over summer" are anticipated with "construction to commence in 2019 under Contract 18/63."

Since award of Contract, CDN Constructors Pty Ltd have been programming works and securing subcontractors to commence large scale civil works to commence late October 2019 for a late June 2020 completion. This planning has been underway since award of contract in May to commence works in 2019, as the project requires CDN's workforce and numerous sub-contractors to deliver this project.

The Traffic Management Plan requires management of pedestrians, cyclists and vehicles throughout the contract period to ensure safety to users and a safe work zone as required under OHS legislation.

Vic Roads must approve the Traffic Management Plan to ensure minimal disruption to road uses.

This report has been prepared to:

- Outline the impact of the construction of the Bay Trail;
- Seek council approval to continue construction works from late Sept/Oct to June 2020; and
- Option to reduce impact on beach goers over summer, by extending 'no construction' period by 2 weeks in January, until after the Australia Day weekend and approve a variation to the lump sum contract.

### **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 Bay Trail will create a long-awaited safe off-road path for pedestrians and recreational cyclists to walk, ride and run along Port Phillip Bay's stunning foreshore.

#### **3.2 Impact of Bay Trail Construction**

3.2.1 Impact on users of the foreshore, roadway, beach access, club activities, car parks  
Implementation of construction works commencing in late September/October through to June 2020 will impact beach users to some extent, but the impact can be managed to deliver the project whilst maintaining adequate beach access, minimising impact on clubs and ensuring Beach Road continues to function throughout construction. The impact on users will be minimised through the following approach:

##### *Foreshore users and beach access*

- Beach access will be maintained at all key access points such as pedestrian lights and main pathways to the Foreshore. These access points will be well signed and provide convenient safe access points to the beach from adjacent residential areas.
- The lower beach promenade will remain open throughout the construction period, providing good north-south movement to access the Foreshore. (Refer to attachment 1 for concept plan showing proposed access paths).

##### *Roadway users*

- Vic Roads requires Beach Road to continue to service its function as a road during construction and will be addressed in the Traffic Management Plan. North bound traffic (foreshore side) will always have one lane open for the movement of traffic. The outer lane will be closed during working hours to ensure a safe work zone).
- The outer lane will be open on long weekends, in addition to most weekends for parking and traffic lane, outside clear zones 6am to 10am).
- Major road re-surfacing works will occur at night over 3 weeks to minimise impact on road users between 8:00pm to 5:00am with no road closure.
- The Contractor will not operate for 3 weeks from 20 Dec to 10 Jan to minimise impact on road users over peak holiday period.

- Daytime works will be 9:30am to 7:00pm for northbound (inbound) allowing for peak traffic movement in morning. Traffic movement will be monitored after 3.30pm to ensure traffic movement is satisfactory. Around a dozen vehicle surveys have been taken on Beach Road in Mentone and Parkdale between 2005 and 2014 over different months by Councils Traffic Department. These surveys show that traffic is consistent at 400-600 vehicles per hour through the PM peak, which can be comfortably accommodated in a single lane past the worksite.
- The Traffic Management Plan provides for a delineated path for cyclists from works to ensure safety for cyclists.
- Traffic speed will be reduced to 40km to provide safety to road users and workers.
- There is an option for Council to vary contract sum to extend the 'no construction' period by 2 weeks until after Australia Day weekend.

#### *Car Parks*

- The off-road car parks open to public throughout construction works include:
  - Mundy Street Car Park
  - Mentone LSC Car Park
  - Dixon Street Car Park
  - Antibes Street Car Park
  - Bay Street Car Park
  - Mordialloc LSC car park
  - Peter Scullin Car park
  - Pier Road Car Park
- The Rennison Street car park will be closed as a site compound. An alternative to Rennison Street Carpark is the lawn area near the Parkdale War Memorial. However, this alternative is deemed inappropriate with respect to those who fought in the war and impact on the Parkdale Café. Therefore, the Rennison Street Car Park is the preferred and recommended work zone/ site compound. A site compound area will also be established on the lawn opposite Naples Road. A number of smaller storage areas will be established on grass areas, as required.
- There is an option for Council to vary the contract sum to de-mobilise the Rennison Street Compound over the peak summer break (late Dec to after Australia Day weekend) to provide public access to all nine off road car parks during this period.
- On road car parks on the residential side remains unchanged during construction.
- Lane closures at public holidays and most weekends are not permitted, without authorisation, providing 4 lanes during these peak times. The 6am-10am no stopping will apply on weekends for on road cyclist.
- The lengthy program of 9 months reflects the restricted work hours that Vic Roads requires to minimise impact on road users, in addition to the volume of work required to deliver this asset. The civil construction component is predominantly delivered over 7 months with site establishment / de-establishment and vegetation removal taking approximately 2 months.

#### *Club Activities*

- The impact on Club users will be minimised through:

Mentone LSC	<p>* Interim works in the Mentone car park programmed after summer school holidays to remove construction impact during January school holidays.</p> <p>* Construction of the Mentone LSC is to commence November 2020. The interim shared user trail will ensure safe movement of people past the site, allowing the car park to operate as a site compound for the demolition and construction of the LSC over summer 2020/21.</p>
Parkdale Yacht Club (PYC)	<p>The Parkdale Yacht club demolition commences late Dec 2019 to Nov 2020, making this summer ideal to undertake construction of the Bay Trail due to closure of the club at this location.</p> <p>The interim trail will be constructed prior to December to enable the building contractor to take possession of the PYC car park as a work compound.</p>
Parkdale Cafe	<p>There is currently indented parking near the war memorial (north of Café) and 90-degree angle parking south of the café. The Contractor will program works to keep one of two parking areas open to minimise impact on the café operations.</p> <p>The safe crossing point at the pedestrian lights and path access to café and beach will be open during construction.</p>
Mordialloc LSC	<p>No impact with stage 2 works. Car Park and pathways remain open.</p>

**3.2.2 Construction methodology**

The construction contractor, CDN, has proposed a construction methodology that involves 3 work crews constructing over 3 different sections of the site. The methodology will be constructing assets from the foreshore side towards the road (retaining wall, shared user path, kerb, asphalt) to prevent damage as they build.

Major road resurfacing works will occur over a 3-week period at night.

Completing work by June 2020 avoids the wettest and coolest months that can delay works through lost wet weather days.

Completion of Stage 2 works by mid-2020 provides an opportunity to follow on with stage 3 construction works (pending statutory approvals) from mid-2020 to late 2020. This approach leaves sections of Beach Road free for on road parking at any given time and minimises impact on the community through a staged delivery approach.

**3.2.3 Financial Impacts of delaying work**

Council should assess value for money in service delivery and affordability when considering the impact of delaying works, as required under the Best Value Principles of the Local Government Act 1989.

The financial impact on delaying works will be considerable and likely to result in several months of negotiations and legal advice to resolve. This additional financial cost increase may have an adverse impact for sections of the community that may view the current project cost as high.

Detail on possible financial impacts are provided below:

**TENDER COST INCREASE:** The contract cost increased by \$267,600 from June 2018 to May 2019. Based on this it is reasonable to assume further contract price increases would be incurred by delaying construction start dates.

This would require a new Contract Lump Sum to be approved by Council.

**PROFIT:** The percentage of profit stated within the contract annexure is 10% (Clause 11c). This can be applied to any item deemed as a loss of profit – such as having staff and sub-contractors booked for upcoming months that will no longer have work. This would require lengthy negotiations over months to determine financial impact from profit loss.

**CONTRACT CONDITIONS:** Delays of more than 3 months in giving possession to site will be a substantial breach under this contract (Clause 44.7). If works were delayed by 3 months, the contractor can issue the Principal a written notice to show cause. Under a show cause notice, the cost could be considerable and likely to involve legal counsel.

**COMPENSATION FOR DELAY IN POSSESSION OF SITE:** The compensation cost is unknown, as it will require lengthy negotiations and legal advice to determine but anticipated to be a significant cost.

**EXTEND CONTRACTOR SUMMER BREAK PERIOD:**

The contractor has a 3-week Summer break over the busy Christmas / New Year period. The financial risk of extending this break by an additional 2 weeks to minimise impact on beach goers (from 20 Dec to after Australia day weekend) is \$256,666 to cover large salary on-costs and some profit loss.

The cost to de-mobilise the Rennison Street compound over summer to maximise car parking is \$30,000 regardless of number of weeks, to cover removal and re-establishment within the car park.

The total cost of \$286,666 ex GST would require Council approval to award this contract variation.

**3.2.4 Communications Plan**

Council has informed the community of works commencing late 2019 through on-site signs, media and Council web site.



Council will be writing to residents, schools and clubs to update them on upcoming construction works on the Bay Trail. Information will be sent out mid-September, outlining constructions details, timing of works and access to the Foreshore.

On site signs and traffic information signs will also ensure beach and road users are informed of works.

Clubs will be offered a face to face meeting to discuss any issues.

Ongoing, regular updates will be provided during construction.

### **3.3 Options**

#### **3.3.1 Option 1**

Proceed with construction of the Bay Trail (Mentone to Rennison Street) from late Sept/October 2019 to June 2020 as scheduled, ensuring the Traffic Management Plan provides adequate beach access throughout construction and minimises impact on road users.

This option is consistent with the report adopted at 22 May 2019 Special Meeting of Council that stated construction works would occur over summer.

#### **3.3.2 Option 2**

The contractor stops works over summer from 20 December until 10 January. There is the option to extend the 'no construction' period by 2 weeks in January, until the Australia Day week end. The cost to delay works by 2 weeks is \$256,666.

There is also the option to de-mobilise the Rennison Street Car park over this period to maximise car parking over peak summer period. The cost to de-establish and re-establish the site compound is \$30,000.

Council can approve a variation to Contract of \$286,666 ex. GST to extend the 'no construction' period by 2 weeks in January to minimise impact.

## **4. Conclusion**

### **4.1 Environmental Implications**

Construction over the warmer months is favourable for installing concrete and asphalt as it minimises lost time through wet weather days.

If removal of vegetation was to occur in September/October but civil work delayed until post summer, there is a risk of coastal erosion that may result in loss of further vegetation and open the site to people parking over the fragile coastal environment. Therefore, it is recommended that vegetation removal be followed by construction of retaining walls, paths and kerb.

### **4.2 Social Implications**

Through appropriate traffic management plans, the impact of construction to foreshore and road users can be mitigated. Eight (8) of the nine (9) off road car park will remain open for public access during construction.

Parking will remain unchanged on residential side during construction and four lanes of traffic and on road parking will be available over the 3 week no-construction period over-Christmas period, long weekends and most other weekends. (Clear way applies 6am-10am).

Whilst some members of the community may not support aspects of design, there is broad community support for construction of the Bay Trail as demonstrated in letters from key cycling advocacy groups such as Bicycle Network Victoria and the 2016 survey on preferred path alignment.

#### **4.3 Resource Implications**

The contractor has secured significant resources to commence major civil works late October with three work crews. Delay of the program will require negotiations to secure the workforce at some future time.

There is capital funding to construct the \$5.15M Bay Trail project for stage 2 works. A delay to the start will require Council to re-negotiate contracts, pay profit loss under contract and cover legal expenses due to contract delays. Whilst these costs are unknown, they are anticipated to be significant.

There is a lesser financial cost to extend the 'no construction' period over January by 2 weeks. This cost is \$256,666 ex GST that will ensure no construction from 20 Dec to after Australia Day weekend. The Rennison Street car park site compound can also be de-established over this period at a cost of \$30,000.

#### **4.4 Legal / Risk Implications**

The Local Government Act 1989, under Best Value Principles Section 208C, should take into account an assessment of value for money in service delivery and balance affordability and accessibility of services to the community.

There is a risk that best value to the community may not be delivered due to significant financial costs associated with contracts and project delays.

Implementation of construction works commencing in late September/October through to June 2019 will impact on beach users to an extent, but the impacts are deemed manageable to ensure reasonable beach and road access during construction.

There is a smaller financial risk to stop works over most of January that is achievable as a variation to contract if Council deem this in the interest of the community to stop works over the peak school holiday period.

## **Appendices**

Appendix 1 - Notice of Motion 41/2019 Beach Access Points (Ref 19/224446)  

Author/s: Chris White, Team Leader - Public Place Projects  
Reviewed and Approved By: David Shepard, Manager Parks and Open Space  
Daniel Freer, General Manager City Assets and Environment

# 10.1

## RESPONSE TO NOTICE OF MOTION 41/2019 (AMENDED) - IMPACT OF CONSTRUCTION FOR THE BAY TRAIL, MENTONE TO RENNISON STREET

1	Notice of Motion 41/2019 Beach Access Points .....	199
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**Access Points**

**Legend**



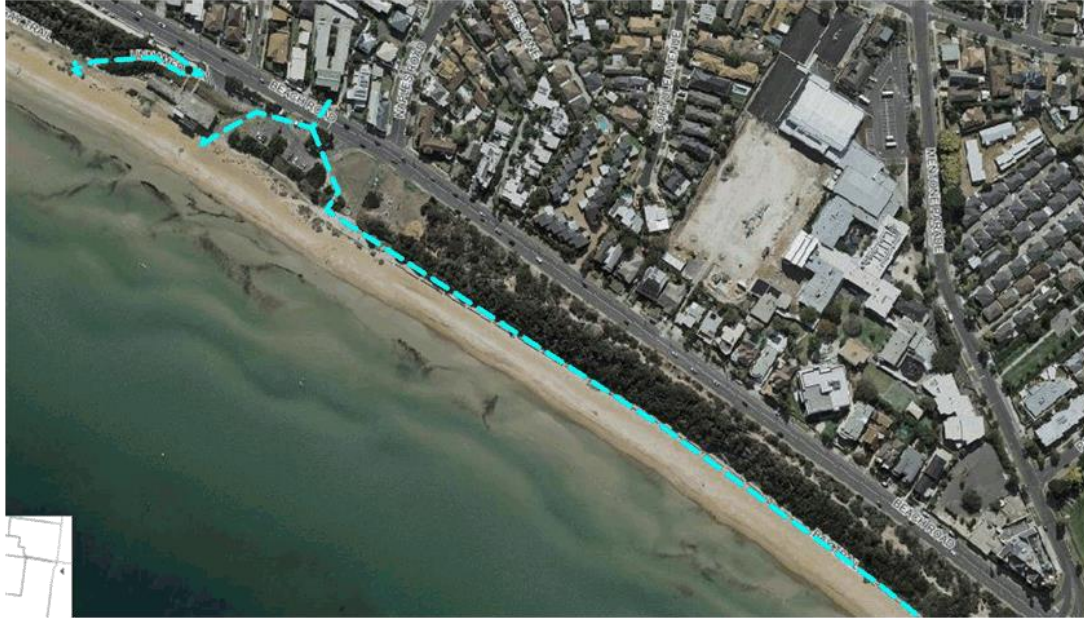
Permanent Access Paths\*



Secondary Access Paths\*\*

\*Minor day closures during path concreting at intersecting crossing

\*\*Minor/moderate closure during concreting works (a few days to weeks) as construction works permit



Section 1 – Kitchener Street to Mentone Parade



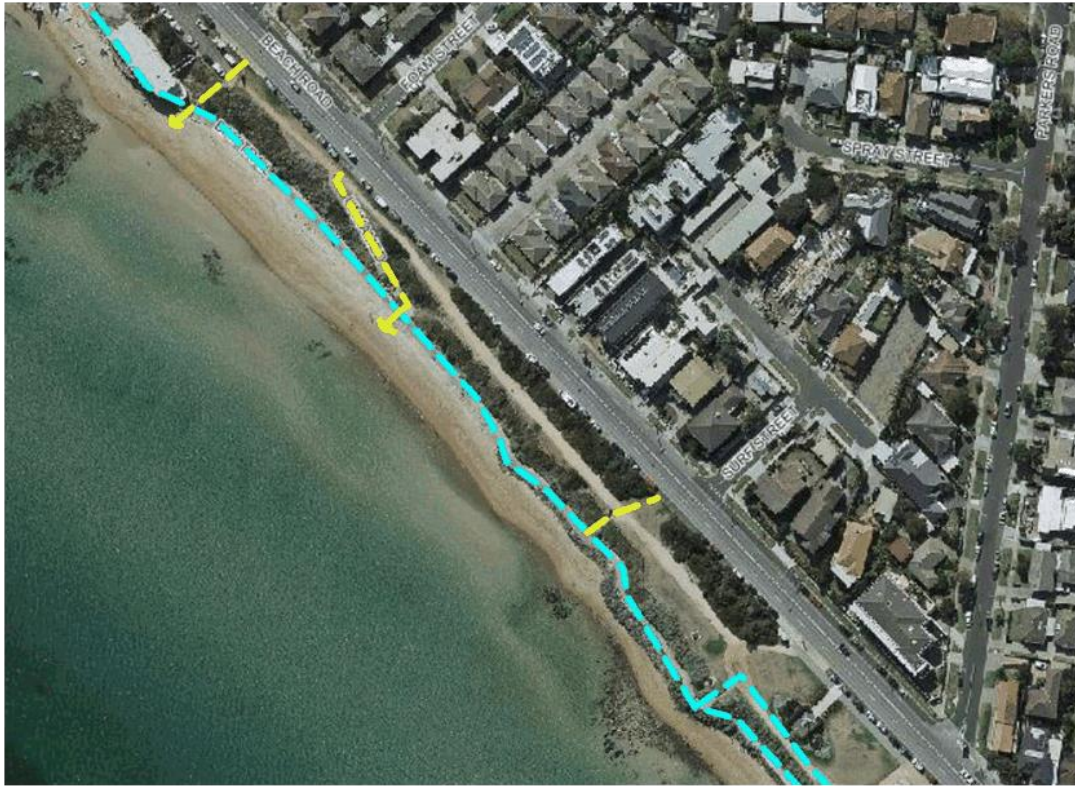
Section 2 – Mentone Parade to San Antonio Court



Section 3 – San Antonio Court to Antibes Street



Section 4 – Antibes Street to south of Birdwood Street/Parkdale Yacht Club



Section 5- Parkdale Yacht Club to Parkers Road



Section 6 – Parkers Road to McIndoe Parade



Section 7 – McIndoe Parade to Rosella Road

Note: Final access plans subject to approved Traffic Management Plan and ongoing monitoring of site safety for pedestrians.

# Ordinary Meeting of Council

23 September 2019

Agenda Item No: 10.2

## CAPITAL FORECAST SEPTEMBER 2019

Contact Officer: Brian McNamara, Senior Asset Management Analyst

### Purpose of Report

This report is to inform Council of forecast adjustments to the 2019/20 Capital Works Program and recommend endorsement of this report detailing these adjustments. This report enables continuity of project delivery across financial years. Except for adjustments to incomes, this report maintains previously approved project allocations.

### Disclosure of Officer / Contractor Direct or Indirect Interest

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

### OFFICER RECOMMENDATION

That Council:

1. Note the report and adjustments to the 2019/20 Capital Program; and
2. Approve the revised Capital Forecast from \$81,656,430 to \$88,674,835 for the 2019/20 financial year.

### 1. Executive Summary

This report includes net adjustments of \$7,018,405 including 2018/19 End of Financial Year, carry over and bring forward, income adjustments and bring forward from 2020/21. The revised September 2019 Capital Forecast is \$88,674,835.

Note the Forecast 2019/20 Capital Program is a 47.5% increase in value over the 2018/19 program.

### 2. Background

The 2019/20 Capital Works Program adopted on 24 June 2019 was largely prepared in April/May prior to its advertisement for public comment. This forecast report recognises End of Financial Year reconciliations and adjustments from the 2018/19 Capital Program, to support continuity of project delivery into 2019/20.

Except for recognising adjustments to incomes, this report does not alter previously approved project allocations where the project is funded across two or more financial periods.

### 3. Discussion

#### 3.1 Council Plan Alignment

Goal 1 - Our well-planned, liveable city supported by infrastructure to meet future needs  
Direction 1.3 - Infrastructure and property investment for a functional city now and into the future.



**3.2 Consultation/Internal Review**

This report is prepared in consultation with finance department and project managers responsible for capital project delivery. The outcome is to ensure the financial continuity of previously endorsed project allocations are appropriately managed where project implementation may occur over two or more financial years.

**3.3 Operation and Strategic Issues**

The objective of this report is to acknowledge forecast adjustments post the 24 June 2019 Adopted Capital Budget for 2019/20.

This ensures that approved project allocations are appropriately recognised where they cross over financial years, enabling project managers to proceed with implementation.

**4. Capital Program Forecast (September) – Summary of adjustments**

<b>Adopted 2019/20 Capital Budget</b>	<b>81,656,430</b>	
<b>Rate Adjustments</b>		
Rate EoY adjustments from/to 2018/19 <i>(Includes \$1,721,857 of incomes received prior to 19/20)</i>	3,048,399	increase
Rate adjustments from/to 2020/21	516,262	increase
<b>Reserve Adjustments</b>		
Reserves EoY adjustments from/to 2018/19	2,624,752	increase
<b>Grant Adjustments</b>		
Grants EoY adjustments from/to 2018/19	783,992	increase
Grant income adjustments within 2019/20	45,000	increase
<b>2019/20 Capital Forecast (September)</b>	<b>88,674,835</b>	

Adjustments over \$100,000 are summarised in Appendix 1 of this report, with Appendix 2 providing a full listing of all projects and adjustments to be confirmed by this report arriving at a Revised Forecast value of \$88,674,835.

**5. Financial Overview of 2018/19 Capital Program finalisation**

Description	Allocation	Variance	
<b>Adopted 2018/19 Capital Program – June 2018</b>		<b>60,615,661</b>	
<b><u>Rates funding source</u></b>			
June 2018 Adopted Rate budget	50,115,868		
2018/19 EOFY Rate forecast	43,371,698	(6,744,170)	decrease
<b><u>Reserves funding source</u></b>			
June 2018 Adopted Reserves	6,763,600		
2018/19 EOFY Reserves	11,697,898	4,934,298	increase
<b><u>Grants &amp; Contributions</u></b>			
June 2018 Adopted Grants & Contributions	3,736,193		
2018/19 EOFY Grants & Contributions	5,097,305	1,361,112	increase
<b>2018/19 EOFY Forecast Capital Program</b>		<b>60,166,901</b>	
<b>2018/19 Final Expenditure</b>		<b>60,141,635</b>	
<b>Variation Forecast to Final Expenditure</b>		(25,266)	Favourable
<b>Declared Savings</b>		(172,352)	Favourable
<b>Overall Capital Program</b>		<b>(197,618)</b>	Favourable


Final expenditure to the budget for the 2018/19 Capital Program resulted in 99.2% delivery of the overall program, which has now set a new record in Capital Works delivery for the organisation. The variance to final expenditure and declared savings to the 2018/19 Capital Program concluded with a \$197,618 favourable balance.

**6. Conclusion**

This report collates best available information representing 2018/19 EOFY adjustments, grant incomes and reserve adjustments in a revised forecast to the 2019/20 Capital Program.

In total a net increase of \$7,018,405 forecast adjustments is recognised in this report bringing the revised forecast for the 2019/20 Capital Program to \$88,674,835.

**Appendices**

Appendix 1 - September Forecast >\$100k Summary (Ref 19/225407) 

Appendix 2 - September Forecast- Full Program (Ref 19/225447) 

Author/s: Brian McNamara, Senior Asset Management Analyst  
 Reviewed and Approved By: Rachelle Quattrocchi, Manager Infrastructure  
 Daniel Freer, General Manager City Assets and Environment

# 10.2

## CAPITAL FORECAST SEPTEMBER 2019

1	September Forecast >\$100k Summary.....	209
2	September Forecast- Full Program.....	213

## Appendix One: Summary listing of adjustments >\$100,000 to 2019/20 Capital Program

Adjustments to the 2019/20 Capital Program greater than \$100,000 are identified in the table below. A complete and detailed listing of all proposed adjustment to the 2019/20 Capital Program coming from 2018/19 EOFY adjustments, income adjustments and internal transfers are presented in Appendix Two.

Project	2019/20 Adopted Budget	RATE 2018/19 EOFY	RATE 2020/21 Forecast	GRANT Adjust	RESERVES 2018/19 EOFY	Internal Transfers	2019/20 CAPITAL FORECAST	ADJUSTMENT NOTES
N0040- RD- Road Renewal - Roads Reconstruction Program	6,400,000					(1,483,440)	4,916,560	Transfer \$1,483,440 Bay Trail Contribution as per 22 May Council report
N0559- RD- BARKLY STREET, Mordialloc (Bear to Chute)	-	250,000					250,000	C'Over \$250,000 for committed works in progress
N0957- RD - French Avenue, Edithvale (Edithvale to Fraser)	-	350,000					350,000	C'Over \$350,000 for committed works in progress
C0468- Street Light LED Conversion - Non Standard poles	250,000	(150,000)					100,000	B'Fwd \$150,000 to offset advanced expenditure in 2018/19
N0767- Heatherton Park Landfill Remediation	-	345,000		800,000			1,145,000	C'Over \$345,000 remaining for committed works in progress for EPA remediation at Heatherton Park Incomes \$400k from N0939 + \$400k new (MonashCC)
N0769- Elder St Landfill Remediation	475,000				1,252,020		1,727,020	C'Over \$1,252,020 GreenWedge Res for EPA remediation and capping works at Elder Street Park
N0939- Former Landfill Sites Remediation (EPA Compliance)	1,235,000	8,000		(400,000)			843,000	C'Over \$8,000 balance for continued delivery Reassign \$400,000 income to N0767
C0324- FRF- Parkdale Yacht Club	2,011,775	110,592					2,122,367	C'Over \$110,592 to support project construction in 2019/20
C0421- Edithvale Life Saving Club	3,170,643	(398,068)					2,772,575	B'Fwd \$398,068 for advance delivery of building contract - works in progress
C0427- Patterson Lakes (Inner Harbour) Public Jetty	-	182,500					182,500	C'Over \$182,500 income received prior to support boardwalk construction in 2019/20
C0520- Bonbeach Life Saving Club Redevelopment		(37,225)	337,225				300,000	B'Fwd \$37,225 to 2018/19 for advanced concepts and investigation B'Fwd \$ 337,225 from 2020/21 allocation for advanced design
C0547- Land Purchase- Springs Road, Dingley					150,000		150,000	C'Over \$150,000 Open Space Reserve for building demolition , site clearance and basic landscaping

Project	2019/20 Adopted Budget	RATE 2018/19 EOFY	RATE 2020/21 Forecast	GRANT Adjust	RESERVES 2018/19 EOFY	Internal Transfers	2019/20 CAPITAL FORECAST	ADJUSTMENT NOTES
C0444- The Grange Master Plan Development	-	135,052					135,052	C'Over \$135,052 remaining to complete change and spectator facilities .
N1036- SRV - Moorabbin Bowls Club - New Green	264,000	116,778		(112,500)			268,278	C'Over \$112,500 grant received in advance + \$4,178 balance Reduce \$112,500 budgeted grant income in 2019/20
C0320- Dales Park Development Plan	300,000				329,844		629,844	C'Over \$329,844 Open Space Res for Playground delivery. Delayed start due to Cultural Heritage Assessment.
N0669- Sportsground Lighting - Pole Replacements	450,000	(57,796)		500,000		(345,000)	547,204	Bring Fwd \$57,796 to 18/19 for advanced design New \$500k Grant - Sports Australis - Lighting upgrades. Disperse \$220,000 to N1013 and \$125,000 to N1063
N1013- SL- Roy Dore Reserve East Oval Sports Lighting - Est \$150k	-	11,429				220,000	231,429	C'Over \$11,249 balance for project delivery 2019/20 Dispersal of \$220,000 from N0669 Parent program
N1021- SL- LePage Park N0.2 Sports Lighting - Est \$150k	-	112,500		12,500			125,000	C'Over \$112,500 grant income received in advance New \$12,500 remainder grant income to be received 2019/20
N1063- SL- Moorabbin Bowls Sports lighting	-					125,000	125,000	Dispersal of \$125,000 from N0669 parent program
C0263- Pavilion Dev- Cliff Sambell Pav - Gerry Green Res	-	(89,500)		99,640			10,140	B'Fwd \$89,500 to offset expenditures incurred 2018/19 Club & Grant \$99,640 incomes payable in 2019/20
C0439- Roy Dore Pavilion Redevelopment	4,400,000	253,008		(320,000)			4,333,008	C'Over \$253,008 remaining to support pavilion works in 2019/20 Reduce \$320,000 budgeted income received in 2018/19
C0450- Dales Park Pavilion	2,520,000	147,025					2,667,025	C'Over \$147,025 remaining to support project delivery in 2019/20
C0512- Jack Grut Pavilion Stage 2	-					531,884	531,884	Transfer \$531,884 from C0528 - This is active account
C0528- Jack Grut Stage2 Pavilion Extension	430,000	101,884				(531,884)	-	C'Over \$101,884 r remaining for Stage 2 works in 19/20 Transfer \$531,884 allocation to C0512 as active account
N0794- Soppett Pavilion Redevelopment - Mentone Reserve	5,160,000	146,312		(750,000)			4,556,312	C'Over \$146,312 for committed works in progress Reduce \$750,000 budget income- received in 2018/19
C0271- Masonic Hall, Mordialloc - Restoration	1,500,000	112,302					1,612,302	C'Over \$112,302 to support project delivery in 2019/20 - Contract awarded

Project	2019/20 Adopted Budget	RATE 2018/19 EOFY	RATE 2020/21 Forecast	GRANT Adjust	RESERVES 2018/19 EOFY	Internal Transfers	2019/20 CAPITAL FORECAST	ADJUSTMENT NOTES
C0384- Dingley Village Neighbourhood House precinct - Stg1	3,442,784	(471,837)	200,000				3,170,947	B'Fwd \$471,837 to 2018/19 to advance contract delivery for works in progress B'Fwd \$200,000 from 2020/21 C0303 Buildings Notional for Electrical upgrades
C0417- Mentone Activity Centre - PIAZZA	-	885,743					885,743	C'Over \$885,743 for committed works in progress - completed August 2019
N0144- Kingston Hall - Facility Renewals	150,000	126,666					276,666	C'Over \$126,666 for lift renewal deferred during master plan review.
C0346- GWR- Linking Karkarook Park to Clayton Road	700,000				486,978		1,186,978	C'Over \$486,978 Open Space Reserve funding to continue next stage in 2019/20
N0021- Bay Trail Stage Two Contract- Mentone to Rennison	4,432,000	436,940		700,000		(413,500)	5,155,440	C'Over \$436,940 remaining balance for construction in 2019/20 - contract awarded at \$,5,155,440 Grant \$700,000 VicRoads income Transfer \$1,433,440 from Roads Prog as per 22 May Report Disperse \$1,600,000 to N1065 & \$296,940 to N1066
N1065- Bay Trail Stage Three - Rennison to Mordialloc	-					1,600,000	1,600,000	Disperse \$1,600,000 from N0021 for Stage 3 Works
N1066- Bay Trail - Consultants & Service Relocations	-			15,000		296,940	311,940	Disperse \$296,940 from N0021 for Consultancies and Service Relocations
C0496- TM- French Avenue, Edithvale - Roundabout	-	15,000		133,000			148,000	C'Over \$15,000 for contract works in progress Grant \$133,000 VicRoads to be claimed in 19/20
N0117- Traffic Management Improvement Programs	670,000	(185,142)					484,858	B'Fwd \$185,142 for advanced delivery of various Traffic Management works in 2018/19
C0011- Vehicles, Plant & Equipment Replacement (Operational Areas)	300,000	260,000					560,000	C'Over \$260,000 for contractual commitment to purchase replacement trucks - Delivery in 1st qtr.
C0017- Garden Blvd Depot - Development	3,700,000	(680,116)					3,019,884	B'Fwd \$680,116 for advanced design and works associated with consolidation of depot operations.
N0971- Hardware and Cloud Transition	1,040,000	155,000					1,195,000	C'Over \$155,000 to continue implementation of ICT Strategy

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<b>1 - Our well-planned, liveable city supported by infrastructure to meet future needs</b>										
Design, build and maintain the public realm through civil infrastructure (1.3.1)										
<u>131-ROAD INFRASTRUCTURE RENEWAL PROGRAM</u>										
C0459	RD- CANTERBURY ROAD, Braeside - Special C	675,000							675,000	
N0039	RD- Road Renewal - Resurfacing Program	-							1,300,000	
N0040	RD- Road Renewal - Roads Reconstruction Pro	6,400,000						(1,483,440)	3,616,560	Transfer \$1,483,440 Bay Trail Contribution as per 22 May Council report
N0559	RD- BARKLY STREET, Mordialloc (Bear to Chut	-	250,000						250,000	C'Over \$250,000 for committed works in progress
N0957	RD - French Avenue, Edithvale (Edithvale to Fra	-	350,000						350,000	C'Over \$350,000 for committed works in progress
<u>132-FOOTPATH RENEWAL PROGRAM</u>										
N0119	FP- Footpath Renewal Program	700,000							700,000	
<u>133-Carparks -Sub Program of Roads</u>										
N1033	CP- Sir William Fry Res carpark expansion	80,000							80,000	
<u>134-Industrial Development Strategy</u>										
C0001	IND- Kingston Industrial Development Strategy	250,000							250,000	
C0540	IND- CLAYTON ROAD, Clayton South (Fairbank	-	30,000						30,000	C'Over \$30,000 for planned Industrial Development program works in Clayton Road
<u>135-DRAINAGE IMPROVEMENT PROGRAM</u>										
C0539	SH- Stormwater Harvesting (Drainage Reserve)	50,000							50,000	
N0087	DR- DRAINAGE PROGRAMS (Flood Mitigation)	3,000,000							3,000,000	
Effectively Manage Council's Property Portfolio (1.3.3)										
SUBTOTAL GOAL 1:		11,155,000	630,000	-	-	-	-	(1,483,440)	10,301,560	-
<b>2- Our sustainable green environment with accessible open spaces</b>										
Environmental resilience and sustainability (2.1)										
<u>210-Environmental Resilience</u>										
C0468	Street Light LED Conversion - Non Standard po	250,000	(150,000)						100,000	B'Fwd \$150,000 to offset advanced expenditure in 2018/19
C0518	Climate Change Strategy - Solar Initiative	200,000							200,000	
N0019	Bay & Waterways Stormwater Quality Improvem	50,000	46,288						96,288	C'Over \$46,288 to support committed works in progress
N0038	Water Conservation Programs - Buildings	40,000							40,000	
N0231	Green House Gas Reduction / Rising Sea Levels	200,000	12,000						212,000	C'Over \$12,000 to support committed works in progress

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N0239	Sportsground Warm Season Conversion/Turf re <u>211-Landfill Remediation Programs</u>	120,000							120,000	
N0766	Spring Road Landfill Remediation	-	27,386						27,386	C'Over \$21,386 for committed works in progress
N0767	Heatherton Park Landfill Remediation	-	345,000		800,000				1,145,000	C'Over \$345,000 remaining for committed works in progress for EPA remediation at Heatherton Park
N0769	Elder St Landfill Remediation	475,000					1,252,020		1,727,020	C'Over \$1,252,020 GreenWedge Res for EPA remediation and capping works at Elder Street Park
N0939	Former Landfill Sites Remediation (EPA Compli	1,235,000	8,000		(400,000)				843,000	C'Over \$8,000 balance for continued delivery Reassign \$400,000 income to N0767
Activating and protecting the foreshore (2.3)										
<u>230-Foreshore Activation</u>										
C0019	Foreshore Natural Resource Management	100,000							100,000	
C0324	FRF- Parkdale Yacht Club	2,011,775	110,592						2,122,367	C'Over \$110,592 to support project construction in 2019/20
C0421	Edithvale Life Saving Club	3,170,643	(398,068)						2,772,575	B'Fwd \$398,068 for advance delivery of building contract - works in progress
C0427	Patterson Lakes (Inner Harbour) Public Jetty	-	182,500						182,500	C'Over \$182,500 income received prior to support boardwalk construction in 2019/20
C0442	Mentone Life Saving Club	230,000	(70,611)						159,389	B'Fwd \$70,611 for advanced design and investigation
C0443	Aspendale Life Saving Club	1,300,000	(22,816)						1,277,184	B'Fwd \$22,816 for advanced design and investigation
C0461	Chelsea Yacht Club (Includes Lift)	400,000	(9,971)						390,029	B'Fwd \$9,971 for advanced design and investigation
C0463	The Corso Reserve Landscaping	100,000							100,000	
C0519	Parkdale Yacht Club Carpark	750,000							750,000	
C0520	Bonbeach Life Saving Club Redevelopment		(37,225)	337,225					300,000	B'Fwd \$37,225 for advanced concepts and investigation B'Fwd \$ 337,225 from 2020/21 allocation for advanced
C0521	Carrum Life Saving Club Expansion	150,000							150,000	
N0020	Foreshore Infrastructure Renewals	700,000							700,000	
N0656	FRF- Mentone Coastal Precinct Plan Implement	203,000					16,116		219,116	C'Over \$16,116 Foreshore Res for committed works in
N0799	FRF- Foreshore Drainage Improvements	300,000					5,680		305,680	C'Over \$5,680 Foreshore Res for committed works in
N0981	Foreshore Ticket Parking Machine Replacemen	170,000							170,000	
Implement the Open Space Strategy (2.4)										
<u>240-Open Space Strategy</u>										
C0012	Playground Improvement & Renewal Program	610,000							610,000	
C0013	Playground Major Repairs & Maintenance	150,000							150,000	
C0014	Irrigation & Drainage Upgrades/Renewals (Formerly Watering System Major Repairs &	100,000						80,000	180,000	Merge C0234 allocation into C0014 to link programs



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C0015	Cricket Infrastructure repairs and Synthetic sur	85,000							85,000	
C0018	Parks & Open Space Strategy Implementation	252,000							252,000	
C0041	Moorabbin Reserve Master Plan implementation	250,000							250,000	
C0107	Reserves Tree Planting Programme	50,000							50,000	
C0109	Shade Sails for Regional Parks and Peter scullin	60,000							60,000	
C0234	Sportsground Drainage Improvement Program	80,000						(80,000)	-	Merge C0234 allocation into C0014 to link programs
C0456	Land Purchase - 8-10 Barker Street, Cheltenham	-					58,062		58,062	C'Over \$58,062 remaining Open Space Res for site preparation for new urban park
C0462	Barker Street Cheltenham Urban Park	235,000							235,000	
C0547	Land Purchase- Springs Road, Dingley						150,000		150,000	C'Over \$150,000 Open Space Reserve for building demolition , site clearance and basic landscaping
C0548	Site Clearance/Demolition - Springs Rd, Dingley	100,000							100,000	
N0007	Minor Reserve Improvements	150,000							150,000	
N0008	Sportsground Top Dressing Program (Formerly Oval Regrading Works)	110,000							110,000	
N0010	Reserve Revegetation	70,000							70,000	
N0011	Reserve Gravel Carparks Minor Upgrades	70,000							70,000	
N0012	Reserve Pathway Renewals & Minor Upgrades	35,000							35,000	
N0013	Reserve Fencing Renewal	200,000							200,000	
N0191	Parks Asset Renewal	683,000							683,000	
N0578	Goal Post Renewal Program	25,000							25,000	
N1006	Parks Capital Delivery Resource	200,000	42,355						242,355	C'Over \$42,355 remaining to support Capital delivery of Parks Projects
N1035	Peter Scullin Reserve - Upgrade Watering syste	120,000							120,000	
	<u>241- Green Wedge Development</u>	-							-	
C0287	GWR- Walking and Cycling Connectivity Project	-					58,439		58,439	C'Over \$58,439 Green Wedge Res to support continued design and investigation
C0523	GWR- Elder ST Reserve Development	1,000,000							1,000,000	
C0524	GWR- Elder St to Victory Bridge	50,000							50,000	
N0659	GWR- Project Officer	100,000							100,000	
N1008	GWR- Landscaping and Maint	-							-	
N1017	Kingston Sportfield Feasibility - Green Wedge	200,000	66,903						266,903	C'Over \$66,903 remaining of grant income - Project is fully funded by State government
Provide variety of sport and recreation opportunities (2.5)										

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	<b>250-Sport and Recreation</b>	-							-	
C0191	Walter Galt Reserve - Masterplan Implementation	573,600					91,546		665,146	C'Over \$91,546 Open Space Reserve for formalising carpark at Walter Galt Reserve
C0319	Active Youth Spaces Strategy - Implementation	150,000					57,409		207,409	C'Over \$57,409 Open Space Reserve to support works at Dingley Skate Park
C0391	Netball Facilities Development - Regents Park	500,000	(87,142)						412,858	B'Fwd \$87,142 to offset advanced expenditure in 2019/20
C0420	Lighting at Le page Park Oval 1	-	(18,712)		18,712				-	B'Fwd \$18,712 income to offset project expenditure in 2018/19
C0431	Dane Rd Reserve High Fencing (Railway side)	290,000							290,000	
C0444	The Grange Master Plan Development	-	135,052						135,052	C'Over \$135,052 remaining to complete change and spectator facilities .
C0513	Bald Hill Park - Disc Golf	-	45,107						45,107	C'Over \$45,107 for committed works in progress - Completed August 2019
C0515	Kingston Heath Score Board (Bentleigh Greens)	-	37,787		15,000				52,787	C'Over \$37,787 for completion of project Club \$15,000 payable upon completion in 2019/20
C0526	Tennis Facility Development - Program	190,000							190,000	
C0530	Upgrade of the Long Jump Run Ups at Edithval	130,000							130,000	
N0129	Recreation Minor Projects	50,000							50,000	
N0511	Cricket Infrastructure Development	75,000							75,000	
N0526	Tennis Facility Development	70,000	14,362						84,362	C'Over \$14,362 for committed works in progress
N1030	Bonbeach Rec - Basketball ring replacement	-	60,000						60,000	C'Over \$60,000 for delivery in July school holidays - Works complete
N1036	SRV - Moorabbin Bowls Club - New Green	264,000	116,778			(112,500)			268,278	C'Over \$112,500 grant received in advance + \$4,178 balance
	<b>251-Reserve Masterplan Development</b>	-							-	
C0192	Bonbeach Sports Reserve - Masterplan Implementation	-					70,441		70,441	C'Over \$70,441 to support next stages in 2019/20
C0320	Dales Park Development Plan	300,000					329,844		629,844	C'Over \$329,844 Open Space Res for Playground delivery. Delayed start due to Cultural Heritage Assessment.
C0321	Le Page Park Master Plan (Design)	50,000					10,000		60,000	C'Over \$10,000 balance Open Space Res for planning in 2019/20
C0385	Ben Kavanagh Reserve Masterplan Implementation	770,000	(44,106)				38,217		764,111	Bring Fwd \$44,106 to offset C0261 Ben Kav pavilion C'Over \$38,217 balance Open Space Res to deliver in 2019/20
C0544	Ben Kavanagh Netball Facilities	750,000							750,000	
C0429	Regents Park Masterplan (Ground works)	150,000							150,000	
C0449	GR Bricker Reserve Park Master Plan	50,000							50,000	
	<b>251a- Kerr Reserve Sports Precinct</b>	-							-	
C0464	Kerr Crescent New Pavilion - (Local Std) - Conc	-	59,239						59,239	C'Over \$59,239 to continue project planning in 2019/20

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C0465	Kerr Crescent Soccer Field Development - Conc	3,500,000							3,500,000	
	<u>251b- Chadwick Sports Precinct</u>	-							-	
C0430	Dingley Sports Ground Development- Feasibilit	1,700,000	45,803						1,745,803	C'Over \$45,803 to continue project planning in 2019/20
C0492	Dingley Sports Pavilion-Concepts (Chadwick	200,000							200,000	
C0545	Chadwick- Civil and Landscaping	250,000							250,000	
C0508	SL- Chadwick Senior oval	-	6,600						6,600	C'Over \$6,600 balance for project planning in 2019/20
C0509	SL- Chadwick Junior Oval	-	5,236						5,236	C'Over \$5,236 balance for project planning in 2019/20
	<u>253-SPORTSGROUND LIGHTING PROGRAM</u>	-							-	
C0514	SL-Bonbeach Sports Lighting - Oval 1	-	30,827						30,827	C'Over \$30,827 balance for project delivery 2019/20
N0669	Sportsground Lighting - Pole Replacements	450,000	(57,796)			500,000		(345,000)	547,204	Bring Fwd \$57,796 to 18/19 for advanced design New \$500k Grant - Sports Australis - Lighting upgrades
N0991	SL- Dingley Res Sports Lighting - Est \$200k	-	40,798						40,798	C'Over \$40,798 balance for project delivery 2019/20
N1012	SL- Jack Grut reserve - Sports Lighting	-	29,993		8,640				38,633	C'Over \$29,993 balance for project delivery 2019/20 Adjust \$8,640 from 18/19 final SRV grant income
N1013	SL- Roy Dore Reserve East Oval Sports Lighting	-	11,429					220,000	231,429	C'Over \$11,249 balance for project delivery 2019/20 Dispersal of \$220,000 from N0669 Parent program
N1015	SL(SRV)- Minor Facilities - Edithvale Rec Socce	-	3,615		10,000				13,615	C'Over \$3,615 balance for project delivery 2019/20 Adjust \$10,000 from 18/19 final SRV grant income
N1018	SL- Edithvale Bowls Club Lighting	-	38,943		15,000				53,943	C'Over \$38,943 balance for project delivery 2019/20 Adjust \$15,000 from 18/19 final club contribution
N1021	SL- LePage Park N0.2 Sports Lighting - Est \$150	-	112,500			12,500			125,000	C'Over \$112,500 grant income received in advance New \$12,500 remainder grant income to be received 2019/20
N1063	SL- Moorabbin Bowls Sports lighting	-						125,000	125,000	Dispersal of \$125,000 from N0667 parent program
	<u>254-Sports Pavilions</u>	-							-	
C0263	Pavilion Dev- Cliff Sambell Pav - Gerry Green R	-	(89,500)		99,640				10,140	B'Fwd \$89,500 to offset expenditures incurred 2018/19 Club & Grant \$99,640 incomes payable in 2019/20
C0428	Stadium Development - Kingston Basketball	250,000	18,000						268,000	C'Over \$18,000 remaining to continue planning and investigation
C0439	Roy Dore Pavilion Redevelopment	4,400,000	253,008			(320,000)			4,333,008	C'Over \$253,008 remaining to support pavilion works in 2019/20
C0445	Female Change Facilities - Regents Park	180,000	70,000						250,000	C'Over \$70,000 remaining for pavilion works planned in 2019/20
C0450	Dales Park Pavilion	2,520,000	147,025						2,667,025	C'Over \$147,025 remaining to support project delivery in 2019/20
C0512	Jack Grut Pavilion Stage 2	-						531,884	531,884	Transfer \$531,884 from C0528 - This is active account
C0528	Jack Grut Stage2 Pavilion Extension	430,000	101,884					(531,884)	-	C'Over \$101,884 r remaining for Stage 2 works in 2019/20 Transfer \$531,884 allocation to C0512 as active account

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N0794	Soppett Pavilion Redevelopment - Mentone Res	5,160,000	146,312			(750,000)			4,556,312	C'Over \$146,312 for committed works in progress Reduce \$750,000 budget income- received in 2018/19
N0132	Pavilion Projects Contingency Funds	53,533							53,533	
	<u>255-SRV Grants Program</u>	-							-	
C0030	Sport & Rec Facilities Grants - Council Contribu	125,000							125,000	
C0432	SRV- Chelsea Reserve Cricket Nets Upgrade	96,000							96,000	
C0433	SRV- Gerry Green Reserve Cricket Nets Upgrad	-	(5,500)		5,500				-	B'Fwd \$5,500 final income to offset expenditure in 2018/19 Grant \$5,500 SRV final claim in 2019/20
C0489	SRV- Female Friendly Facilities - Southern Rd P	705,000	33,599		8,000				746,599	C'Over \$33,599 remaining to support project delivery in 2019/20
N0835	SRV- Parkdale Tennis Court Renewal (+\$100k S	-	(25,000)		25,000				-	B'Fwd \$25,000 final incomes to offset expenditure in 2018/19 Club contributions of \$25,000 payable in 2019/20
	<b>SUBTOTAL GOAL 2:</b>	<b>41,522,551</b>	<b>1,388,473</b>	<b>337,225</b>	<b>605,492</b>	<b>(670,000)</b>	<b>2,137,774</b>	<b>-</b>	<b>45,321,516</b>	<b>-</b>
<b>3- Our connected inclusive, healthy and learning community</b>										
<b>Provide equitable access to services and facilities for all community (3.2)</b>										
C0025	Public Toilets Renewal - General	-							-	
C0437	Disability Access- Changing Places - Bicentenn	150,000	15,470						165,470	C'Over \$15,470 for committed works in progress
N0945	Public Toilets Renewal - Bald Hill Park	-							-	
N0994	Public Toilet Renewal - Dolamore Reserve	-							-	
<b>Enhance wellbeing and participation of families and children (3.3)</b>										
	<u>330-Children and Families</u>	-							-	
C0416	Acacia AV Preschool (Dependent on \$650k gran	-	(32,500)		32,500				-	B'Fwd \$32,500 Final income to offset expenditure in 2018/19 Grant \$32,500 final claim in 2019/20
C0502	CCTV Crime prevention- Carrum & Mordialloc L	-	27,273						27,273	C'Over \$27,273 grant income received in advance
C0503	CCTV Crime prevention- Bicentennial Skate par	-	24,584						24,584	C'Over \$24,584 for Grant received in advance
C0531	Farm Road Pre-school refurbishment	401,000	51,372						452,372	C'Over \$51,372 remaining to support works delivery in 2019/20
<b>Promote an active, healthy and involved community life (3.4)</b>										
C0271	Masonic Hall, Mordialloc - Restoration	1,500,000	112,302						1,612,302	C'Over \$112,302 to support project delivery in 2019/20 - Contract awarded
N1043	Masonic Hall fitout	80,000							80,000	
N1034	5th Mordialloc Sea Scouts Refurbishment	20,000							20,000	

2019-2020 CAPITAL PROGRAM		ADOPTED	REVISED ADJUST	REVISED ADJUST	REVISED ADJUST	REVISED ADJUST	REVISED ADJUST	REVISED ADJUST	FORECAST (SEPT)	REVISED ADJUST
acc	Project Name	2019/20 CAPITAL BUDGET	RATES Adjust From 2018/19	RATES C'Over TO 2021/22	GRANTS from 18/19 for receipt in 19/20	GRANTS & Incomes Adjust	RESERVES FROM 2018/19	Internal Transfers	2019/20 CAPITAL FORECAST	ADJUSTMENT NOTES
C0049	Waves - Asset Replacement Strategy	385,000							385,000	
N0796	Waves Leisure Centre - Roof Works	200,000							200,000	
N0139	Don Tatnell Asset Replacement Strategy	225,000	35,604						260,604	C'Over \$35,604 remaining to support consultancy engagement for Don Tatnell redevelopment
<b>Support learning and development (3.5)</b>		-							-	
<b>350-Learning and Development</b>		-							-	
C0384	Dingley Village Neighbourhood House precinct	3,442,784	(471,837)	200,000					3,170,947	B'Fwd \$471,837 to 2018/19 to advance contract delivery for works in progress B'Fwd \$200,000 from 2020/21 C0303 Buildings Notional for Electrical upgrades
C0424	Library Service Bookstock Purchasing	1,077,126							1,077,126	
N0797	Libraries - Notional Allocation	180,000							180,000	
N1037	Library Customer Printing Solution	52,468							52,468	
N1038	Dingley Library & Hall - Furniture and Shelving	90,000							90,000	
N1039	Parkdale Library concept designs for public space	20,000							20,000	
SUBTOTAL GOAL 3:		7,823,378	(237,733)	200,000	32,500	-	-	-	7,818,145	-
<b>4- Our free-moving safe, prosperous and dynamic city</b>										
<b>Vibrant shopping centres and employment precincts (4.1)</b>										
<b>410-Vibrant precincts</b>										
C0010	Implement Structure Plans - (Moorabbin to Moorabbin)	205,000	45,000						250,000	C'Over \$45,000 to complete signage in 2019/20
C0277	Activity Centre Upgrades & Improvements	70,000							70,000	
C0417	Mentone Activity Centre - PIAZZA	-	885,743						885,743	C'Over \$885,743 for committed works in progress - completed August 2019
C0418	Mentone Activity Centre - GRANARY LANE	270,000	34,692						304,692	C'Over \$34,692 to complete landscaping
C0467	Mentone Precinct Open Space	2,000,000							2,000,000	
C0472	Parkdale Local Shopping Centre Enhancement	400,000	89,000						489,000	C'Over \$89,000 remaining to support implementation 2019/20
N0970	Moorabbin Activity Centre - Structure Plan	-	20,366						20,366	C'Over \$20,366 for committed works in progress
N0982	Smart City Initiatives	300,000	(41,300)						258,700	B'Fwd \$41,300 for advanced purchase of sensors
N0983	Christmas Decorations	40,000	20,963	(20,963)					40,000	C'Over \$20,963 remaining from 2018/19 C'Over \$20,963 to 2020/21 to continue program
<b>Rich in arts, innovation and tourism (4.3)</b>										
<b>430-Arts &amp; Tourism</b>										
C0104	Public Art	20,000							20,000	

2019-2020 CAPITAL PROGRAM		ADOPTED	REVISED ADJUST	REVISED ADJUST	REVISED ADJUST	REVISED ADJUST	REVISED ADJUST	REVISED ADJUST	FORECAST (SEPT)	REVISED ADJUST
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N0144	Kingston Hall - Facility Renewals	150,000	126,666						276,666	C'Over \$126,666 for lift renewal deferred during master plan review.
N0188	Kingston Arts Centre - Facility Renewals	65,000							65,000	
C0546	Kingston City Hall Master Plan Stage 2 (Plannin	150,000							150,000	
N0399	L.F. Payne Hall, Chelsea - Building Renewal	75,000							75,000	
N1041	Mural Art in Activity Centres	55,000							55,000	
N1042	Shirley Burke Theatre Facade	100,000							100,000	
<b>Integrated, accessible transport and a free-moving city (4.4)</b>										
<b>441-Connected Walking &amp; Cycleways</b>										
C0033	Bike & Walking Trails	150,000							150,000	
C0158	Cycling & Walking - East/West Cycleway	375,000							375,000	
C0346	GWR- Linking Karkarook Park to Clayton Road	700,000					486,978		1,186,978	C'Over \$486,978 Open Space Reserve funding to continue next stage in 2019/20
N0021	Bay Trail Stage Two Contract- Mentone to Renn	4,432,000	436,940			700,000		(413,500)	5,155,440	C'Over \$436,940 remaining balance for construction in 2019/20 - contract awarded at \$,5,155,440 Grant \$700,000 VicRoads income Transfer \$1,433,440 from Roads Prog as per 22 May Report Disperse \$1,600,000 to N1065 & \$296,940 to N1066
N1065	Bay Trail Stage Three - Rennison to Mordialloc	-						1,600,000	1,600,000	Disperse \$1,600,000 from N0021 for Stage 3 Works
N1066	Bay Trail - Consultants & Service Relocations	-				15,000		296,940	311,940	Disperse \$296,940 from N0021 for Consultancies and Service Relocations
<b>442-Traffic &amp; Transport</b>										
C0341	Edithvale Rd Pedestrian Crossing to Children's	-	12,839						12,839	C'Over \$12,839 for final payments for completed project
C0454	Intersection Signals Upgrades (Design & Install	100,000							100,000	
N0803	Minor Public Lighting Upgrades	80,000							80,000	
N0837	Traffic Signal Upgrades	105,000	54,221						159,221	C'Over \$54,221 for committed works in progress
<b>443-TRAFFIC MANAGEMENT IMPROVEMENT P</b>										
C0496	TM- French Avenue, Edithvale - Roundabout	-	15,000		133,000				148,000	C'Over \$15,000 for contract works in progress Grant \$133,000 VicRoads to be claimed in 19/20
N0117	Traffic Management Improvement Programs	670,000	(185,142)						484,858	B'Fwd \$185,142 for advanced delivery of various Traffic Management works in 2018/19
N0958	TM - Parkdale LATM (\$65k VicRoads)	-	(11,171)		13,000				1,829	B'Fwd \$11,171 for advance delivery in 2018/19 Grant \$13,000 VicRoads final claim in 2019/20
<b>SUBTOTAL GOAL 4:</b>		<b>10,512,000</b>	<b>1,503,817</b>	<b>(20,963)</b>	<b>146,000</b>	<b>715,000</b>	<b>486,978</b>	<b>1,483,440</b>	<b>14,826,272</b>	<b>-</b>

2019-2020 CAPITAL PROGRAM		ADOPTED	REVISED ADJUST	REVISED ADJUST	REVISED ADJUST	REVISED ADJUST	REVISED ADJUST	REVISED ADJUST	FORECAST (SEPT)	REVISED ADJUST
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<b>5- Our well governed and responsive organisation</b>										
A responsive and well-managed organisation (5.4)										
<b>541-Municipal Operations</b>										
C0011	Vehicles, Plant & Equipment Replacement (Ope	300,000	260,000						560,000	C'Over \$260,000 for contractual commitment to purchase replacement trucks - Delivery in 1st qtr.
C0533	1230 Nepean Hwy - Ground Floor Reception and	750,000							750,000	
C0534	1230 Nepean Hwy - Other levels Re-desking	250,000							250,000	
N0509	1230 Nepean Hwy - Programmed Renewal Work	209,000	(31,778)						177,222	B'Fwd \$31,778 for advanced delivery of program
N0795	1230 Nepean Highway - Oakleigh Room : Works	380,000							380,000	
<b>542-NEW DEPOT DEVELOPMENT</b>										
C0017	Garden Blvd Depot - Development	3,700,000	(680,116)						3,019,884	B'Fwd \$680,116 for advanced design and works associated with consolidation of depot operations.
<b>543-Community Facilities Renewal</b>										
C0315	Advanced Project Design & Feasibility Budget	100,000							100,000	
C0535	Major Community Facilities Advanced Design F	300,000							300,000	
N0024	Heating Ventilation and Cooling System Renew	175,000	(40,825)						134,175	B'Fwd \$40,825 for advanced delivery of program
N0025	Floor Coverings Renewal Program	150,000							150,000	
N0026	Kitchen & Toilets Renewal Program	150,000	(20,847)						129,153	B'Fwd \$20,847 for advanced delivery of program
N0027	Renewal Program identified from condition aud	1,184,501							1,184,501	Adjust to offset advanced spend in 2018/19 (funded by Asset Renewal Reserve)
N0028	Disability Audit Compliance - Building Upgrade	250,000							250,000	
N0030	Building OH&S Improvements	120,000							120,000	
N0793	Fire Hydrant Upgrades/Installations	-	27,407						27,407	C'Over \$27,407 for committed works in progress
N0984	Mordialloc Precinct Utilisation Study	50,000							50,000	
<b>543D-Buildings Demoliton Program</b>										
C0316	Building Demolitions Programme	150,000							150,000	
<b>544-Corporate Systems</b>										
C0060	Desktop Fleet - PC's and Notebooks	200,000							200,000	
C0061	System Security	65,000							65,000	
C0062	Communications	70,000							70,000	
C0064	Phone Projects	70,000	35,000						105,000	C'Over \$35,000 for committed works in progress
C0068	Asset Management System - Development & Su	50,000							50,000	
N0154	IS Strategy Implementation	180,000							180,000	

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N0155	Corporate Information	50,000							50,000	
N0156	Corporate Systems	400,000							400,000	
N0775	Asset Management Systems - Operational Func	-	60,000						60,000	C'Over \$60,000 for committed works on integrations
N0971	Hardware and Cloud Transition	1,040,000	155,000						1,195,000	C'Over \$155,000 to continue implementation of ICT Strategy
N1044	Mobile Work Order Solution	300,000							300,000	
	SUBTOTAL GOAL 5:	10,643,501	(236,159)	-	-	-	-	-	10,407,342	-
	<b>TOTAL - CAPITAL WORKS PROGRAM 2019/20</b>	<b>81,656,430</b>	<b>3,048,399</b>	<b>516,262</b>	<b>783,992</b>	<b>45,000</b>	<b>2,624,752</b>	<b>-</b>	<b>88,674,835</b>	<b>-</b>
		TRUE							TRUE	



# Ordinary Meeting of Council

23 September 2019

Agenda Item No: 10.3

## **FORMATION OF A SECTION 223 COMMITTEE PROPOSED SALE OF DISCONTINUED ROAD SIDE OF 2 DYSON ROAD AND REAR OF 44 WALKERS ROAD, CARRUM**

Contact Officer: Michelle Hawker, Senior Administration Officer

### **Purpose of Report**

The Purpose of this report is to establish a committee pursuant to section 223 of the Local Government Act 1989 to hear and consider submissions received in relation to the proposed sale of a discontinued road that adjoins 2 Dyson and 44 Walkers Rd Carrum.

### **Disclosure of Officer / Contractor Direct or Indirect Interest**

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

### **OFFICER RECOMMENDATION**

1. That Council appoint a committee in accordance with section 223 of the Local Government Act 1989;
2. That the committee comprise Councillors Oxley, Eden and Bearsley, Daniel Freer General Manager City Assets and Environment and Julian Harvey Manager Property and Arts; and
3. That the section 223 Committee, convene at 5pm on Monday 14 October 2019 to hear submissions and subsequently report to Council.

### **1. Executive Summary**

Council's Property department received a request in November 2017 from the owner at 2 Dyson Rd Carrum to purchase a section of a discontinued road enclosed within their property boundary.

### **2. Background**

In November 2017 Council received a request from the owners of 2 Dyson Rd Carrum with the proposal to purchase part of the discontinued road currently enclosed within their property as per the map below.



Internal feedback was sought, and our Infrastructure team advised they did not support the sale until further investigations were undertaken on the drainage infrastructure around the area. Council completed CCTV drainage inspections which showed minor defects to easement pipes that have since been repaired by Council's maintenance department back in early October 2018.

Confirmation from the infrastructure team was received on 27 December 2018 to proceed with the proposed sale subject to drainage easement rights in favour of council.

Discussion took place with the adjoining owner at 44 Walkers Rd Carrum who also wished to purchase part of the Right of way. The owner of 2 Dyson road has expressed they are not wanting to part with any of the land and wish to purchase the whole area as highlighted in the map.

Council's policy indicates land is to be offered as near as is practical to be allocated equally amongst abutting owners. Where a property owner is found to have been in clear occupation of the land, they are entitled to the first opportunity to purchase the land. The land in question is fully enclosed within the boundary of 2 Dyson Rd Carrum and has been for over 25 years however during this time there have been requests from abutting 44 Walker road to purchase this land. Council reserves its right to apportion the land at its sole discretion.

A public notice regarding the intention to sell the land was published in the local newspaper and on Council's website on 5 June 2019 as per the requirements of the local government act. Adjoining property owners were also notified by mail.

The statutory period for receipt of submissions closed on 3 July 2019 and one submission has been received. The proposed purchaser was advised that a submission was received, and he would also like to attend the meeting.

**3. Discussion**

**3.1 Council Plan Alignment**

Goal 1 - Our well-planned, liveable city supported by infrastructure to meet future needs  
Direction 1.1 - Intergenerational land use planning for a sustainable community

**3.2 Consultation/Internal Review**

Public consultation in respect to the proposal was undertaken in accordance with the requirements of the Local Government Act.

Adjoining owners

All adjoining owners have been notified of the proposal. An original application to purchase the land was received from 2 Dyson Road and one submission was received from abutting 44 walker road requesting to also purchase part of the parcel of land.

Internal

Internal feedback has been sought and no objections were raised to the sale.

**3.3 Operation and Strategic Issues**

Compliance with the Discontinuance and Sale of Roads Rights of ways and Drainage Reserve Policy

**3.3.1 Statutory Process**

In accordance with Section 189 of the Local Government Act, Council is required to give public notice if its intention to sell land. Any person may make a submission which must be considered under Section 223 of the Local Government Act 1989. If submissions are received, they will be considered by a committee of Council comprising of the South Ward Councillors General Manager City Assets and Environment and Manager Property and Arts.

**3.4 Options**

**3.4.1 Option 1**

To appoint a committee in accordance with section 223 of the Local Government Act 1989. Comprised of Cr's Oxley, Eden and Bearsley, the General Manager City Assets and Environment and Manager Property and Arts.

**3.4.2 Option 2**

Council directly hear and consider the two submissions received

**4. Conclusion**

**4.1 Environmental Implications**

Nil

**4.2 Social Implications**

Nil


**4.3 Resource Implications**


Nil

**4.4 Legal / Risk Implications**

Pursuant to Sections 206(1) and clause 3 of Schedule 10 of the Act Council has given public notice that it may decide to sell all of the land or part of the land by Private treaty.

**Appendices**

Appendix 1 - Proposed Purchase of discontinued road side of 2 Dyson Rd Carrum (Ref 19/198924)  [↓](#)

Appendix 2 - Submission - sale of discontinued road rear of 44 Walkers Rd and side of 2 Dyson Rd Carrum (Ref 19/180525)  [↓](#)

Author/s: Michelle Hawker, Senior Administration Officer  
Reviewed and Approved By: Julian Harvey, Manager Property and Arts  
Daniel Freer, General Manager City Assets and Environment

# 10.3

## FORMATION OF A SECTION 223 COMMITTEE PROPOSED SALE OF DISCONTINUED ROAD SIDE OF 2 DYSON ROAD AND REAR OF 44 WALKERS ROAD, CARRUM

- 1 Proposed Purchase of discontinued road side of 2 Dyson Rd Carrum..... 229
- 2 Submission - sale of discontinued road rear of 44 Walkers Rd and side of 2 Dyson Rd Carrum ..... 231

**Michelle Hawker**

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**From:** Jarrod Williams <jarrod@utopianbuildinggroup.com.au>  
**Sent:** Monday, 13 November 2017 11:28 AM  
**To:** Michelle Hawker  
**Cc:** Megan  
**Subject:** 2 Dyson Road Carrum  
**Attachments:** DOC011117.pdf

Good morning Michelle, I have just purchased 2 Dyson Road on the weekend and would be interested in purchasing a part of the old laneway that is positioned next to my block. I have received the attached letter today from Hocking Stuart regarding conditions of the sale of the lane way. Could you please make contact so we can discuss this further? Thanks.

Regards,

Jarrod Williams



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1/37 Yazaki Way, Carrum Downs, VIC, 3201  
M 0425 766 911 E jarrod@utopianbuildinggroup.com.au  
P (03) 9783 0832 W www.utopianbuildinggroup.com.au  
F (03) 9783 0770

MANAGER PROPERTY AND ARTS.  
RE: PROPOSED SALE OF DISCONTINUED ROAD ABUTTING  
2 DYSON RD AND 44 WALKERS RD CARRUM.

REGINA MACKAY  
44 WALKERS ROAD  
CARRUM  
VICTORIA - 3197.  
28/6/2019.

Dear Sir/Madam,

I wish to buy  $\frac{1}{4}$  of the Lane way at the back of my property of 44 Walkers road Carrum. My Parents did have use of this piece of Land and did use it. And it was only for 44 walkers road and it had nothing to do with 2 Dyson road. I wish to erect a new back fence.

Thankyou,  
Regina Mackay

# Ordinary Meeting of Council

23 September 2019

**Agenda Item No: 10.4**

## **RESPONSE TO NOTICE OF MOTION 9/2019 - CLAYTON BOWLS CLUB**

**Contact Officer: Daniel Ferguson, Project Consultant**

### **Purpose of Report**

This report responds to a Councillor Notice of Motion and seeks support for the development of a business case for the Clayton Bowls Club proposal for development of an indoor green.

### **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. Acknowledges the request from Clayton Bowls Club for support to develop an indoor bowling green at Namatjira Reserve, Clayton South at estimated cost of \$5.6M;
2. Receive a comprehensive and detailed business plan, including an independent financial assessment of the Clayton Bowls Club's financial model for the development of an indoor bowling green and consideration of alternative strategic options;
3. Refer the allocation of funding to engage a suitable independent consultant to prepare a comprehensive and detailed business plan to the 2019/20 mid-year budget review for Council consideration.

### **1. Executive Summary**

The Clayton Bowls Club is seeking Council funding assistance and an extended lease term to progress the development of an Indoor Bowling Green at Namatjira Park, Clayton South estimated at \$5,600,000.

For Council to further consider this proposal it is recommended that Council refer the allocation of funding to engage a suitable independent consultant to prepare a comprehensive and detailed business plan, including a financial assessment for the proposed development of an indoor bowling green and alternative strategic options to the mid-year budget review for Council consideration.

The development of a business case will inform the level of future support and role Council may provide to the Project, including a possible future funding contribution.



## **2. Background**

The Clayton Bowls Club (the Club) is a tenant at Namatjira Reserve, Clayton South (refer Appendix 1) which it has occupied facilities under various Crown Land lease agreements since 1961. The Club has progressively upgraded its facilities overtime which now include:

- Three outdoor turf bowling greens;
- A large club house containing a 120-seat bistro, 200 capacity functions room, alfresco entertaining area for 400 guests and 29 electronic gaming machines; and
- Car parking.

At the 25 March 2019 Ordinary Council meeting, Council through a Notice of Motion (No. 9/2019) resolved:

*“That Council officers prepare a report examining the plans presented by the Clayton Bowls Club.*

*Further that Officers prepare a draft response for Councillors to consider regarding statutory planning, open space and the current lease area issues.*

*Further that if planning issues don't pose concerns, officer also prepare advice to councillors on the next steps for consideration on the development of this facility.”*

### **Clayton Bowls Club Proposal for Covered Indoor Bowling Green**

The Club has approached Council to seek partnership funding, landlord consent/support and extended lease to construct a fully enclosed indoor bowling green on one of its existing greens (Green 3 – refer Appendix 1). The Club's proposed project scope also includes some minor modifications to the existing clubhouse to support an integrated and accessible facility. The internal modifications include remodelling of the existing bar/kitchen areas, ramps/access paths and additional storage facilities.

The Club has engaged an architect to prepare concept level plans to demonstrate its proposal. Council has provided advice and support to the Club including the provision of a Quantity Survey report to determine the likely construction cost. This report identifies the total cost of the Project at \$5.6Million (refer to Appendix 2).

The Club has also prepared a project feasibility and submitted its Strategic Plan 2018/22, which are set out as Appendix 3 and 4.

The Club claims the following benefits of the Project:

- Help attract additional events, eg potential State and National events;
- Provide a competition and training facility for its talented teams (Premier League);
- Help it maintain its status of the region's elite pathway club for lawn bowls;
- Attract a broader range of new facility users i.e. schools, mothers/fathers bowling with babies, all abilities etc; and
- Enhance the financial sustainability of the Club.

The Club is a not for profit Incorporated Association, which operates under a board of directors made up of volunteers. Whilst the Club's mission and purpose is to “conduct, encourage, promote, advance and administer bowls throughout its local area”, it also operates a hospitality and food/beverage business which employs staff to operate the commercial aspects of the business.

The Club reports a total membership of 452, comprising 122 bowls and 330 social. The Club provides participation opportunities seven days per week for its members and non-members via tournaments, pennant bowls, barefoot bowls, triple bowls and social activities (cards, trivia etc).

#### **Leasing and Land Ownership**

Namatjira Reserve is owned by the Crown and Council is the delegated Committee of Management. Ministerial approval is required for any new or variation to lease. The Club's current lease agreement is due to expire in June 2020.

Total rent payable by the Club for 2018/19 was a total of \$36,592.36. To assist the Club with its cash flow and business requirements, a re-payment plan has been negotiated and agreed with the Club.

#### **Statutory Planning Considerations**

Preliminary town planning advice has been sought for the project and is summarised below:

- The subject site is located in the Public Park and Recreation Zone and has an overlay of SBO (Special Building Overlay);
- The land is subject to 'Areas of Aboriginal Cultural Heritage Sensitivity' and a Cultural Heritage Management Plan may be required;
- Environmental Site Assessment (ESA) - The proposed construction area adjoins with the existing car parking area, which is identified as contaminated land. An ESA may be required prior to any works;
- If the Clayton Bowls Club were to lead and fully fund the development, pursuant to the Clause 36.02-2 – Public Park and Recreation Zone, a planning permit is required for a building or works; and
- If Council were to project manage the works, a planning permit would not be required as it will be considered to be undertaken by the Public Land manager and an exemption would apply.

The town planning advice is not extraordinary and does not prohibit the Project.

#### **Strategic Alignment**

Council's Sport and Recreation Strategy identifies that there is only small growth in lawn bowling, across the 8 clubs within Kingston, expected to 2036. The Strategy also notes that the current 16 greens should be capable of absorbing any increased demand.

The Strategy does not provide a view or direction regarding indoor bowling greens, of which there are none within the City. The Strategy's key recommendation relating to lawn bowling is that Council "work with all bowling clubs in Kingston to ensure a sustainable framework of facilities are available to meet the needs of a growing Kingston population".

The Club's proposal does not appear to have strong multi-use sport and recreation outcomes when compared with other similar indoor sporting facilities such as high ball courts (basketball, netball, badminton etc). This is due to indoor bowling green's having a single use specialised performance surface, which do not cater well for other activities such as dance or corporate events. Officers also have concerns with the likelihood of schools and other community groups accessing a facility that has a gaming machine enterprise.

Whilst the new facility helps establish the Club as a leading regional club, its proposal does not present a compelling case for increasing participation in lawn bowls and or other sport and recreation activities. It is therefore questionable as to the broader public value the project offers for Council investment.

### **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

Council's support of Bowls clubs within the municipality supports the provision of a diverse offering of sport and recreation activities to enable all members of the community to live an active, healthy and involved community life.

#### **3.2 Consultation/Internal Review**

Officers have undertaken several meetings with Club's representatives and has also included preliminary discussions with the State Member for Clarinda about potential funding opportunities.

#### **3.3 Operation and Strategic Issues**

##### **3.3.1 Sport and Recreation Benefits – Public Value**

Whilst the Project will provide benefits for bowling activities, it is unlikely to provide other sport and recreation benefits, mainly as the facility is specifically designed for bowling activities. Indoor bowling green manufacturers advise that the indoor carpeted surfaces should only be used with specific footwear and the placement of chairs/tables etc should be avoided. For non-bowling use, the carpeted surface must be covered with a suitable material i.e plywood.

The provision of indoor bowling greens was not raised or identified as a key matter for consideration as part of the development of Council's Sport and Recreation Strategy 2018.

##### **3.3.2 Project Funding**

The Club has limited funding to meet the \$5.6M Project cost. Other considerations include:

- The Club's current financial position demonstrates it has limited cash reserves;
- The Club has indicated that it is willing to take out finance, potentially through an interest free loan offered by the State Government. Given the significant construction cost, the total amount the Club can secure is unknown at this time and subject to independent financial assessment;
- The ongoing costs associated with the operation, maintenance and renewal of the Project has not been identified i.e. renewal, utility costs, programming etc;
- The Club is seeking, but has not secured, funding from Commonwealth and State governments; and
- Council's Forward Capital program does not identify funding for the Project.

**3.3.3 Business Planning**

The Club's business and feasibility planning for the Project is limited and does not present a strong proposition for investment by other parties, including Council. A good next step for the project may be the development of a comprehensive and detailed business plan for the project that clearly demonstrates project outcomes and funding investments.

In the absence of a comprehensive and detailed business plan, there is considerable risk to Club, Council and other parties with the Project.

Council could provide funding to assist the preparation a business plan, which would assist the Club to attract Commonwealth and State funding, through grants and/or loan schemes. It is preferable that a business plan is prepared by independent accredited consultant/s.

The Business plan could also assist to demonstrate recreational and sporting outcomes to be provided by the Project and /or alternative strategic options to encourage bowling activities.

**3.3.4 Bowling Club's lease**

With the Club's current Crown Land Lease expiring in June 2020 a new lease is proposed to be negotiated with the Club, pursuant with Council's Lease and License Policy. The term of the lease will be subject to the likelihood of the Project proceeding and requirements of potential funding contributions made by Commonwealth or State Governments. A potential loan to the Club may also have implications with a future lease term.

In the absence of funding support for the Project, a future lease term is likely to be 9 years (similar to the current lease term). A longer 21-year term could be negotiated if the proposed redevelopment progresses. This approach would be consistent with Council's Lease and License Policy where long term leases can be offered to tenants who make considerable investment into the facilities. This would allow any funding partners surety they would receive adequate return on investment for a financial contribution towards to the project

**3.3.5 Council's role and project staging**

Council's Sport and Recreation Strategy identifies Council's role with the future provision of sport and recreation facilities and services as one/or more of the following:

<b>PLAN</b>	<i>Facilitate the planning, development and management of sport and recreation facilities and services to cater for identified current and future community needs.</i>
<b>PROVIDE</b>	<i>Provide sport and recreation facilities and services through direct funding, shared funding, and facilitated funding arrangements.</i>
<b>SUPPORT</b>	<i>Support clubs, other community groups, and management entities with the development, management and maintenance of sport and recreation facilities.</i>
<b>PARTNER</b>	<i>Work with the community, local clubs, associations, education (private and government providers) to ensure that sport and recreation facilities, programs and services meet community needs and optimise investment opportunities.</i>

Council may support the Club through a staged process, commencing with the development a business plan for the Project as an initial step. Further steps for the Project would be approved by Council and subject to its consideration of a detailed and comprehensive business plan.

#### **4. Conclusion**

The Club highlights in its strategic plan (Appendix 4) that it seeks to have the indoor bowling green established by the summer of 2020. This timeframe is quite ambitious given the Project is still within the pre-planning stages, with no confirmed funding partners to realise its implementation.

For Council to further consider this proposal it is recommended that Council refer the allocation of funding to engage a suitable independent consultant to prepare a comprehensive and detailed business plan for the proposed development of an indoor bowling green and alternative strategic options to the mid-year budget review for Council consideration.

The development of a business case will inform the level of future support and role Council may provide to the Project, including a possible future funding contribution.

##### **4.1 Environmental Implications**

Any development undertaken on site will consider any environmental impacts and opportunities to realise improved sustainability measures.

##### **4.2 Social Implications**

The Project does not involve any works to the Club's gaming area and is considered a separate business function of the Club. Council's Gambling Policy and Action Plan 2014-2019 can be applied in several ways to the Project such as an indoor facility provides alternative recreation activities to gaming, even though it is located within a gaming establishment.

##### **4.3 Resource Implications**

A high-level cost for this project is estimated at \$5.6M (Appendix 2).



The Club has limited funding to meet the Project cost and is reliant upon external funding to meet project funding.



Council funding towards the Project is not identified within Council's Strategic Capital Financial Plan.



##### **4.4 Legal / Risk Implications**

Council's Leasing and License Policy governs future leasing arrangements at the site and any legal implications arising from occupancy agreements will be considered.

## Appendices

Appendix 1 - Aerial of Namatjira Park - Clayton Bowls Club (Ref 19/202232)  

Appendix 2 - Clayton Bowls Club - Cost Plan C (Ref 19/212397)  

Appendix 3 - Feasibility study into a covered synthetic green for Clayton Bowls Club  
(Ref 19/212464)  

Appendix 4 - Clayton Bowls Club - Strategic-Plan-2018-2022 (Ref 19/200422)  



Author/s: Daniel Ferguson, Project Consultant  
Reviewed and Approved By: Mark Stockton, Team Leader Sport and Recreation  
Bridget Draper, Manager Active Kingston  
Daniel Freer, General Manager City Assets and Environment

# 10.4

## RESPONSE TO NOTICE OF MOTION 9/2019 - CLAYTON BOWLS CLUB

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4	Clayton Bowls Club - Strategic-Plan-2018-2022 .....	275



 <p>City of KINGSTON</p>	<p>This map contains Vicmap information, Department of Environment and Primary Industries, 2014. <b>Disclaimer:</b> This material may be of assistance to you but the state of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or consequences which may arise from your relying on any information contained in this material. Using or copying parts of this document is prohibited without Councils written Authority</p>	Clayton Bowls Club @ Namatjira Park, Clayton South.		16/08/2019	
				Scale 1:2000	





City of Kingston  
Clayton Bowls Club  
Cost Plan C

**Cost Report**  
23 August 2019



## Document History and Status

Client	City of Kingston
Project Name	Clayton Bowls Club
Property Address	37A Springs Road, Clayton South, VIC 3169
Date	23/08/2019
Client Representative	Fiona Baxter

Consultant	Currie & Brown
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Address	Level 2, 179 Queen Street Melbourne VIC 3000 Australia
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Revision	Date issued	Author/s	Reviewed by	Approved by
Revision 00	23/08/2019	SC	TR	MC

## Distribution of copies

Revision	Date Issued	Quantity	Issued to
Revision 00	23/08/2019	1 PDF copy	Fiona Baxter

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City of Kingston  
Clayton Bowls Club

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## 1. Executive Summary

This report was prepared by Currie & Brown, at the request of City of Kingston to provide an assessment of the proposed refurbishment of Clayton Bowls Club, as per the Schematic Design documents prepared by WG Architects (Refer to Section 5 for the full particulars).

Our current estimate for the proposed works is in the approximate amount of **\$5,600,000** **excluding GST** (Refer to Appendix A for details) and is summarised below,

REF	Summary	Estimate (\$) Rev 0
1	SUBSTRUCTURE	582,095
2	COLUMNS / ROOF	786,163
3	STAIRCASES	11,000
4	EXTERNAL WALLS / WINDOWS / DOORS	471,510
5	INTERNAL WALLS / SCREENS / DOORS	163,463
6	WALL FINISHES	54,925
7	FLOOR FINISHES	325,975
8	CEILING FINISHES	50,805
9	FITMENTS	122,800
10	SPECIAL EQUIPMENT	300,000
11	HYDRAULIC SERVICES	26,250
12	MECHANICAL SERVICES	272,255
13	FIRE PROTECTION SERVICES	41,673
14	ELECTRICAL SERVICES INCLUDING COMMUNIC	410,470
15	SITE SERVICES INFRASTRUCTURE	193,500
16	LANDSCAPING AND IMPROVEMENTS	80,845
17	<b>TOTAL BUILDING COSTS</b>	<b>3,893,729</b>
18	PRELIMINARIES (12%)	467,247
19	MARGIN (3%)	130,829
20	<b>NETT CONSTRUCTION COST [NCC]</b>	<b>4,491,805</b>
21	DESIGN CONTINGENCY (5%)	224,590
22	CONSTRUCTION CONTINGENCY (5%)	224,785
23	<b>TOTAL CONSTRUCTION COSTS</b>	<b>4,941,180</b>
24	AUDIO / VISUAL INSTALLATION	50,000
25	LATENT CONDITIONS	50,000
26	ESD INITIATIVES	75,000
27	INFORMATION COMMUNICATION & TECNOLC	30,000
28	CONSULTANTS FEES	360,000
29	HEADWORKS & AUTHORITY CHARGES	43,819
30	CLIENT MANAGEMENT COST	50,000
31	<b>TOTAL PROJECT END COST (excl GST)</b>	<b>5,600,000</b>

We note that we have included 12% preliminaries and 3% margin based on benchmarking past projects of similar nature.

Our current estimate includes a number of assumptions which may have cost impacts to our current estimate, and these are as listed in section 3 of this report.

All the amounts in this report are quoted in Australian dollars and are exclusive of GST.

## 2. Risk

Our estimate includes an allowance of \$449,375 to cover design and construction contingency.

The design contingency is an allowance for an increase in the building cost or design development when the design, construction materials and methods are known. This has been included at 5% of the net construction cost.

The construction contingency is an allowance for construction costs in excess of the initial contract sum arising during construction as a result of variation to the contract. This has been allowed at 5% of the estimated construction tender.

## 3. Assumptions

- The project will be competitively tendered and use a lump sum standard form of construction contract
- All works to be undertaken during standard working hours where possible
- No allowance for heating or cooling to the Bowling Green area (ventilation only)
- Allowance for 12 independent columns to support laminated timber roof beams
- Allowance for carpet and localised paint finish to walls and ceilings in Members Lounge and Function Room

## 4. Exclusions

- Goods and Services Tax
- Direct Client Costs beyond those identified
- Construction Insurance
- Hazardous Material Removal, where applicable (beyond the allowance included)
- Diversion of Existing Services
- Client Landscape
- Any works to existing building other than that described

## 5. Documentation

### **Architectural Drawings by WG Architects**

Dated 5 August 2019

- SK-002 EXISTING SITE PLAN
- SK-003 EXISTING GROUND FLOOR PLAN
- SK-004 EXISTING ELEVATIONS/SECTION
- SK-005 PROPOSED SITE PLAN
- SK-006 PROPOSED FLOOR PLAN
- SK-007 PROPOSED ELEVATIONS
- SK-008 SECTIONS
- SK-009 PROPOSED ROOF PLAN

## Appendix A – Estimate Summary





**Summary**

<b>Project:</b> Clayton Bowls Club	<b>Details:</b> 117921 Cost Plan 1 - R.1
<b>Building:</b> 117921 Clayton Bowls Club	

	Description	Quantity	Unit	Rate	Total
1	SUBSTRUCTURE	2,411	m2	241.43	582,095
2	COLUMNS / ROOF	2,411	m2	326.07	786,163
3	STAIRCASES	2,411	m2	4.56	11,000
4	EXTERNAL WALLS / WINDOWS / DOORS	2,411	m2	195.57	471,510
5	INTERNAL WALLS / SCREENS / DOORS	2,411	m2	67.80	163,463
6	WALL FINISHES	2,411	m2	22.78	54,925
7	FLOOR FINISHES	2,411	m2	135.20	325,975
8	CEILING FINISHES	2,411	m2	21.07	50,805
9	FITMENTS	2,411	m2	50.93	122,800
10	SPECIAL EQUIPMENT	2,411	m2	124.43	300,000
11	HYDRAULIC SERVICES	2,411	m2	10.89	26,250
12	MECHANICAL SERVICES	2,411	m2	112.92	272,255
13	FIRE PROTECTION SERVICES	2,411	m2	17.28	41,673
14	ELECTRICAL SERVICES INCLUDING COMMUNICATIONS AND SECURITY	2,411	m2	170.25	410,470
15	SITE SERVICES INFRASTRUCTURE	2,411	m2	80.26	193,500
16	LANDSCAPING AND IMPROVEMENTS	2,411	m2	33.53	80,845
	<b>TOTAL BUILDING WORKS</b>	2,411	m2	1,614.98	<b>3,893,729</b>
17	PRELIMINARIES (12%)				467,247
18	MARGIN (3%)				130,829
	<b>NETT CONSTRUCTION COST [NCC]</b>	2,411	m2	1,863.05	<b>4,491,806</b>
19	DESIGN CONTINGENCY (5%)				224,590
20	CONSTRUCTION CONTINGENCY (5%)				224,785
21	OTHER PROJECT COSTS				
22	AUDIO / VISUAL INSTALLATION		Item		50,000
23	LATENT CONDITIONS		Item		50,000
24	ESD INITIATIVES		Item		75,000
25	INFORMATION COMMUNICATION & TECNOLOGIES		Item		30,000
26	CONSULTANTS FEES		Item		360,000
27	HEADWORKS & AUTHORITY CHARGES		Item		43,819
28	CLIENT MANAGEMENT COST		Item		50,000
	<b>TOTAL PROJECT END COST [TEC]</b>	2,411	m2	2,322.69	<b>5,600,000</b>

## Appendix B – Estimate Details

## Elemental Details

<b>Project:</b> Clayton Bowls Club	<b>Details:</b> 117921 Cost Plan 1 - R.1
<b>Building:</b> 117921 Clayton Bowls Club	

Auto code	Description	Quantity	Unit	Rate	Total
<b>1 SUBSTRUCTURE</b>					
<b>Site Clearing / Earthworks</b>					
1	Demolish bowling green surface and surrounding paving, foundations and infrastructure works	2,024	m2	20.00	40,480
2	Demolish asphalt paving	213	m2	15.00	3,195
3	Demolish building structure and Bowls kitchen	112	m2	100.00	11,200
4	Demolish and remove entry door	1	no	100.00	100
5	Demolish perimeter fencing incl foundations and double gate	145	m	10.00	1,450
6	Relocate 9m diameter water tank	1	item	5,000.00	5,000
7	Remove above ground fixtures to water bore and make good for new works	1	item	2,500.00	2,500
8	Remove 4.5 x 3.5 shed and prepare area for new works	1	item	1,500.00	1,500
9	Client to salvage landscaping elements for re-use		Note		
10	Excavate in soil as found for new bowling green slabs :[2,289 m2]	1,855	m3	35.00	64,925
<b>Substructure</b>					
11	Excavate in soil as found for slab thickenings and footings	257	m3	75.00	19,275
12	Trim pad to level for new slabs on ground	2,289	m2	5.00	11,445
<b>Footing</b>					
13	Allow for footing to columns	12	no	1,500.00	18,000
<b>Floor Slab</b>					
14	Sand / Crushed rock filling compacted under ground slab	2,303	m2	25.00	57,575
15	Concrete slab on ground including thickenings, formwork and reinforcement (allow 150 thick)	2,303	m2	150.00	345,450
					<b>582,095</b>

## 2 COLUMNS / ROOF

<b>Columns / Support Posts</b>					
1	Allowance for columns / posts to support timber beams tied back to block walls 3500 high	12.00	no	1,500.00	18,000
<b>Roof Frame</b>					
2	Allowance for curved timber laminate beams with 48m span incl connections	6.00	no	24,880.00	149,280
3	Laminated timber beams / purlins	315	m	400.00	125,998
4	Timber framing to new roof over existing	239	m2	250.00	59,750
<b>Roofing</b>					
5	Kingspan trapezoid insulated core roof sheeting incl all flashings etc	2,229	m2	150.00	334,350
6	Zincalume roofing to new roof over existing	239	m2	75.00	17,925
7	Allow for roof drainage incl all cappings, flashings, gutters and downpipes	2,468	m2	20.00	49,360
<b>Plant Platform</b>					
8	Allowance for plant platform	23	m2	500.00	11,500
9	Allowance for access to plant platform		Item		5,000
<b>Roof Safety</b>					
10	Allowance for fall arrest system		Item		15,000

## Elemental Details

<b>Project:</b> Clayton Bowls Club	<b>Details:</b> 117921 Cost Plan 1 - R.1
<b>Building:</b> 117921 Clayton Bowls Club	

Auto code	Description	Quantity	Unit	Rate	Total
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**2 COLUMNS / ROOF** (Continued)  
**786,163**

**3 STAIRCASES**

<b>External Stairs / Ramps</b>					
1	Concrete stairs complete with handrails, tactiles etc	0.6	m/rise	2,500.00	1,500
2	Concrete wheelchair ramps with rails (1:14) rise of 600mm	2	no	3,000.00	6,000
3	Concrete ramp (1:10) rise of 600mm	1	no	3,500.00	3,500
					<b>11,000</b>

**4 EXTERNAL WALLS / WINDOWS / DOORS**

<b>Masonry Wall</b>					
1	200 core filled and reinforced masonry walls	490	m2	350.00	171,500
2	Render and paint to masonry wall	46	m2	65.00	2,990
<b>Cladding</b>					
3	9mm Exotec cladding on top hats fixed to masonry wall (FC01) with paint finish	204	m2	180.00	36,720
4	Dampalon Dampatherm cladding system with K7/12 printed finish	244	m2	350.00	85,400
<b>Windows / Louvres</b>					
5	Aluminium framed and glazed windows	74	m2	900.00	66,600
6	Auto sliding glazed doors	15	m2	1,200.00	18,000
7	Glazed Bifold doors	18	m2	1,200.00	21,600
8	Glazed Louvres	52	m2	900.00	46,800
<b>Doors</b>					
9	Single solid core doors, frames and hardware incl paint finish	4	no	2,850.00	11,400
10	Double solid core doors, frames and hardware incl paint finish	1	no	4,500.00	4,500
11	Form opening and install new door, frame and hardware	1	item	6,000.00	6,000
					<b>471,510</b>

**5 INTERNAL WALLS / SCREENS / DOORS**

<b>Internal Blockwalls</b>					
1	200 core filled and reinforced masonry walls	37	m2	350.00	12,950
<b>Partition Walls</b>					
2	Stud partition walls lined both sides with plasterboard / FC sheet incl insulation	100	m2	140.00	14,000
<b>Internal Glazing</b>					
3	Windows	56	m2	700.00	39,200
4	Auto Sliding doors	7	m2	1,200.00	8,400
5	Glazed balustrades	59	m	1,000.00	59,000
<b>Internal Doors</b>					
6	Single doors	5	no	2,850.00	14,250
7	Double doors	1	no	4,500.00	4,500
8	3500 wide servery roller door	1	no	3,600.00	3,600

## Elemental Details

<b>Project:</b> Clayton Bowls Club	<b>Details:</b> 117921 Cost Plan 1 - R.1
<b>Building:</b> 117921 Clayton Bowls Club	

Auto code	Description	Quantity	Unit	Rate	Total
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### 5 INTERNAL WALLS / SCREENS / DOORS (Continued)

9	4500 wide servery roller door	1	no	5,062.50	5,063
	<b>Sundry</b>				
10	Allowance for sundry hardware, seals etc		Item		2,500

**163,463**

### 6 WALL FINISHES

	<b>Cladding</b>				
1	9mm Exotec cladding on top hats fixed to masonry wall (FC01)	204	m2	180.00	36,720
	<b>Render</b>				
2	Render to existing ext block walls	44	m2	65.00	2,860
	<b>Painting</b>				
3	Paint to plasterboard / FC cladding	199	m2	20.00	3,980
4	Paint to render	44	m2	25.00	1,100
5	Paint to single doors and frames	5	no	150.00	750
6	Paint to double doors and frames	1	no	265.00	265
	<b>Specialist Finishes</b>				
7	Extra over for specialist finishes to kitchen / bar areas	37	m2	250.00	9,250

**54,925**

### 7 FLOOR FINISHES

	<b>Applied Finish</b>				
1	Applied Pebble Dash paving (CO01) to perimeter concrete slab	740	m2	65.00	48,100
	<b>Bowling Green Finish</b>				
2	TigerTurf or similar finish to bowling green area	1,598	m2	150.00	239,700
	<b>Carpet</b>				
3	Carpet to new areas	38	m2	75.00	2,850
4	Carpet to existing Members Lounges and Function Room areas	281	m2	75.00	21,075
	<b>Specialist Finishes</b>				
5	Specialist finishes to Kitchen / Bar areas	37	m2	250.00	9,250
	<b>Sundry</b>				
6	Allowance for sundry trims, seals etc		Item		5,000

**325,975**

### 8 CEILING FINISHES

	<b>Suspended Ceilings</b>				
1	Suspended ceilings to new areas (Prefinished)	38	m2	120.00	4,560
2	Suspended ceilings to existing Members Lounge and Function Room (Prefinished)	281	m2	120.00	33,720
3	Flush set plasterboard ceiling to Kitchen / Bar areas	37	m2	150.00	5,550
	<b>Bulkhead</b>				

## Elemental Details

<b>Project:</b> Clayton Bowls Club	<b>Details:</b> 117921 Cost Plan 1 - R.1
<b>Building:</b> 117921 Clayton Bowls Club	

Auto code	Description	Quantity	Unit	Rate	Total
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### 8 CEILING FINISHES (Continued)

4	Construct new bulkhead	6	m2	150.00	900
	<b>Painting</b>				
5	Paint to ceilings and bulkheads	43	m2	25.00	1,075
	<b>Sundry</b>				
6	Allowance for sundry trims, cornices, seals etc		Item		5,000

**50,805**

### 9 FITMENTS

	<b>Seating</b>				
1	Tiered seating at rear of bowling green area	44	m	1,500.00	66,000
2	2500 long seating	8	no	2,500.00	20,000
3	Relocatable access ramp	1	no	2,000.00	2,000
	<b>Fitments</b>				
4	Bench to Bowls Office	3	m	850.00	2,550
5	Servery counters	11	m	650.00	7,150
6	Work benches	13	m	1,200.00	15,600
7	Island bench to kitchen	1	no	7,500.00	7,500
8	Shelving to Store	1	item	2,000.00	2,000

**122,800**

### 10 SPECIAL EQUIPMENT

	<b>Special Equipment</b>				
1	Projector scoreboard and big screen	1	item	50,000.00	50,000
2	Allow to fitout new kitchen and bar	1	item	250,000.00	250,000

**300,000**

### 11 HYDRAULIC SERVICES

	<b>New Kitchen &amp; Bar</b>				
1	Allow to provide hydraulic services, water, drainage, gas etc to the new kitchen and bar area	1	item	25,000.00	25,000
2	BWIC (5%)	1	item		1,250

**26,250**

### 12 MECHANICAL SERVICES

	<b>Mechanical Services</b>				
1	To new bowling green addition	2,338	m2	100.00	233,800
2	To extensions to existing	74	m2	100.00	7,400
3	Warranty, Maintenance, Shop Drawings, Commissioning, As-Builts	1	Item		18,090
4	BWIC	1	item		12,965

**272,255**

## Elemental Details

<b>Project:</b> Clayton Bowls Club	<b>Details:</b> 117921 Cost Plan 1 - R.1
<b>Building:</b> 117921 Clayton Bowls Club	

Auto code	Description	Quantity	Unit	Rate	Total
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### 13 FIRE PROTECTION SERVICES

<b>Fire Protection Services</b>					
1	To new bowling green addition (dry fire only)	2,338	m2	15.00	35,070
2	To extensions to existing (dry fire only)	74	m2	25.00	1,850
3	Warranty, Maintenance, Shop Drawings, Commissioning, As-Builts	1	Item		2,769
4	BWIC	1	item		1,984

**41,673**

### 14 ELECTRICAL SERVICES INCLUDING COMMUNICATIONS AND SECURITY

<b>Electrical Services</b>					
1	To new bowling green addition	2,338	m2	150.00	350,700
2	To extensions to existing	74	m2	175.00	12,950
3	Warranty, Maintenance, Shop Drawings, Commissioning, As-Builts	1	Item		27,274
4	BWIC	1	item		19,546

**410,470**

### 15 SITE SERVICES INFRASTRUCTURE

<b>Site Services Infrastructure</b>					
<u>Mechanical</u>					
1	External Gas Reticulation		Item		7,500
2	Internal Gas Reticulation		Item		7,500
3	Mechanical Services Switchboard		Item		10,000
<u>Electrical</u>					
4	Site Main Switchboard alterations		Item		10,000
5	Communication Cabinets		Item		5,000
6	Security Head End		Item		7,500
7	CCTV Head End		Item		5,000
8	MATV Head End		Item		2,500
9	PA Head End		Item		2,500
10	External Building Lighting		Item		40,000
11	Infrastructure, cable support systems, distributions boards		Item		5,000
12	Submain cabling		Item		5,000
13	CCTV Cameras		Item		10,000
14	Access Control		Item		10,000
<u>Fire</u>					
15	Fire hose reel adjustments and relocated hydrant		Item		20,000
16	Relocate water tank		Item		7,500
<u>Drainage</u>					
17	Stormwater		Item		15,000
18	Make good to grease trap	1	item		5,000

## Elemental Details

<b>Project:</b> Clayton Bowls Club	<b>Details:</b> 117921 Cost Plan 1 - R.1
<b>Building:</b> 117921 Clayton Bowls Club	

Auto code	Description	Quantity	Unit	Rate	Total
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### 15 SITE SERVICES INFRASTRUCTURE (Continued)

	<u>Main services allowances</u>				
19	Water bore adjustments incl grate		Item		5,000
20	Gas				Excluded
21	Warranty, Maintenance, Shop Drawings, Commissioning, As-Builts		Item		13,500
22	BWIC - 5%				

**193,500**

### 16 LANDSCAPING AND IMPROVEMENTS

	<b>Landscaping</b>				
1	Planting beds, mulch and soil	56	m2	85.00	4,760
2	Plants / trees	22	no	500.00	11,000
3	Shrubs	15	no	50.00	750
4	Artificial turf	18	m2	25.00	450
5	Timber edging to planter bed areas	67	m	55.00	3,685
6	Selected paving to courtyard	31	m2	200.00	6,200
7	Allowance for retaining walls		Item		15,000
8	Allowance for BBQ		Item		4,500
9	Sundries		Item		10,000
	<b>External Works</b>				
10	New shed for temporary storage	30	m2	150.00	4,500
11	Allow to make good concrete pavements	1	item	10,000.00	10,000
12	Allow to make good to carpark as required	1	item	10,000.00	10,000

**80,845**

### 17 Assumptions

	<b>Assumptions / Exclusions</b>				
1	No allowance for heating		Note		
2	Allowed for 12 independant columns to support laminated timber roof beams		Note		
3	Allowed carpet and paint to ceilings in Members Lounge and Function Room		Note		
4	Client Landscape excluded		Note		
5	Loose furniture and FF&E & TV's		Note		
6	Any works to existing building other than that described		Note		
7	No air conditioning to Bowling green area, ventilation only		Note		

**0**



## Appendix C – Site Walk Images

**Clayton Bowls Club**

**Images taken 19<sup>th</sup> August 2019**



Picture No 1

IMG\_5817.JPG



Picture No 3

IMG\_5826.JPG



Picture No 2

IMG\_5819.JPG



Picture No 4

IMG\_5831.JPG



### **Feasibility study into a fully covered sports facility for Clayton Bowls Club**

**Project Scope:** As per the Clayton Bowls Club Inc *End to End* Strategic Plan, the installation of a synthetic carpet green in an all-weather facility is an essential component of ensuring that Clayton Bowls Club survives and thrives into the future.

Green #3 is the ideal location to re-develop the grass green into a carpet green that is securely and temperately covered, to enable bowls to be played and sporting and entertainment activities to occur all year round irrespective of external weather conditions.

Clayton Bowls Club has a team in Victoria's Premier League and boasts three Commonwealth Games champions as part of this elite Premier League team. In 2018, three club members represented three different countries in bowls at the Commonwealth Games. One of these, Aaron Wilson, won gold for Australia in the men's singles event.

To remain competitive, the opportunity to play and practise on a synthetic carpet surface is critical as many other Premier League clubs, and clubs vying to enter this prestigious division, have access to such world-class synthetic greens.

To build a synthetic carpet green in an all-weather facility that is suitable for many various sports clubs and community groups to utilise, and which adjoins the current bowls club, will cost \$2.5M to \$3M. This includes converting the current functions kitchen to a terrace café/bar, re-developing the bowls information office and adjoining passageway into offices and establishing a terrace bar viewing area adjacent to the new covered in green. The plan includes purchasing temporary flooring to cover the (bowls) carpet playing surface so it may be used by multiple community groups.

The north and south ends of the facility will be climate controlled with gas heaters and evaporative cooling systems. Doors and louvre windows will support air flow throughout, while the southern end will resemble glass portholes, in keeping with the adjacent Namitjara parks and gardens.

Users of the new facility have been identified as the following:

- Current affiliate (bowls) members
- New affiliate members
- Corporate groups (Jack Attack)
- Social bowls players
- Local schools (primary and secondary)
- Local sporting groups
- Mothers/fathers bowling with babies (Vic Health's This girl Can initiative – one of our new recruits is the public face of this state-wide marketing campaign)
- All-abilities bowls groups
- Bowls development squads
- Barefoot bowls participants
- Yoga enthusiasts

- Tai chi participants
- Pilates participants
- Aerobics participants
- Gymnastics participants
- Darts competitors
- Archery enthusiasts
- Gaming and War Gaming
- Martial arts participants
- Bridge players
- Chess players
- Mahjong players
- Cheerleading groups
- Movies (during school holidays show children's movies on the big screen)
- National and International (passive sports) tournaments – eg darts, poker, E-sports and dance competitions
- Exhibitions
- Weddings
- Religious events
- Funerals and memorial services
- School concerts
- Followers of major sporting events (watching 'live' games/events on large screens)

Clayton Bowls Club's current impact on the community is significant, with the club (in 2019) employing 20 part-time, full-time and casual staff to the value of \$900,000, plus a dedicated band of volunteers who contribute over \$240,000 (8000 hours) to the club every year.

The anticipated use of the new facility, coupled with added income generated from increased food and beverage sales, will substantially increase the club's impact on the local economy.

### Current market analysis

Currently, Clayton Bowls Club has three greens, all of which are outdoor and all of which are grass. Here is an analysis of the current and proposed situation.

Item	Strengths	Weaknesses	Opportunities	Threats
<b>Three grass greens (current situation)</b>	Manicured greens	Subject to weather conditions – rain, hail, intense heat, cold winds	To build a synthetic green	Teams lose games because of the lack of opportunity to practice and play on a surface other than grass (synthetic)
	Good playing surfaces	Can only play from October until March	To construct an all-weather indoor playing facility	Clayton Bowls Club not considered for Victorian or Australian events because of lack of synthetic and undercover surfaces
	Traditional playing surface	Greens are subject to disease – in 2017, #1 green was deemed unusable due to disease	To strengthen the club by adding an all year around (undercover synthetic green) facility	Loss of players to competing clubs because of the lack of a synthetic / undercover surface
	Soft underfoot	Greens' speed is determined by weather conditions therefore impacting play	Welcome, and benefit from, other sporting and community entities to utilise the clubs facilities	Loss of business that social and corporate events bring because of the lack of a synthetic / undercover surface
	Club is easy to access with plentiful free parking	Players have no synthetic green to practice on and therefore remain uncompetitive when playing away on oppositions' synthetic greens		Inability to offer school bowls programs because we cannot guarantee play
		Subject to light – currently only one green has lighting capacity		

Item	Strengths	Weaknesses	Opportunities	Threats
<b>One synthetic green with a new undercover facility plus two grass greens</b>	Certainty over players ability to play irrespective of weather or light conditions	That it proves to be so popular we cannot accommodate demand	Stage bowls competitions all year around	The necessary funds required to build the facility are not secured
	Consistency in regard to green speed	That bowls administrators/personnel are not as efficient or effective as anticipated	Stage bowls competitions 16 hours per day, 7 days per week	Loss of business during the construction phase
	Players can practice and play on synthetic		Offer school competitions to all local primary and secondary schools	Support from local government in the planning and construction phase is inadequate
	Can play all year around, all day and night		Increase memberships	The anticipated increase in membership, patronage and income is not realised
	Such a world class facility will attract state, national and potentially international competitions		Increase in green fees as a result of increased membership and competitions	Loss of projected trade to another venue
	Games can be televised – a TV camera championship rink is being built into the facility		Increase in bar takings as a result of increased membership and patronage	
	Spectators will have excellent viewing vantage points built into the facility		Improved coaching facilities by videoing players	
	An asset is being developed in the area to accommodate future demand		Increase in social and corporate bowls programs	

<b>Item</b>	<b>Strengths</b>	<b>Weaknesses</b>	<b>Opportunities</b>	<b>Threats</b>
	The asset is maintained to a high level		Tap into occupants from new retirement villages and multi-unit developments as the Clayton South / Clarinda area evolves	
<b>Multi-purpose facility</b>	Attract new interest groups /users to the club	Potential overcrowding of facility when popular events are taking place	Increase in social membership of the club with the flow on effect of increased patronage and usage	New user groups may not uphold the values of Clayton Bowls Club
	Provide an enclosed all weather environment for multiple clubs and commercial and individual interest groups	Original facilities – bar and restaurant – cannot cope with increased demand	Increase in affiliate membership of the club by introducing the game of bowls to players of other sports	New user groups damage the facility and/or surface
	Attract new interest groups / users to the local area with a flow on effect into the local economy		Attract national and international sports tournaments eg darts, poker, E-sports, dance etc	Demand for certain dates and times outweighs availability
	Cost effective option for community groups to access and/or hire		Clayton Bowls Club to sponsor visiting user groups	

## **Geographic Demand**

### **Greens:**

Clayton Bowls Club lies within the Sandbelt Bowls Region, which is home to 41 lawn bowls clubs in the South and South Eastern area of Melbourne. This includes over 5,000 affiliate members.

Only two of these clubs have undercover facilities. Neither of those clubs have a team in the Victorian Premier League.

One such clubs' indoor / synthetic green facilities was built several years ago; while it has been relatively successful, it continues to have light and temperature issues and is not fully enclosed nor protected against the elements. It has on-going issues.

The other club's facility was completed in February 2019. However, this facility is not totally weather proof. It comprises a semi-covered marquee style dome structure which is still susceptible to prevailing winds and driving rain.

Clayton Bowls Club is the only club in the Sandbelt Region with a Premier League team that is taking the step towards building an indoor synthetic green facility that is totally weatherproof.

This will place Clayton Bowls Club at the forefront of Victorian Bowls. The club's first class synthetic carpet facilities will be highly attractive to bowls players from across the region and beyond to the Eastern Ranges and Peninsula Casey regions.

Ninety nine percent of respondents to a Clayton Bowls Club survey indicated that they would use the new indoor synthetic facility all year around if it provided full cover from the elements and featured a high quality synthetic carpet green.

### **Multi-users:**

In the broad local area (within an eight kilometre radius), there is no other council owned facility that offers the professional facilities that Clayton Bowls Club offers the public. The only other similar facility in the Kingston Council is the (AFL) St Kilda Football Club in Moorabbin.

Clayton Bowls Club's facilities are fully catered for, fully licenced, climate controlled, meet safety requirements, have permits, licences and insurances, highly trained staff, waste management and recycling strategies, excellent toilet facilities (including all abilities and baby changing) and ample parking.

The new facility will provide a state-of-the-art arena/green that has been strategically designed for television and multi-media coverage with designated camera vantage points.

In addition, we will have temporary flooring which can be readily laid to accommodate various users. The temporary flooring will be a non-slip stable surface of interlocking tiles. It will be stored on site and laid on an *as need* basis with relative ease and efficiency.

## **Requirements**

The following technical, resource and organisational requirements are essential for the new facility to progress:

- Feasibility study is completed, approved of and approved by all Board members.
- Finalise plans in consultation with club members.
- Redefine the measurement and perimeter of the green in consultation with Kingston Council (landlord).
- Renew the lease of land for three by seven year periods in consultation with Kingston Council (landlord).



- Source dollars to fund the new facility; the club has no reserve funds.
- Remove one grass green – current green #3.
- Construct and lay one 40 m x 38 m synthetic (carpet) green.
- Build a cover over the synthetic green that is weather-proof with high levels of climate control.
- Seamlessly connect the new facility to existing clubrooms, bars and facilities.
- Create viewing spaces all around the green for spectators.
- Provide for regular installation of temporary flooring (over the green) for multi users.
- Create a lounge/bar area for spectators.
- Minimise any detrimental impact to the club during the construction phase.
- Adhere to timelines.
- Adhere to budget.

### **Approach**

The Board of Management of Clayton Bowls Club Inc. approved funding for architectural drawings to be provided by WG Architects principal, James Bate. Several on site meetings with the architect and with Kingston Council have resulted in a plan that is modest and frugal, yet highly effective.

The brief included building a facility that is usable by a range of user groups all year round, day or night, irrespective of the weather. This is in contrast to many other similar (bowls) facilities across Melbourne and Victoria which are still at the mercy of the elements, in particular wind, and neither which embrace external users.

The design of Clayton Bowls Club's complex allows full protection against any prevailing winds while permitting controlled breezes to be naturally effective when and where required.

The brief also includes building an amenity that is sympathetic to the local environment. Volunteers spend hundreds of hours every month creating delightful gardens within the bowls complex. These gardens will be incorporated into the new bowling green and will play an integral role in ensuring that the building is attractive and welcoming.

It was further determined that the adjacent Namatjira Park be welcomed into the new facility via glass panels so that the (existing) stately manna gums are enjoyed from the clubhouse. Being sensitive to, and complimenting the current environment, is of utmost importance to club members and management.

The upper southern wall will be a mirage of multi-shaped circles of glass while yellow, brown, red and white (representing the sun, soil, sand and clouds) coloured glass panels will adorn the western wall.

The facility will be constructed of glass louvers, windows and doors and metal panels with a curved metal roof.

The carpet green will be constructed with a scoria base on which the synthetic carpet is laid. Soil tests indicate that works can proceed with minimal excavation. Certain caveats are recommended and will be observed – refer to appendix A, report Executive Summary.

Track matting (*Trackmats*) is the style of flooring that will provide protective coverage over the carpet surface for all sports and entertainment other than bowls. It will fully protect the carpet whilst allowing for substantial traffic – eg: it sustains forklift usage. The design is simple to lay; builders' plastic is laid on the synthetic carpet green then a layer of cushioning and then interlocking mats are placed on the top providing complete coverage. Two staff with walker stackers can cover the (38 x 40 metre) green in less than thirty minutes. The purchase and storage of walker stackers and *Trackmats* is being factored into the plan.

**Proposed timeline is as follows**

<b>Item</b>	<b>Date of commencement</b>	<b>Date of completion</b>
Meetings with contracted architect to determine plans	September 2018	May 2019
Finalisation of plans in consultation with members	June 2018	July 2019
Quantity Survey undertaken	August 2019	September 2019
Redefinition of land to accommodate the (small) requirements for more land – Kingston Council	September 2019	October 2019
Renewal of current lease with Kingston Council for three by seven years	July 2019	October 2019
Engineering report of site and soil to determine synthetic green construction methods	April 2014	July 2014 (report is still current as of August 2019)
Consultation with funding bodies to secure funding	September 2019	November 2019
Consultation with Kingston Council to secure permits	September 2019	January 2020
Tenders prepared, sought, evaluated and awarded	January 2020	March 2020
Construction	April 2020	July 2020
Completion and official opening		August 2020

## Evaluation

### Funding (cash) options:

Source	Comment
Kingston Council	Informal approach made
State government grant	Work with Kingston council staff and our local member Meng Heang Tak to explore all options
Federal Government grant	Work with Kingston council staff and our local members Meng Heang Tak and Clare O'Neill and our local Senator to explore all options
State government low interest sports loan	15 years @ 1.75% pa – explore if such a loan is still available
Private sponsors investment	Potentially offer the naming rights to an investor

### Financial benefit analysis

Increased Income	Expected increase year 1 (2020/2021)	Expected increase year 2 (2021/2022)	Expected increase year 3 (2022/2023)	Comment
Bowls membership numbers	200	250	300	Base is 110 bowls members in 2019. We expect a 50% increase in the first year (Sunbury and Deer Park achieved this with their respective new facilities) and then stabilized annual increases.
Membership fees increase	\$31,000 (@ \$155 pp)	\$38,750 (@ \$155)	\$46,500 (@ \$155)	Fees retained at 2019 levels. These may increase.
Net income – bar increase	\$60,000	\$75,000	\$90,000	Based on increased number of patrons and their usage
Increase in percentage of food sales	\$10,000	\$15,000	\$20,000	The club has a joint agreement with the food provider whereby the club receives a percentage of income.

<b>Increased Income</b>	<b>Expected increase year 1 (2020/2021)</b>	<b>Expected increase year 2 (2021/2022)</b>	<b>Expected increase year 3 (2022/2023)</b>	<b>Comment</b>
Sports and community user groups fees	\$12,000	\$15,000	\$18,000	External users will be charged a minimal hire fee and in some cases, for community groups, no fee will be charged
Events (bowls sanctioned) green fees increase	\$12,000	\$15,000	\$18,000	Based on the strategic plan
Barefoot / social bowls increase	\$18,000	\$21,000	\$25,000	Based on increased number of social bowls events
Decrease in cost of green keeper fees	\$15,000	\$15,000	\$15,000	Greens # 1 and 2 will continue to require full upkeep but green #3 will require less maintenance from the greenkeeper
<b>Total income increase</b>	<b>\$158,000</b>	<b>\$194,750</b>	<b>\$232,500</b>	
<b>Increased expenses</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	
(net) Staff	\$35,000	\$45,000	\$55,000	The current part time administrator position will become full time
Loan repayments	\$68,500	\$68,500	\$68,500	If borrowing \$900,000 @ 1.75%
Increase in utilities & costs	\$12,000	\$16,000	\$20,000	A modest increase in operating expenses per annum is expected
<b>Total expenses increase</b>	<b>\$115,500</b>	<b>\$129,500</b>	<b>\$143,500</b>	
<b>Net benefit</b>	<b>\$42,500</b>	<b>\$65,250</b>	<b>\$89,000</b>	

As per above, all indications are that Clayton Bowls Club will experience a financial benefit from year one of the facility being functional. Taking loan repayments out of the equation, the financial benefits for the club from the first year are most encouraging.

**Review**

This feasibility study was update by CEO Margaret O'Keefe on 23 August 2019.

**Clayton Bowls Club Inc**

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Chairman of the Board: John (Jack) Pierce

T: 03 95449929 / 0403 343 232

# Clayton Bowls Club Inc

## Strategic Plan 2018 to 2022

*End to End*



# Introduction

Bowls Clayton is proud to present the *End to End Strategic Plan* for the period November 2018 to April 2022.

To become Victoria's leading bowls club, we must be responsive to the needs of our members – current and future.

It is our challenge to continue to improve, whilst respecting the club's rich history of wins and premierships since 1961.

In this era of increased competition for experienced players and new entrants, we need to push limits, lift expectations and explore creative and sustainable methods of increasing our bowls membership levels.

We are excited about what the future can bring.

This definition [of purpose, vision, values and future] will guide the behaviour and decision-making processes of Board members, affiliate members and staff.

## Our Purpose

We are an ambitious bowls club determined to regularly win premierships in multiple bowls divisions, whilst providing state of the art sporting facilities for the use and recreation of pennant, social and emerging bowlers.

## Our Vision

We will be the most successful bowls club in Victoria by winning at least one premiership every year.

We will increase bowls (affiliate) membership incrementally annually. Our target is 200 affiliate members by 2022.

We will be the leader in community club-based bowls excellence by up-keeping and developing world class facilities for the use of members and guests.

We will support young people into the game of bowls through school programs and cadetships.



# Our Values

We seek to create a culture based on trust, embracing the following values:

Belonging	We provide a sense of belonging to members and visitors through friendship, sportsmanship and empathy, both on and off the green.
Inclusion	We warmly welcome all players to our club.
Professionalism	The club's staff, Board members, leaders and coaches always lead with integrity, mindfulness and unity.
Respectfulness	All members practise respect for their leaders, team mates and themselves whilst at the club bowling or socialising.
Harmony	We work towards developing a club culture of companionship, co-operation and goodwill for all teams, club leaders and staff.
Commitment	We are committed to attracting and retaining not only the best bowls players, but sufficient numbers to field multiple teams in multiple divisions including the Premier League division.
Hospitality	The club's staff and affiliate members warmly welcome and graciously serve members of other bowls clubs and guests.

# Our future

We see our future divided into four strategic focus areas – immediate and continuing.

Strategic Goal	Key Activities	Measure
<p><b>1. To be the most successful bowls club in Victoria.</b></p>	<p>a) Create a world class indoor all weather bowls facility.</p> <p>This includes a synthetic carpet playing surface where bowls can be played and practised all year around.</p>	<p>Develop a comprehensive business case for the indoor synthetic facility to attract funding from grants, sponsorship and loans.</p> <p>Build the facility in readiness for the 2020 summer season.</p>
	<p>b) (i) Win premierships in multiple divisions.</p> <p>(ii) Maintain a team in the Premier League.</p> <p>(iii) Gain promotion to higher divisions for all lower level teams and increase the number of teams participating in Saturday pennant from 4 to 7.</p> <p>(iv) Increase the number of teams in Midweek Division from 3 to 4.</p>	<p>Compete in and win five premierships by end of 2022 summer season.</p> <p>That the Premier League team does not get relegated.</p> <p>For the 2022 season field seven teams, with the aim of at least one team in each of the highest divisions.</p> <p>Field 4 midweek teams.</p>

	<p>(v) Establish night intra-club competitions.</p> <p>(vi) Establish one new Sunday pennant type competition.</p> <p>(vii) Extend and expand the Wednesday Triples bowls competition.</p>	<p>Three nights of (winter) intra club competitions are held in the new indoor carpet green.</p> <p>A winter Saturday pennant-like competition between various Melbourne clubs is held every Sunday in the new indoor carpet green.</p> <p>Take the number of players mid week from 30 to 80 by 2022.</p> <p>Play Wednesday Triples all year around, half on grass greens and half on the synthetic green.</p>
	<p>c) Upkeep facilities to ensure viability and sustainability in to the future.</p>	<p>Ensure that all aspects of greens and surrounds are always pristine.</p> <p>Ongoing investment in greens and surrounds.</p>
<p><b>2. To increase bowls (affiliate) membership incrementally annually.</b></p>	<p>a) Offer world class coaching opportunities regularly to current and prospective players.</p> <p>Make video coaching available.</p>	<p>Offer, to all members and potential members, world class coaching sessions.</p> <p>Invest in cameras and equipment for videoing bowlers when playing on the clubs greens.</p>

	b) Attract, nurture and retain affiliate members.	Cultivate a culture where players are approaching Clayton Bowls Club to play.
	c) Be proactive in inviting and attracting new players to the club through a range of marketing drivers and through strategic alignment with multiple local sporting clubs.	Increase affiliate memberships year on year to reach 200 by the end of the 2022 summer bowls season.
	d) Explore creative programs to attract new bowls members.	Appoint a membership task force to explore creative ideas and activation initiatives.
<b>3. To be the leader in community club-based bowls excellence.</b>	a) Liaise closely with Bowls Victoria and Bowls Australia to position Clayton Bowls Club as the centre for bowls excellence in Melbourne's south east, and in Victoria.	That Bowls Victoria and Bowls Australia staff are regularly welcomed to the club and that dialogue with them is consistent and productive.
	b) Stage a number of state-wide, national and international events. (i) Hold six region and state based events over the next four years (ii) Liaise with Bowls Victoria to host a Premier League Grand final (iii) Hold a Champion of champion's event (iv) Host a BPL qualifier (v) Be part of the new UBC nationwide competition (vi) Host the Australian indoor qualifier event	That each of the listed events are held.

	(c) Undertake a marketing campaign to promote the club, its coaches and facilities.	Invest in a strategic marketing campaign.  Stream 'live' high profile games.
	(d) Activate the following new initiatives: <ul style="list-style-type: none"> <li>* Jack Attack</li> <li>* Bowling with Babies</li> <li>* International Competitions</li> <li>* an Interclub Round Robin (of local sporting Club participants)</li> <li>* Girls on the Grass events</li> <li>* Corporate Cups</li> </ul>	These listed initiatives, plus tournaments, all become part of the regular bowls calendar of the club.
	(e) Fully fund the appointment of a professional Bowls and Tournament manager to ensure full utilisation of the indoor facility.	Funding is budgeted for and the appointment is made.
<b>4. To support young people into the game of bowls.</b>	a) Make cadetships available to university students studying a sport / physical related discipline.	Bestow four cadetships each year.
	b) Establish a school bowls program that includes tuition and fun activities and which nurtures aspiring players.	Engage at least five local schools in bowls activities each year.  Attract at least five new junior players to the club each year.

# **11. Corporate Services Reports**

# Ordinary Meeting of Council

23 September 2019

**Agenda Item No:** 11.1

## **ASSEMBLY OF COUNCILLORS RECORD REPORT**

**Contact Officer:** Gabrielle Pattenden, Governance Officer

### **Purpose of Report**

To provide copies of the Assembly of Councillors records in line with Section 80A of the Local Government Act 1989 to support openness and transparency of Governance processes.

### **Disclosure of Officer / Contractor Direct or Indirect Interest**

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

### **OFFICER RECOMMENDATION**

That Council note the contents of this report for the public record.

### **1. Executive Summary**

This report contains records for all meetings defined as an Assembly of Councillors under Section 80A of the Local Government Act 1989, (the Act).

### **2. Background**

The Act requires that Assembly of Councillors records are reported to the next possible meeting of Council. This seeks to promote openness and transparency of Council decision making and to place on public record any declarations of direct or indirect interests by Councillors.

### **3. Discussion**

#### **3.1 Council Plan Alignment**

Goal 5 - Our well-governed and responsive organisation

Direction 5.1 - Support decision making to provide an efficient and effective council which embodies the principles of democracy

The reporting of Assembly of Councillors meets the requirements of the Act and is critical to Direction 5.1.

#### **3.2 Consultation/Internal Review**

Not applicable to this report.

### **3.3 Operation and Strategic Issues**

#### **3.3.1 Legislative Requirements**

As prescribed by section 80A of the Act, the written record only needs to be a simple document that records:

- The names of all Councillors and staff at the meeting;
- A list of the matters considered;
- Any conflict of interest disclosed by a Councillor; and
- Whether a Councillor who disclosed a conflict leaves the assembly.

A standard Assembly of Councillors form will be used as the record for the purposes of the Act. These form the appendices to the report. At times, however to avoid duplication, minutes of some meetings may be attached as the record of the Assembly if they include the required information, including disclosures.

Section 80A of the Act requires a Councillor attending an assembly to disclose a conflict of interest and leave the room whilst the matter is being considered.

This requirement is explained in further detail in Practice Note No. 6 Assemblies of Councillors which was authored by Local Government Victoria. This Practice Note advises that unlike Council meetings, it is not necessary for a Councillor to disclose any details of the conflict of interest. It is sufficient to just disclose that the conflict of interest exists and this is all that should be recorded.

The rationale behind this limited requirement is to protect Councillors' privacy. In Council or Special Committee meetings, Councillors have an option under the Act to disclose a conflict of interest in writing to the CEO, which allows for the nature and type of the conflict of interest to remain private. The Act does not provide this option in relation to Assemblies of Councillors and thus Councillors are only required to disclose the existence of a conflict of interest and not the nature and type of interest at an assembly.

## **4. Conclusion**

The report is provided in line with Section 80A of the Act which requires that the record of an assembly must be reported to the next practical Ordinary Meeting of Council and recorded in the minutes of that meeting.

### **4.1 Environmental Implications**

Nil

### **4.2 Social Implications**

Tabling Assembly of Council records supports disclosure and transparency of Council operations.

### **4.3 Resource Implications**





Nil

### **4.4 Legal / Risk Implications**

Reporting Assemblies of Councillors to Council meets the legislative requirement contained in section 80A of the Act.



## Appendices

- Appendix 1 - Assembly of Councillors Record for 22 August 2019 Public Spaces and Environment Advisory Committee Meeting (Ref 19/209708)  [↓](#)
- Appendix 2 - Assembly of Councillors Record - Planning Councillor Information Session 2 September 2019 (Ref 19/228698)  [↓](#)
- Appendix 3 - Assembly of Councillors Record - Strategic Councillor Information Session 9 September 2019 (Ref 19/228748)  [↓](#)
- Appendix 4 - Assembly of Councillors Record - Strategic Councillor Information Session - 16 September 2019 (Ref 19/229819)  [↓](#)

Author/s: Gabrielle Pattenden, Governance Officer  
Reviewed and Approved By: Phil DeLosa, Manager Governance  
Paul Franklin, General Manager Corporate Services

# 11.1

## ASSEMBLY OF COUNCILLORS RECORD REPORT

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4	Assembly of Councillors Record - Strategic Councillor Information Session - 16 September 2019.....	305

# Assembly of Councillors Record

This Form MUST be completed by:

- (i) The appropriate attending Council Officer or;
- (ii) Chairperson of any Council Advisory Committee where there is no Council Officer present and returned IMMEDIATELY to the Manager Governance for filing.

**Assembly details:** Public Spaces and Environment Advisory Committee Meeting

**Date:** 22nd August 2019

**Time:** 6pm – 8:15pm

**Assembly Location:** Oakleigh Room, Level 6, 1230 Nepean Highway Cheltenham

**Assembly Reason:** Meeting

**Attendees:**

Joseph Astbury  
Paul Baumgartner  
Nina Earl  
Robin Erwin  
Claire Houston  
Richard Jeffery  
David Madill  
Pamela Payne  
Penny McGuire-White  
Steve Schutt, Hansen Consultants  
Tyler Ingram, Hansen Consultants

**Councillor/s:**

Cr Rosemary West

**Officer/s:**

Helen Scott, Principal Environment Officer City of Kingston  
Jessica Salehian, Senior Landscape Architect, City of Kingston

**Apologies:**

Warren De Silva  
Judy Wilks  
Claire McPhee  
Mary Rimmington

**Matter/s Discussed:**

Landscaping of Nepean Highway between South Road and Mordialloc  
Kingston's Urban Cooling Strategy

**Conflict of Interest Disclosures:** Nil

**Did senior officer present ask for disclosure of Conflicts of Interest?** No

**Councillor Disclosures:** (refer 2 over page).

# Assembly of Councillors Record

This Form MUST be completed by:

- (i) The appropriate attending Council Officer or;
- (ii) Chairperson of any Council Advisory Committee where there is no Council Officer present and returned IMMEDIATELY to the Manager Governance for filing.

**Record if a Councillor left the meeting during the discussion.**

No

**Officer Disclosures: (refer 4 over page)**

Completed by: Emily Boucher

Date: 26 August 2019

**Assembly of Councillors Record - Any record of an Assembly of Councillors is reported at next practicable Council meeting and recorded in the Minutes.**

**Requirements and explanation:**

**1. Section 80A(1) and (2) Officer Requirements (re Written Record to be made of disclosure of Conflicts of Interest):**

Section 80A(1) and (2) of the Local Government Act 1989, stipulates:

- "(1) At an assembly of Councillors, the Chief Executive Officer must ensure that a written record is kept of:
- (a) the names of all Councillors and members of Council staff attending,
  - (b) the matters considered,
  - (c) any conflict of interest disclosures made by a Councillor attending under subsection (3),
  - (d) whether a Councillor who has disclosed a conflict of interest as required by subsection (3) leaves the assembly."
- (2) The Chief Executive Officer must ensure that the written record of an assembly of Councillors is, as soon as practicable-
- (a) reported at an ordinary meeting of the Council; and
  - (b) incorporated in the minutes of that Council meeting."

**2. Section 80A(3) and (4) Councillor Requirements (re Conflict of Interest):**

Section 80A(3) and (4) of the Local Government Act 1989, stipulates:

- "(3) If a Councillor attending an assembly of Councillors knows, or would reasonably be expected to know, that a matter being considered by the assembly is a matter that, were the matter to be considered and decided by Council, the Councillor would have to disclose a conflict of interest under section 79, the Councillor must, at the time set out in subsection (4), disclose to the assembly that he or she has a conflict of interest and leave the assembly whilst the matter is being considered by the assembly. Penalty: 120 penalty units.
- (4) A Councillor must disclose the conflict of interest either-
- (a) immediately before the matter in relation to which the Councillor has a conflict of interest is considered; or
  - (b) if the Councillor realises that he or she has a conflict of interest after consideration of the matter has begun, as soon as the Councillor becomes aware that he or she has a conflict of interest."

**3. Section 3(1) definition:**

"**Assembly of Councillors**" (however titled) means a planned or scheduled meeting of at least five Councillors and one member of Council staff, or an advisory committee of the Council where one or more Councillors are present which considers matters that are intended or likely to be:

- the subject of a decision of the Council; or
- subject to the exercise of a function, duty or power of the Council that has been delegated to a person or Committee; or

but does not include a meeting of the Council, a Special Committee of the Council, a club, association, peak body, political party or other organisation."

**Brief Explanation:**

Some examples of an *Assembly of Councillors* will include:-

- Meeting / briefing of five Ward Councillors;
- Advisory committee or Village Committee Meeting where 1 or more Councillor is present
- Other Councillor briefing sessions;
- Budget discussions;
- Workshops re key Council priorities;
- Site inspections / preliminary planning conferences;

providing **at least five Councillors and one Council Staff member is present** and the matter/s considered are intended **or likely to be** subject of a future decision by the Council **OR** an officer decision under delegated authority.

*As a matter of good practice, it would be considered exceptional not to deem any scheduled / planned meeting of five or more Councillors and an officer/s as an Assembly of Councillors. If you require further clarification, please call the Governance team.*

**4. Section 80B Officer Requirements (re Disclosure of Conflicts of Interest):**

A member of Council staff who has a conflict of interest in a matter in which they also have delegated power, duty or function must:

- not exercise the power or discharge the duty or function; and
- disclose the type of interest and the nature of the interest to the Chief Executive Officer, in writing, as soon as he or she becomes aware of the conflict of interest in the matter, including those situations when the Officer is exercising a statutory power or duty of the Chief Executive Officer.

# Assembly of Councillors Record

This Form MUST be completed by:

- (i) The appropriate attending Council Officer or;
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- (iii) Chairperson of any Council Advisory Committee where there is no Council Officer present and returned IMMEDIATELY to the Program Leader Governance for filing.

## Assembly details:

**Date:** 2 September 2019

**Time:** 5.45pm

**Assembly Location:** Oakleigh Room, 1230 Nepean Highway Cheltenham

**Assembly Reason:** Planning Councillor Information Session

## Attendees:

### Councillor/s:

Cr Georgina Oxley (Mayor)  
 Cr Tamara Barth  
 Cr Tamsin Bearsley  
 Cr Ron Brownlees OAM  
 Cr David Eden (arrived at 6.24pm)  
 Cr Steve Staikos  
 Cr Rosemary West OAM

### Officer/s:

Julie Reid, Chief Executive Officer  
 Mauro Bolin, General Manager Community Sustainability  
 Paul Franklin, General Manager Corporate Services  
 Jonathan Guttman, General Manager Planning and Development  
 Phil De Losa, Manager Governance  
 Michelle Devanny, Communications Advisor  
 Paul Marsden, Manager City Strategy  
 Ian Nice, Manager City Development  
 Jennifer Pippo, Team Leader Statutory Planning  
 Nicole Bartley, Team Leader Statutory Planning  
 Jaclyn Murdoch, Manager Compliance and Amenity  
 John Anagianis, Municipal Building Surveyor

### Apologies:

Cr Tamara Barth  
 Cr Geoff Gledhill  
 Cr George Hua

### Matter/s Discussed:

1. Apologies
2. Declaration by Councillors, Officers and Contractors of any Conflict of Interest
3. Notes of CIS of 19 August 2019
4. Individual Ward Briefings
5. By exception:

## Assembly of Councillors Record

This Form MUST be completed by;

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- (ii) Advisory Officer of a Village Committee or;
- (iii) Chairperson of any Council Advisory Committee where there is no Council Officer present and returned IMMEDIATELY to the Program Leader Governance for filing.

6. Planning Delegation Policy Emails - August 2019
7. Draft Agenda - Planning Committee - See Separate Agenda
8. Update - Agricultural Preservation and Strengthening Strategy
9. Update on Cladding
10. Proposed Building Regulation Amendment (Swimming Pool and Spa)
11. Implementing the Removal of Fees at the Governor Road Boat Ramp
12. Dinner
13. October Ward Committee Meetings - Proposed Agenda Items
14. MAV State Council Motions - October 2019
15. Update of Council's Instrument of Delegation to Members of Council Staff
16. Report on Legal Advice
17. Invitations

### Conflict of Interest Disclosures:

Did senior officer present ask for disclosure of Conflicts of Interest? Yes

Councillor Disclosures: (refer 2 over page).

Nil

Record if a Councillor left the meeting during the discussion.

N/A

Officer Disclosures: (refer 4 over page)

Completed by: Phil DeLosa, Manager Governance

Date: 3 September 2019

**Assembly of Councillors Record - Any record of an Assembly of Councillors is reported at next practicable Council meeting and recorded in the Minutes.**

**Requirements and explanation:**

**1. Section 80A(1) and (2) Officer Requirements (re Written Record to be made of disclosure of Conflicts of Interest):**

Section 80A(1) and (2) of the Local Government Act 1989, stipulates:

- "(1) At an assembly of Councillors, the Chief Executive Officer must ensure that a written record is kept of:
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- (2) The Chief Executive Officer must ensure that the written record of an assembly of Councillors is, as soon as practicable-
- (a) reported at an ordinary meeting of the Council; and
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**2. Section 80A(3) and (4) Councillor Requirements (re Conflict of Interest):**

Section 80A(3) and (4) of the Local Government Act 1989, stipulates:

- "(3) If a Councillor attending an assembly of Councillors knows, or would reasonably be expected to know, that a matter being considered by the assembly is a matter that, were the matter to be considered and decided by Council, the Councillor would have to disclose a conflict of interest under section 79, the Councillor must, at the time set out in subsection (4), disclose to the assembly that he or she has a conflict of interest and leave the assembly whilst the matter is being considered by the assembly. Penalty: 120 penalty units.
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  - (b) if the Councillor realises that he or she has a conflict of interest after consideration of the matter has begun, as soon as the Councillor becomes aware that he or she has a conflict of interest."

**3. Section 3(1) definition:**

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- Meeting / briefing of five Ward Councillors;
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- Other Councillor briefing sessions;
- Budget discussions;
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*As a matter of good practice, it would be considered exceptional not to deem any scheduled / planned meeting of five or more Councillors and an officer/s as an Assembly of Councillors. If you require further clarification, please call the Governance team.*

**4. Section 80B Officer Requirements (re Disclosure of Conflicts of Interest):**

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# Assembly of Councillors Record

This Form MUST be completed by:

- (i) The appropriate attending Council Officer or;
- (ii) Advisory Officer of a Village Committee or;
- (iii) Chairperson of any Council Advisory Committee where there is no Council Officer present and returned IMMEDIATELY to the Program Leader Governance for filing.

## Assembly details:

**Date:** 9 September 2019

**Time:** 5.45pm

**Assembly Location:** Oakleigh Room, 1230 Nepean Highway, Cheltenham

**Assembly Reason:** Strategic Councillor Information Session

## Attendees:

### Councillor/s:

Cr Georgina Oxley (Mayor)  
 Cr Tamara Barth (arrived at 7.02pm)  
 Cr Tamsin Bearsley  
 Cr Ron Brownlees OAM  
 Cr David Eden (arrived at 6.38pm)  
 Cr Geoff Gledhill (arrived at 6.37pm)  
 Cr George Hua  
 Cr Steve Staikos (arrived at 6.06pm)  
 Cr Rosemary West OAM (arrived at 5.50pm)

### Officer/s:

Julie Reid, Chief Executive Officer  
 Mauro Bolin, General Manager Community Sustainability  
 Paul Franklin, General Manager Corporate Services  
 Daniel Freer, General Manager City Assets and Environment  
 Jonathan Guttman, General Manager Planning and Development  
 Megan O'Halloran, Manager Communications & Community Relations  
 Phil De Losa, Manager Governance  
 Mark Patterson, Manager Family Youth and Children's Services  
 Zorica Djuric, Team Leader Youth and Family Services  
 Paul Marsden, Manager City Strategy  
 Margie Hanrahan, Manager Community Care & AccessCare Southern  
 Jihan Wassef, Team Leader Social Development  
 Gillian Turnbull, Acting Coordinator Community Wellbeing  
 Amy Wallis, Community Engagement Officer  
 Chris White, Team Leader – Public Place Projects  
 David Shepard, Manager Parks and Open Space  
 Julian Harvey, Manager Property and Arts

### Apologies:

Nil

# Assembly of Councillors Record

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## Matter/s Discussed:

- 1 Apologies
2. Declaration by Councillors, Officers and Contractors of any Conflict of Interest
3. Notes of CIS of 19 August 2019
4. Access and Equity Advisory Committee Meeting 16 August 2019 – Notes
5. Notes from the Public Spaces and Environment Advisory Committee Meeting on 22nd August 2019
6. Active Kingston Advisory Committee meeting 14th August 2019 - Notes
7. Draft Agenda - Ordinary Meeting of Council
  - Cheltenham Heritage Station Buildings - Update
  - Delivered Meals Program - Award of Contract
  - Adoption of Kingston Youth Strategy
  - Kingston Woman of the Year Award - Review
  - Youth Advisory Committees
  - Formation of a Section 223 Committee Proposed Sale of Discontinued Road Side of 2 Dyson Road and rear of 44 Walkers Rd Carrum
  - Response to Notice of Motion 41/2019 (Amended) - Impact of Construction for the Bay Trail, Mentone to Rennison Street
  - Capital Forecast September 2019
  - Investment Portfolio Report - June 2019
  - Quick Response Grants
  - Update of Council's Instrument of Delegation to Members of Council Staff
  - Implementing the Removal of Fees at the Governor Road Boat Ramp
8. Proposed Acquisition 172 Elder St South Clarinda
9. Legal Case - MCH Health
10. Draft Housing Strategy & Neighbourhood Character Study consultation overview and next steps
11. Draft Community Engagement Policy
12. Invitations
13. Councillor/CEO Discussion

## Conflict of Interest Disclosures:

**Did senior officer present ask for disclosure of Conflicts of Interest? Yes**

**Councillor Disclosures: (refer 2 over page).**

Nil

**Record if a Councillor left the meeting during the discussion.**

N/A

**Officer Disclosures: (refer 4 over page)**

Completed by:

Phil DeLosa, Manager Governance

Date:

10 September 2019

**Assembly of Councillors Record - Any record of an Assembly of Councillors is reported at next practicable Council meeting and recorded in the Minutes.**

**Requirements and explanation:**

**1. Section 80A(1) and (2) Officer Requirements (re Written Record to be made of disclosure of Conflicts of Interest):**

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# Assembly of Councillors Record

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## Assembly details:

**Date:** 9 September 2019

**Time:** 5.45pm

**Assembly Location:** Oakleigh Room, 1230 Nepean Highway, Cheltenham

**Assembly Reason:** Strategic Councillor Information Session

## Attendees:

### Councillor/s:

Cr Georgina Oxley (Mayor)  
 Cr Tamara Barth (arrived at 7.02pm)  
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 Gillian Turnbull, Acting Coordinator Community Wellbeing  
 Amy Wallis, Community Engagement Officer  
 Chris White, Team Leader – Public Place Projects  
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### Apologies:

Nil

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## Conflict of Interest Disclosures:

**Did senior officer present ask for disclosure of Conflicts of Interest? Yes**

**Councillor Disclosures: (refer 2 over page).**

Nil

**Record if a Councillor left the meeting during the discussion.**

N/A

**Officer Disclosures: (refer 4 over page)**

Completed by:

Phil DeLosa, Manager Governance

Date:

10 September 2019

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# Assembly of Councillors Record

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## Assembly details:

**Date:** 16 September 2019

**Time:** 5.45pm

**Assembly Location:** 1230 Nepean Highway, Cheltenham

**Assembly Reason:** Strategic Councillor Information Session

## Attendees:

### Councillor/s:

Cr Georgina Oxley (Mayor)  
Cr Tamara Barth  
Cr Tamsin Bearsley  
Cr Ron Brownlees OAM  
Cr Geoff Gledhill (arrived at 6.19pm)  
Cr Steve Staikos  
Cr Rosemary West OAM

### Officer/s:

Julie Reid, Chief Executive Officer  
Mauro Bolin, General Manager Community Sustainability  
Paul Franklin, General Manager Corporate Services  
Daniel Freer, General Manager City Assets and Environment  
Jonathan Guttman, General Manager Planning and Development  
Phil De Losa, Manager Governance  
Bridget Draper, Manager Active Kingston  
Jane Grace, Manager Libraries and Social Development  
Paul Marsden, Manager City Strategy  
Mark Patterson, Manager Family, Youth and Children's Services  
Emily Boucher, Team Leader Environmental Planning  
Michelle Devanny, Communications Advisor  
Daniel Ferguson, Strategic Project Advisor  
Peter Gillieron, Team Leader Property Services  
Susannah Kenny, Principal Environment Officer  
Gabby Pattenden, Governance Officer  
Ray Tiernan, Acting Coordinator Community Development  
Jihan Wassef, Team Leader Social Development

### Apologies:

Cr Eden  
Cr Hua

# Assembly of Councillors Record

This Form MUST be completed by:

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## Matter/s Discussed:

1. Apologies
2. Declaration by Councillors, Officers and Contractors of any Conflict of Interest
3. Notes of CIS of 9 September 2019
4. Aboriginal Reconciliation Plan 2019 - 2021
5. Review of Current 2015 - 2019 Disability Action Plan
6. Golf Course Redevelopment Advisory Committee
7. Response to Notice of Motion 33/2019 - Solar Energy
8. Response to Notice of Motion No. 31/2019 - Gardens for Wildlife
9. Response to Notice of Motion 9/2019 - Clayton Bowls Club
10. Moorabbin Archery Club Briefing
11. Le Page Park Master Plan - Public Consultation Briefing
12. Response to Notice of Motion No. 30/2019 - Cr Barth - Early Childhood Education
13. Council's Before & After School Programs
14. Response to Notice of Motion No. 43/2019 - Cr Gledhill - Management of Public & Corporate CCTV Systems
15. Chelsea Yacht Club - Request to Bring Forward Proposed Refurbishment Works
16. Funding Model to Support Scout and Guide Hall DDA Compliance
17. Request for New Lease - BJBAC trading as 'Sunnyboys' on Peter Scullin Reserve
18. Update on Lodgement of Amendment to Planning Permit and Concurrent Secondary Consent Application for Alex Fraser - 275-315 Kingston Road, Clarinda
19. KP-2018/459 - 54 - 64 Pier One Drive, & 115A McLeod Road Patterson Lakes - VCAT Appeal Position Sought
20. Motions for MAV State Council Meeting - October 2019
21. CEO Performance and Remuneration Services - Request for Quotation
22. Invitations
23. Councillor/CEO Discussion

## Conflict of Interest Disclosures:

**Did senior officer present ask for disclosure of Conflicts of Interest? Yes**

**Councillor Disclosures: (refer 2 over page).**

Nil

**Record if a Councillor left the meeting during the discussion.**

N/A

**Officer Disclosures: (refer 4 over page)**

The CEO, Julie Reid disclosed Conflicts of Interest in Item 16 - Funding Model to Support Scout and Guide Hall DDA Compliance and Item 21 - CEO Performance and Remuneration Services - Request for Quotation.

Completed by: Phil DeLosa

Date: 17 September 2019



**Assembly of Councillors Record - Any record of an Assembly of Councillors is reported at next practicable Council meeting and recorded in the Minutes.**

**Requirements and explanation:**

**1. Section 80A(1) and (2) Officer Requirements (re Written Record to be made of disclosure of Conflicts of Interest):**

Section 80A(1) and (2) of the Local Government Act 1989, stipulates:

- "(1) At an assembly of Councillors, the Chief Executive Officer must ensure that a written record is kept of:
- (a) the names of all Councillors and members of Council staff attending,
  - (b) the matters considered,
  - (c) any conflict of interest disclosures made by a Councillor attending under subsection (3),
  - (d) whether a Councillor who has disclosed a conflict of interest as required by subsection (3) leaves the assembly."
- (2) The Chief Executive Officer must ensure that the written record of an assembly of Councillors is, as soon as practicable-
- (a) reported at an ordinary meeting of the Council; and
  - (b) incorporated in the minutes of that Council meeting."

**2. Section 80A(3) and (4) Councillor Requirements (re Conflict of Interest):**

Section 80A(3) and (4) of the Local Government Act 1989, stipulates:

- "(3) If a Councillor attending an assembly of Councillors knows, or would reasonably be expected to know, that a matter being considered by the assembly is a matter that, were the matter to be considered and decided by Council, the Councillor would have to disclose a conflict of interest under section 79, the Councillor must, at the time set out in subsection (4), disclose to the assembly that he or she has a conflict of interest and leave the assembly whilst the matter is being considered by the assembly. Penalty: 120 penalty units.
- (4) A Councillor must disclose the conflict of interest either-
- (a) immediately before the matter in relation to which the Councillor has a conflict of interest is considered; or
  - (b) if the Councillor realises that he or she has a conflict of interest after consideration of the matter has begun, as soon as the Councillor becomes aware that he or she has a conflict of interest."

**3. Section 3(1) definition:**

"**Assembly of Councillors**" (however titled) means a planned or scheduled meeting of at least five Councillors and one member of Council staff, or an advisory committee of the Council where one or more Councillors are present which considers matters that are intended or likely to be:

- the subject of a decision of the Council; or
- subject to the exercise of a function, duty or power of the Council that has been delegated to a person or Committee; or

but does not include a meeting of the Council, a Special Committee of the Council, a club, association, peak body, political party or other organisation."

**Brief Explanation:**

Some examples of an *Assembly of Councillors* will include:-

- Meeting / briefing of five Ward Councillors;
- Advisory committee or Village Committee Meeting where 1 or more Councillor is present
- Other Councillor briefing sessions;
- Budget discussions;
- Workshops re key Council priorities;
- Site inspections / preliminary planning conferences;

providing **at least five Councillors and one Council Staff member is present** and the matter/s considered are intended **or likely to be** subject of a future decision by the Council **OR** an officer decision under delegated authority.

*As a matter of good practice, it would be considered exceptional not to deem any scheduled / planned meeting of five or more Councillors and an officer/s as an Assembly of Councillors. If you require further clarification, please call the Governance team.*

**4. Section 80B Officer Requirements (re Disclosure of Conflicts of Interest):**

A member of Council staff who has a conflict of interest in a matter in which they also have delegated power, duty or function must:

- not exercise the power or discharge the duty or function; and
- disclose the type of interest and the nature of the interest to the Chief Executive Officer, in writing, as soon as he or she becomes aware of the conflict of interest in the matter, including those situations when the Officer is exercising a statutory power or duty of the Chief Executive Officer.

# Ordinary Meeting of Council

23 September 2019

**Agenda Item No: 11.2**

## **QUICK RESPONSE GRANTS**

**Contact Officer: Phil DeLosa, Manager Governance**

### **Purpose of Report**

To seek Council's consideration of Quick Response Grant applications received.

### **Disclosure of Officer / Contractor Direct or Indirect Interest**

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

### **OFFICER RECOMMENDATION**

That Council approve the following grant applications:

- Chelsea Heights Community Centre - \$1100.00
- Chelsea Heights Football Club - \$1500.00
- Sophie Grosjean - \$1477.00
- Kingston Residents' Association - \$726.00 (subject to acquittal of previous grant)
- Kingston Toy Library - \$1466.00

That Council not approve the following grant applications:

- Robert Scholten
- Willow Franklin
- St Marys Primary School Hampton
- MiCare Ltd

### **1. Executive Summary**

The Quick Response Grants Program gives individuals and community groups the opportunity to apply for small grants required at short notice to help them achieve their goals and ambitions.

This Program responds to the community's need for a form of grant that is flexible and efficient in terms of the time between application and approval and applies to smaller amounts of funding to a maximum of \$1,500.00.

Quick Response Grants are a category under Council's Community Grants Program.

## **2. Background**

In April 2019 Council revised the Quick Response Grants Guidelines. Grant applications are checked for eligibility in line with a set of criteria outlined in the Guidelines. An application must be submitted to Council and considered for approval at an Ordinary Meeting of Council.

Any not-for-profit group, school or community organisation providing services within the City of Kingston may apply.

Individuals must be a resident of the City of Kingston and participating in an activity in an unpaid capacity and not as a requirement of any formal course of study or of their employment. Individuals can apply for a grant to assist them to participate in a sporting, educational, recreational or cultural activity; other pursuit of a personal development nature; which will have a clear benefit to the community.

Community groups can apply for a grant to assist with the provision of a service, program or activity used by or of benefit to Kingston residents.

## **3. Discussion**

### **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

### **3.2. Operation and Strategic Issues**

#### **3.2.1. Assessment of Application Criteria**

Applications for Quick Response Grants are assessed against the criteria outlined in the guidelines as follows:

- Are funds needed at short notice or can they wait for the Annual Grants program?
- Does the proposed activity/event/project benefit the City of Kingston residents?
- Has the applicant demonstrated a clear need for funds?
- Has the applicant received any other funding from Council?
- That the organisation is a not-for-profit and has a bank account in the name of organisation.
- Can the project be funded under any other Council grant program?

**City of Kingston  
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23 September 2019

**4. Applications**

<b>Name:</b>	Robert Scholten	
<b>Amount requested:</b>	\$1500.00	
<b>Description of Project/Event:</b>	To extend my art practice into printmaking by developing a series of etchings based on everyday experience in the Kingston community. Cultural exchange - a key part of my art practice (mixing and layering of styles and marks) – will also be involved as mentorship will take place in Chiang Mai.	
<b>How the funds will be used:</b>	The funds will be used to cover my art costs while I'm over there. These include art materials, postage of prints back to Australia, and local travel costs. I will also use part of the money to purchase picture frames so I can exhibit them at Kingston Arts.	
<b>Assessment Criteria:</b>		
<ul style="list-style-type: none"> <li>• The applicant meets the eligibility criteria</li> <li>• Funds are needed at short notice</li> <li>• The activity/event/project benefits the City of Kingston residents</li> <li>• The applicant has demonstrated a clear need for funds</li> <li>• The applicant has not received any other funding from Council</li> <li>• The applicant is an individual or not for profit organisation</li> <li>• The project cannot be funded under any other Council Grant program</li> </ul>		<ul style="list-style-type: none"> <li>✓</li> <li>✓</li> <li>x</li> <li>✓</li> <li>✓</li> <li>✓</li> <li>x</li> </ul>
<b>Grants received in current or last financial year</b>		
August 2018 – Arts Grant - \$55		
<b>Officer Comment:</b>		
This application does not meet the assessment criteria and is not recommended for approval.		

<b>Name:</b>	Chelsea Heights Community Centre	
<b>Amount requested:</b>	\$1100.00	
<b>Description of Project/Event:</b>	Sound system and compatible headset. To enable the instructor to be heard over background music using an appropriate system with Bluetooth and RF capabilities.	
<b>How the funds will be used:</b>	The funds will be used to purchase a portable PA system with a compatible headset, this will enable the tutor to continue to run these classes. Without this PA system we will lose our current tutor and classes due to her ongoing straining of her vocal cords. Many people would be affected if this was our outcome.	
<b>Assessment Criteria:</b>		
<ul style="list-style-type: none"> <li>• The applicant meets the eligibility criteria</li> <li>• Funds are needed at short notice</li> <li>• The activity/event/project benefits the City of Kingston residents</li> <li>• The applicant has demonstrated a clear need for funds</li> <li>• The applicant has not received any other funding from Council</li> <li>• The applicant is an individual or not for profit organisation</li> <li>• The project cannot be funded under any other Council Grant program</li> </ul>		<ul style="list-style-type: none"> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> </ul>
<b>Grants received in current or last financial year</b>		
July 2019 = Partnership Grant - \$71,000		
January 2019 – Diversity Week Grant - \$440		
August 2018 – Partnership Grant - \$69,000		
August 2018 – Community Grant - \$1800		
<b>Officer Comment:</b>		
This application meets the assessment criteria and is recommended for approval for an amount of \$1100.00.		

**City of Kingston  
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**23 September 2019**

<b>Name:</b>	Willow Franklin	
<b>Amount requested:</b>	\$1500.00	
<b>Description of Project/Event:</b>	The goal of the project is to develop myself as an artist, in support of a project with 'Queer in Kingston'. We will be collaborating and connecting with the 'Queer in Kingston' young people through creative engagements with Kingston Arts. They will be mentored by an artist, Yandell Walton, who I will support and assist. As part of this project I will be seeking mentorship from Yandell Walton. This grant application is to fund that mentorship.	
<b>How the funds will be used:</b>	To cover the cost of mentorship for myself by Yandell Walton for 18.75hrs at \$80 an hour.	
<b>Assessment Criteria:</b>		
<ul style="list-style-type: none"> <li>• The applicant meets the eligibility criteria</li> <li>• Funds are needed at short notice</li> <li>• The activity/event/project benefits the City of Kingston residents</li> <li>• The applicant has demonstrated a clear need for funds</li> <li>• The applicant has not received any other funding from Council</li> <li>• The applicant is an individual or not for profit organisation</li> <li>• The project cannot be funded under any other Council Grant program</li> </ul>		<ul style="list-style-type: none"> <li>✓</li> <li>✓</li> <li>x</li> <li>✓</li> <li>✓</li> <li>✓</li> <li>x</li> </ul>
<b>Grants received in current or last financial year</b>		
Nil		
<b>Officer Comment:</b>		
This application does not meet the assessment criteria and is not recommended for approval.		

<b>Name:</b>	Sophie Grosjean	
<b>Amount requested:</b>	\$1477.00	
<b>Description of Project/Event:</b>	My project, Odyssey, consists in a series of textile workshops, from October to November, free for the community. Two series of 10 workshops will take place at Westall Hub and Cheltenham Community Centre. These workshops aim to connect first, second, and third generations of immigrant women, binary or female identified textile practitioners to tease out the emotionally charged meaning of 'home'.	
<b>How the funds will be used:</b>	The funds are required at short notice and will be needed before the start of the workshops, on the 8th of October 2019.	
<b>Assessment Criteria:</b>		
<ul style="list-style-type: none"> <li>• The applicant meets the eligibility criteria</li> <li>• Funds are needed at short notice</li> <li>• The activity/event/project benefits the City of Kingston residents</li> <li>• The applicant has demonstrated a clear need for funds</li> <li>• The applicant has not received any other funding from Council</li> <li>• The applicant is an individual or not for profit organisation</li> <li>• The project cannot be funded under any other Council Grant program</li> </ul>		<ul style="list-style-type: none"> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> </ul>
<b>Grants received in current or last financial year</b>		
Nil		
<b>Officer Comment:</b>		
This application meets the assessment criteria and is recommended for approval for an amount of \$1477.00.		

**City of Kingston  
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**23 September 2019**

<b>Name:</b>	St Marys Primary School Hampton	
<b>Amount requested:</b>	\$950.00	
<b>Description of Project/Event:</b>	Beeswax Wrap making workshop for students, families and community members during our 2019 Art Show. The Workshop will focus on showing participants how to design and make their own beeswax wraps to use at home and reduce kitchen waste. The Workshop is a gold coin donation to attend and participants leave with their own beeswax wrap. The donations will go towards the St Mary's Garden program.	
<b>How the funds will be used:</b>	Purchasing of local Beeswax (5kg - \$295) and resin (3kg - \$150, as well as protective gear for workshop visitors. Purchase of appropriate cutting and melting materials including 5 sets of scissors (\$100), 5 sets of melting pots for the beeswax, as well as a few other simple items such as basting brushes (5- \$45), totalling \$950. We already have fabric required and as such would not require financial support beyond \$950.	
<b>Assessment Criteria:</b>		
<ul style="list-style-type: none"> <li>• The applicant meets the eligibility criteria</li> <li>• Funds are needed at short notice</li> <li>• The activity/event/project benefits the City of Kingston residents</li> <li>• The applicant has demonstrated a clear need for funds</li> <li>• The applicant has not received any other funding from Council</li> <li>• The applicant is an individual or not for profit organisation</li> <li>• The project cannot be funded under any other Council Grant program</li> </ul>		x ✓ x ✓ ✓ ✓ ✓
<b>Grants received in current or last financial year</b>		
Nil		
<b>Officer Comment:</b>		
This application does not meet the eligibility criteria as the applicant is located outside the City of Kingston municipality.		

<b>Name:</b>	Chelsea Heights Football Club	
<b>Amount requested:</b>	\$1500.00	
<b>Description of Project/Event:</b>	Repair of our Electronic Scoreboard	
<b>How the funds will be used:</b>	The funds will be used to help fund the cost of the repair.	
<b>Assessment Criteria:</b>		
<ul style="list-style-type: none"> <li>• The applicant meets the eligibility criteria</li> <li>• Funds are needed at short notice</li> <li>• The activity/event/project benefits the City of Kingston residents</li> <li>• The applicant has demonstrated a clear need for funds</li> <li>• The applicant has not received any other funding from Council</li> <li>• The applicant is an individual or not for profit organisation</li> <li>• The project cannot be funded under any other Council Grant program</li> </ul>		✓ ✓ ✓ ✓ ✓ ✓ ✓
<b>Grants received in current or last financial year</b>		
Nil		
<b>Officer Comment:</b>		
This application meets the assessment criteria and is recommended for approval for an amount of \$1500.00		

**City of Kingston  
Ordinary Meeting of Council**

**Agenda**

**23 September 2019**

<b>Name:</b>	Kingston Residents Association	
<b>Amount requested:</b>	\$1100.00	
<b>Description of Project/Event:</b>	Costs associated with supporting Kingston Residents by running Monthly meetings and developing a website for improved communication (hire costs, public liability coverage, meeting materials, website design).	
<b>How the funds will be used:</b>	The funds will be used to support the following costs: 1. Venue hire and Public Liability for holding meetings - \$430.50 2. Cartridges for printing Meeting Materials - \$276 3. Website design for dissemination of information - \$450	
<b>Assessment Criteria:</b>		
<ul style="list-style-type: none"> <li>• The applicant meets the eligibility criteria</li> <li>• Funds are needed at short notice</li> <li>• The activity/event/project benefits the City of Kingston residents</li> <li>• The applicant has demonstrated a clear need for funds</li> <li>• The applicant has not received any other funding from Council</li> <li>• The applicant is an individual or not for profit organisation</li> <li>• The project cannot be funded under any other Council Grant program</li> </ul>		<ul style="list-style-type: none"> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> </ul>
<b>Grants received in current or last financial year</b>		
January 2019 – Quick Response Grant - \$500.00		
<b>Officer Comment:</b>		
This application meets the assessment criteria and is recommended for approval for an amount of \$726.00 (subject to acquittal of previous grant)		

**City of Kingston  
Ordinary Meeting of Council**

**Agenda**

**23 September 2019**

<b>Name:</b>	Kingston Toy Library	
<b>Amount requested:</b>	\$1466.00	
<b>Description of Project/Event:</b>	<p>The Kingston Toy Library requests funding for toy storage containers (\$250) and bags (\$450) and one mobile shelf unit (\$766). This is because we have been inundated with toy donations which have meant we have a backlog of toys that can't be put out for borrowing and used by Kingston community members. And our maintenance room is filling up with toys that are just waiting on packaging. This new packaging will make more toys available to the families using the service and will also improve occupational health and safety for paid and volunteer staff by reducing clutter. We normally budget a proportion for packaging of toys in each grant, however with many wonderful toy donations from the members and community we have run short on packaging materials.</p>	
<b>How the funds will be used:</b>	<p>The Kingston Toy Library requests funding for toy storage containers (\$250) and bags (\$450) and one mobile shelf unit (\$766). Containers are used for toys that have many small parts, such as lego and train sets. Bags are used for toys that have several parts and can hang from the rails in our existing shelving units, for example role play toys or costumes. And the shelf unit is to display the new toys, not all on which will fit on existing shelving.</p>	
<b>Assessment Criteria:</b>	<ul style="list-style-type: none"> <li>• The applicant meets the eligibility criteria</li> <li>• Funds are needed at short notice</li> <li>• The activity/event/project benefits the City of Kingston residents</li> <li>• The applicant has demonstrated a clear need for funds</li> <li>• The applicant has not received any other funding from Council</li> <li>• The applicant is an individual or not for profit organisation</li> <li>• The project cannot be funded under any other Council Grant program</li> </ul>	<ul style="list-style-type: none"> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> </ul>
<b>Grants received in current or last financial year</b>		
March 2019 – Community Grant - \$2000.00		
<b>Officer Comment:</b>		
This application meets the assessment criteria and is recommended for approval for an amount of \$1466.00		



**City of Kingston  
Ordinary Meeting of Council**

**Agenda**

**23 September 2019**

<b>Name:</b>	MiCare Ltd	
<b>Amount requested:</b>	\$500.00	
<b>Description of Project/Event:</b>	Senior week celebration. Date to run Tuesday 15 <sup>th</sup> October. start 1:30pm, finish 4:30pm There will be live music, food and beverages. Kingston residents that attend Cafe bazaar every Tuesday look forward to this event as it has live entertainment where participants can sing and dance.	
<b>How the funds will be used:</b>	To pay for entertainers, food, beverages and disposables.	
<b>Assessment Criteria:</b>		
<ul style="list-style-type: none"> <li>• The applicant meets the eligibility criteria</li> <li>• Funds are needed at short notice</li> <li>• The activity/event/project benefits the City of Kingston residents</li> <li>• The applicant has demonstrated a clear need for funds</li> <li>• The applicant has not received any other funding from Council</li> <li>• The applicant is an individual or not for profit organisation</li> <li>• The project cannot be funded under any other Council Grant program</li> </ul>		x ✓ ✓ ✓ ✓ ✓ ✓
<b>Grants received in current or last financial year</b>		
July 2019 – Quick Response Grant - \$500.00		
<b>Officer Comment:</b>		
This application is not recommended for approval as it does not meet the eligibility criteria .		

**5. Conclusion**

The grant applications in this report have been assessed according to the assessment criteria approved by Council in the Quick Response Guidelines.

**5.1. Environmental Implications**

Not applicable to this report.

**5.2. Social Implications**

The allocation of Quick Response Grants allows for Council to provide funds on a small scale to groups and individuals or towards projects or events that are consistent with Council's strategic directions and of benefit to Kingston's residents and community.

**5.3. Resource Implications**

Funds for Quick Response Grants are allocated by Council through its annual budget process.

**5.4. Legal / Risk Implications**

Not applicable to this report.

Author/s: Phil DeLosa, Manager Governance

Reviewed and Approved By: Paul Franklin, General Manager Corporate Services

# Ordinary Meeting of Council

23 September 2019

Agenda Item No: 11.3

## MOTIONS FOR MAV STATE COUNCIL MEETING - OCTOBER 2019

Contact Officer: Phil DeLosa, Manager Governance

### Purpose of Report

This report presents three motions for Council to consider submitting to the MAV State Council Meeting in October 2019.

### Disclosure of Officer / Contractor Direct or Indirect Interest

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

### OFFICER RECOMMENDATION

That Council approve the following three motions to be submitted the MAV State Council Meeting on 18 October 2019:

- Sustainability Fund Allocation for recycling (refer to Appendix 1)
- Building Defects and Regulation of Building Professionals (refer to Appendix 2)
- Planning for Golf Course Redevelopments (refer to Appendix 3)

## 1. Executive Summary

The MAV conducts two State Council meetings per year and provides Councils an opportunity to submit a motion or motions for consideration by Local Government representatives at these forums.

State Council meetings provide an opportunity for Councils to pursue advocacy responsibilities on important issues facing their communities. The three motions proposed are major issues affecting the Kingston community and Local Government in general.

## 2. Background

The MAV State Council meeting is to be held on Friday 18 October 2019

Three Motions have been proposed for submission for the State Meeting.

**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

**Appendices**

Appendix 1 - MAV State Council Proposed Motion - Sustainability Fund Allocation for Recycling (Ref 19/231181)  [Download](#)

Appendix 2 - MAV State Council Proposed Motion - Building Defects and Regulation of Building Professionals (Ref 19/231182)  [Download](#)

Appendix 3 - MAV State Council Proposed Motion - Planning for Golf Course Redevelopments (Ref 19/231180)  [Download](#)

Author/s: Phil DeLosa, Manager Governance

Reviewed and Approved By: Paul Franklin, General Manager Corporate Services

# 11.3

## MOTIONS FOR MAV STATE COUNCIL MEETING - OCTOBER 2019

- 1 MAV State Council Proposed Motion - Sustainability Fund  
Allocation for Recycling ..... 321
- 2 MAV State Council Proposed Motion - Building Defects and  
Regulation of Building Professionals ..... 323
- 3 MAV State Council Proposed Motion - Planning for Golf  
Course Redevelopments ..... 327



## MAV State Council October 2019

### Motion Submission Form

**Motions must be submitted by one council but may be supported by other councils. The council submitting the motion will need to supply written confirmation from any council(s) listed as supporting the motion.**

**The Motion should be no longer than 250 words (1700 characters) and rationale no longer than 350 words (2400 characters).**

\* 1. Name of Motion

Sustainability Fund Allocation.

2. Motion (max 1700 characters)

That the State Government allocate additional funding from the Sustainability Fund to compensate Local Governments for recycling services following the shutdown of a SKM Recycling.

\* 3. Submitted By (Council name):

The City of Kingston

4. Other supporting councils (please list councils that support this motion) (optional)

5. Please attach written confirmation from supporting councils.

Note file size limit is 16MB

Choose File

No file chosen

\* 6. Is this motion supported by resolution of council?

TBD

7. If yes, please insert date of resolution

Date / Time

\* 8. Does the subject matter of this motion have state-wide significance to local government?

Yes

**NOTE:**

If you have answered "no" to Question 8, the proposed motion will be submitted to the MAV Board to determine whether the matter ought to be dealt with at the State Council Meeting, pursuant to Rule 21 of the MAV Rules 2013.

\* 9. Does this motion relate to the MAV Strategic Plan 2019-2021

\* Yes

10. If yes, please select the primary MAV Strategic Plan Priority to which the motion relates (choose **one**)

- Waste & resource recovery

\* 11. Is this motion identical or substantially similar to a motion submitted to State Council in May 2018, October 2018 or May 2019?

\* No

12. Rationale for Motion

All relevant background information in support of the motion should be included in the space provided for the rationale and not in attachments. The rationale should be no longer than 350 words (2400 characters).

Please provide the rationale for your proposed motion (max 2400 characters):

The State Government does not have any short-term plan to deal with the current issues facing recycling and as a result Council's and their communities are bearing the immediate financial burden following the closure of SKM Recycling.

The financial implications related to recycling are multilayered and include direct cost implications for service provision and indirect costs associated with future environmental legacies and resource management.

A total of 33 councils across the State have been affected by the recent shutdown of a SKM, Local Government Victoria has offered a \$ 6.6 million relief fund to affected councils. It is anticipated based on volumes of recycling material that an individual Council will receive in order of \$200,000, however most of the 33 Councils will have already paid additional costs well in excess of this amount as they have been forced to find an alternative supplier or to send recycling material to landfill (for which State Government continues to collect a levy)

13. Contact details - who shall we contact about this proposed motion?

<b>Name and position</b>	Rachelle Quattrocchi
<b>Council</b>	City of Kingston
<b>Email Address</b>	Rachelle.Quattrocchi@Kingston.vic.gov.au
<b>Phone Number</b>	0419 366 342



MAV State Council October 2019

Motion Submission Form

**Motions must be submitted by one council but may be supported by other councils. The council submitting the motion will need to supply written confirmation from any council(s) listed as supporting the motion.**

**The Motion should be no longer than 250 words (1700 characters) and rationale no longer than 350 words (2400 characters).**

\* 1. Name of Motion

Building Defects and Regulation of Building Professionals

2. Motion (max 1700 characters)

That the Municipal Association of Victoria request the State Government to:

1. Provide more resources to the Victorian Civil and Administrative Tribunal to allow it to create a 'fast track' process to administer the likely growing number of cases for compensation in relation to Domestic and Commercial building disputes.
2. Provide the Victorian Building Authority with greater resources to investigate and where considered appropriate take required action to suspend or remove registrations of professionals who have consistently acted against required legislation.

\* 3. Submitted By (Council name):

Kingston City Council

4. Other supporting councils (please list councils that support this motion) (optional)

5. Please attach written confirmation from supporting councils.

Note file size limit is 16MB

Choose File

No file chosen

\* 6. Is this motion supported by resolution of council?

Yes/No

TBD

7. If yes, please insert date of resolution

TBD

Date / Time

\* 8. Does the subject matter of this motion have state-wide significance to local government?

Yes

**NOTE:**

If you have answered "no" to Question 8, the proposed motion will be submitted to the MAV Board to determine whether the matter ought to be dealt with at the State Council Meeting, pursuant to Rule 21 of the MAV Rules 2013.

\* 9. Does this motion relate to the MAV Strategic Plan 2019-2021

Yes

10. If yes, please select the primary MAV Strategic Plan Priority to which the motion relates (choose **one**)

- Financial sustainability
- Waste & resource recovery
- Government relations
- Transport & infrastructure
- Societal & social policy changes
- **Planning & building**
- Business & digital transformation
- Climate impacts & emergency management
- Population change

\* 11. Is this motion identical or substantially similar to a motion submitted to State Council in May 2018, October 2018 or May 2019?

No

12. Rationale for Motion

All relevant background information in support of the motion should be included in the space provided for the rationale and not in attachments. The rationale should be no longer than 350 words (2400 characters).

Please provide the rationale for your proposed motion (max 2400 characters):

Kingston City Council has taken a keen interest in the consumer protections available to parties who have purchased apartments that have been identified to be constructed from inferior and/or inappropriate products. Having investigated this issue Council believes that greater assistance is required to be provided to consumers both to facilitate required rectification works and to reduce the risk of sustained professional misconduct.

The VCAT through its Building and Construction area consider cases relating to commercial and domestic building disputes. The disputes are likely to increase, and Council is concerned that the process for the consumer seeking to pursue a builder, building practitioner and or warranty insurer can be time consuming and lead to substantial out of pocket expenses. The Council believe that given the unprecedented level of non-compliance identified in the Building area greater resources are required for the VCAT to ensure that claims can promptly progress to hearing.

The Victorian Building Authority administers the Building Practitioners Board which requires the registration of range of professionals associated with constructing and/or certifying the quality of workmanship (eg Builders / Building Surveyors). Recognising that in Victoria a significant number of quality professionals operate in the Building and Construction areas it is also clear that in some circumstances and/on multiple occasions some practitioners have not appropriately conducted themselves. The Victorian Building Authority is presently focusing on this issue but it is critical that sufficient resources are established for the regulator to be better positioned to respond more promptly to taking action against 'rogue' practitioners.



13. Contact details - who shall we contact about this proposed motion?

<b>Name and position</b>	<input type="text"/>
<b>Council</b>	<input type="text"/>
<b>Email Address</b>	<input type="text"/>
<b>Phone Number</b>	<input type="text"/>



MAV State Council October 2019

### Motion Submission Form

**Motions must be submitted by one council but may be supported by other councils. The council submitting the motion will need to supply written confirmation from any council(s) listed as supporting the motion.**

**The Motion should be no longer than 250 words (1700 characters) and rationale no longer than 350 words (2400 characters).**

\* 1. Name of Motion

Planning for Golf Course Redevelopments

2. Motion (max 1700 characters)

That the Municipal Association of Victoria request the Planning Minister ensure that the Golf Course Advisory Committee recognises the important recreational and environmental role of Golf Course land and that these critical values are strongly established in future guidelines for Golf Course Redevelopments.

\* 3. Submitted By (Council name):

Kingston City Council

4. Other supporting councils (please list councils that support this motion) (optional)

5. Please attach written confirmation from supporting councils.

Note file size limit is 16MB

Choose File

No file chosen

\* 6. Is this motion supported by resolution of council?

Yes/No

TBD

7. If yes, please insert date of resolution

TBD

Date / Time

MM/DD/YYYY

\* 8. Does the subject matter of this motion have state-wide significance to local government?

Yes

**NOTE:**

If you have answered "no" to Question 8, the proposed motion will be submitted to the MAV Board to determine whether the matter ought to be dealt with at the State Council Meeting, pursuant to Rule 21 of the MAV Rules 2013.

\* 9. Does this motion relate to the MAV Strategic Plan 2019-2021

Yes

10. If yes, please select the primary MAV Strategic Plan Priority to which the motion relates (choose **one**)

- Financial sustainability
- Waste & resource recovery
- Government relations
- Transport & infrastructure
- Societal & social policy changes
- **Planning & building**
- Business & digital transformation
- Climate impacts & emergency management
- Population change

\* 11. Is this motion identical or substantially similar to a motion submitted to State Council in May 2018, October 2018 or May 2019?

No

12. Rationale for Motion

All relevant background information in support of the motion should be included in the space provided for the rationale and not in attachments. The rationale should be no longer than 350 words (2400 characters).

Please provide the rationale for your proposed motion (max 2400 characters):

The Victorian Government has recently appointed the Golf Course Redevelopment Advisory Committee to review and provide feedback to the Minister for Planning on draft Planning Guidelines for Golf Course Redevelopment. A two-stage process has been established with the first stage being the review of the *Draft Planning Guidelines for Golf Course Redevelopment* by the Advisory Committee and then the ability through a second stage for requests to rezone land to be considered by the Advisory Committee.

Kingston City Council believes that with the rapid growth in population that Melbourne is experiencing, a critical aspect of successful strategic land use planning is to ensure that sufficient provision is made for recreation and public open space. The first stage of the process will establish a framework for considering Golf Course rezoning's and it is critical that expectations for significant passive and active recreation provision is made to avoid inappropriate land speculation.

The paper which has been released highlights a range of important considerations including a golf demand assessment, cultural heritage management plan, recreation and open space assessment and that proposals must achieve a high level of environmental sustainability. Kingston is keen to ensure that the Minister in establishing principles to guide future rezonings is explicit about how these recreational resources can make an ongoing contribution to enhancing the livability of local areas.

13. Contact details - who shall we contact about this proposed motion?

<b>Name and position</b>	<input type="text"/>
<b>Council</b>	<input type="text"/>
<b>Email Address</b>	<input type="text"/>
<b>Phone Number</b>	<input type="text"/>

# Ordinary Meeting of Council

23 September 2019

**Agenda Item No: 11.4**

## **INVESTMENT PORTFOLIO REPORT - JUNE 2019**

**Contact Officer: Caroline Reidy, Manager Finance and Corporate Performance**

### **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 June 2019 are invested in line with the risk management profile prescribed in Council's Investment policy.

### **Appendices**

Appendix 1 - Investment Portfolio Report - June 2019 (Ref 19/173565) 

Author/s: Caroline Reidy, Manager Finance and Corporate Performance

Reviewed and Approved By: Paul Franklin, General Manager Corporate Services

# 11.4

## INVESTMENT PORTFOLIO REPORT - JUNE 2019

1	Investment Portfolio Report - June 2019.....	335
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# Investment Portfolio Report

June 2019

09/07/2019

*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

At the 30<sup>th</sup> June 2019 Council had a total of \$143.8 million held in Cash and Investments. These funds were held in the following categories:

Type of Investment	Jun'19 (\$'000)	Jun'18 (\$'000)
Cash At Bank	1,652	2,845
Cash At Call	7,000	7,000
Funds Invested (Fixed Term)	135,100	126,100
<b>Total</b>	<b>143,752</b>	<b>135,945</b>

The average interest rate at 30<sup>th</sup> June 2019 is 2.54% (June 2018: 2.57%) which is 125pts. ahead of the average 90 Day Bank Bill Rate of 1.29% (June 2018: 2.07%) and 105pts. ahead of the investment policy target of the average 90 Day Bank Bill Rate plus 20pts. of 1.49% (June 2018: 2.27%). The 90 Day Bank Bill Rate has declined 78pts. (38%) from 2.07% in January 2019 to 1.29% in June 2019. The average interest rate has declined 11pts. (4%) from 2.65% to 2.54% over the same period.

It is expected that the average interest rate will continue to fall. In the coming month (July 2019) we have \$27.0 million of investments maturing. The rates on these investments range from 2.60% to 2.75%. Current rates available for Investments that comply with our Investment Policy are now below 2.00%. The highest rate of our investments placed during the month of June 2019 was 2.18%. As such, we are expecting the rate of return to be declining in the coming months.

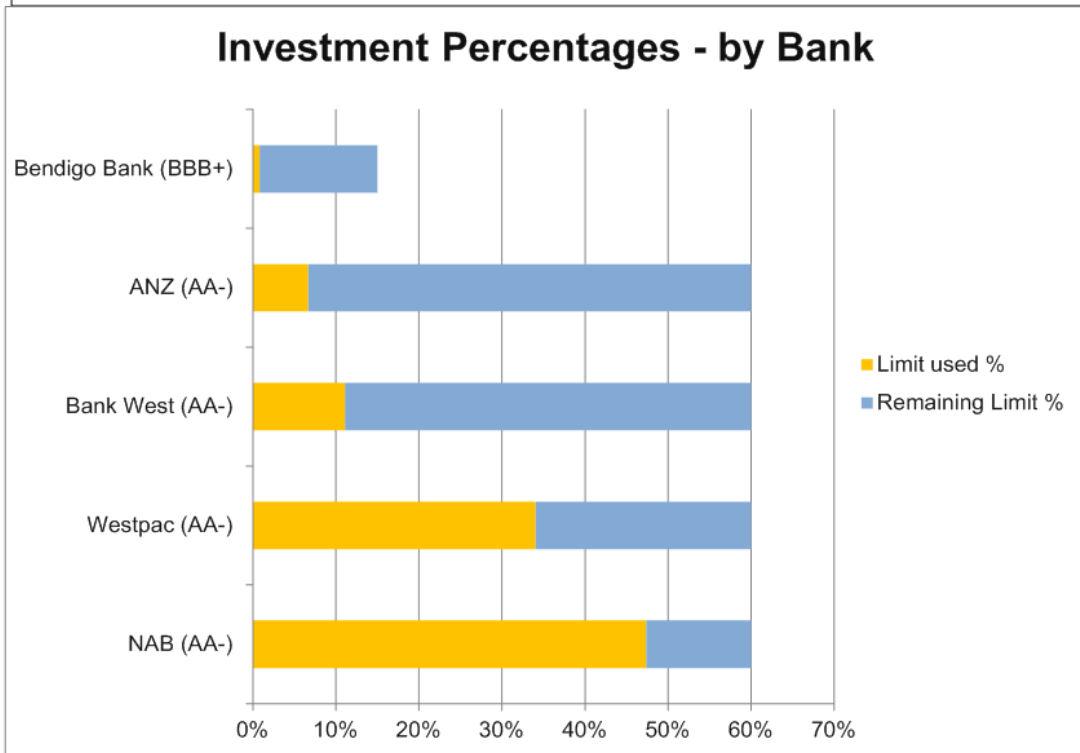
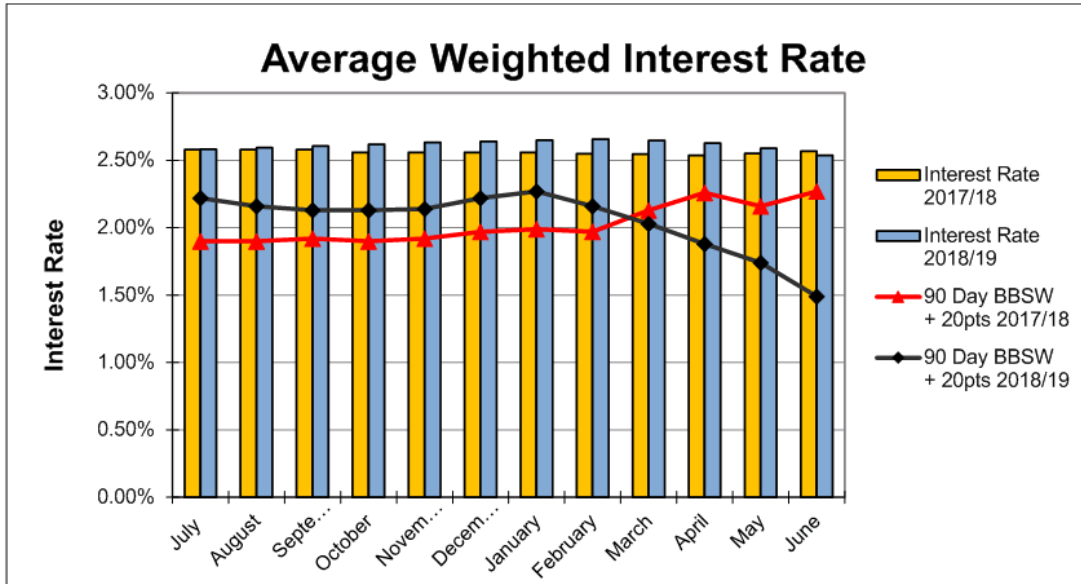
Interest Income received on investments at 30<sup>th</sup> June 2019 totals \$3.4 million (June 2018: \$3.0 million) and is \$1.4 million favourable to budget (May 2018: \$1.6 million favourable to budget).

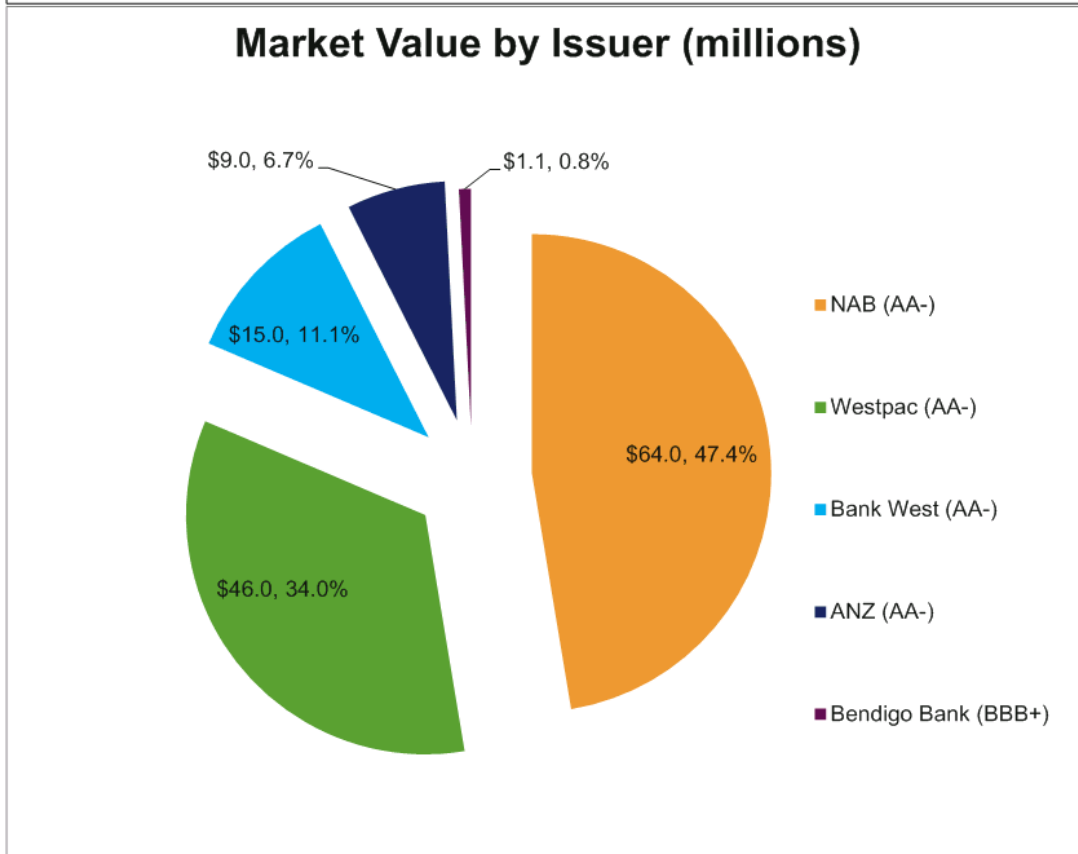
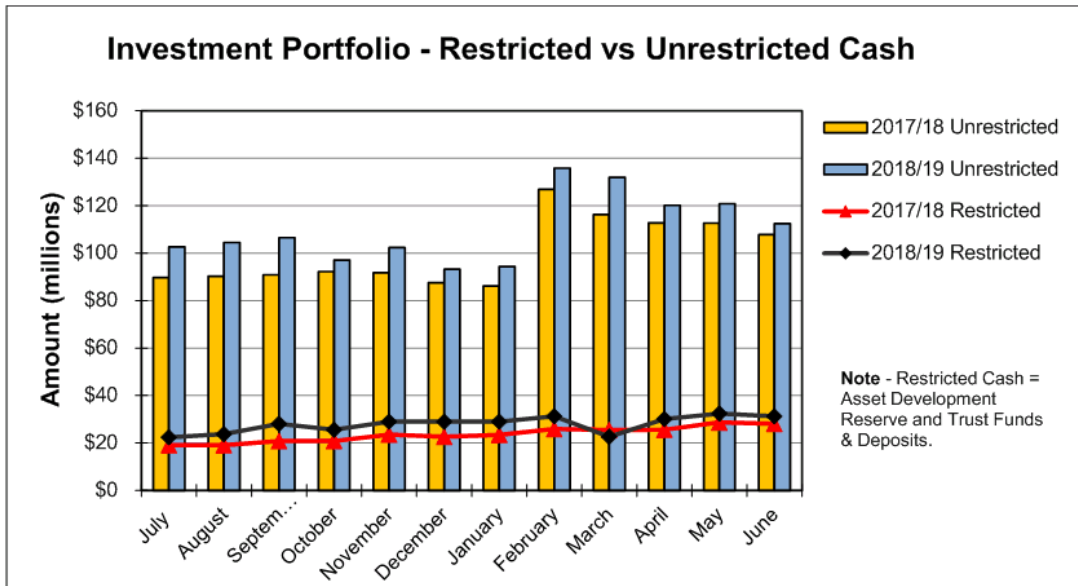
## Summary and Conclusion

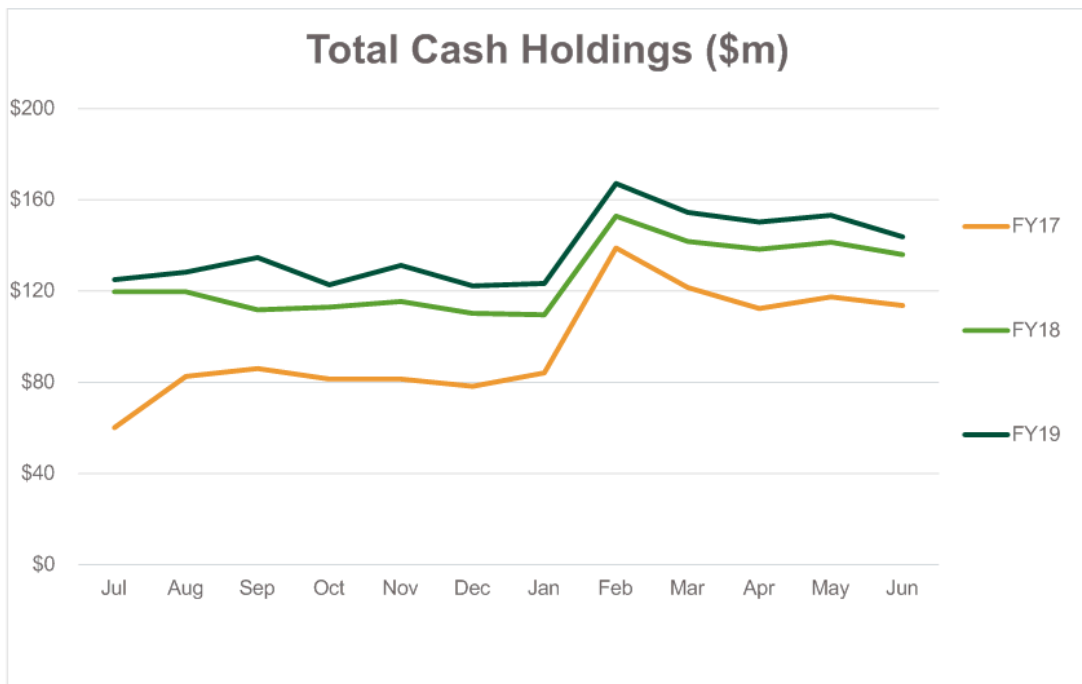
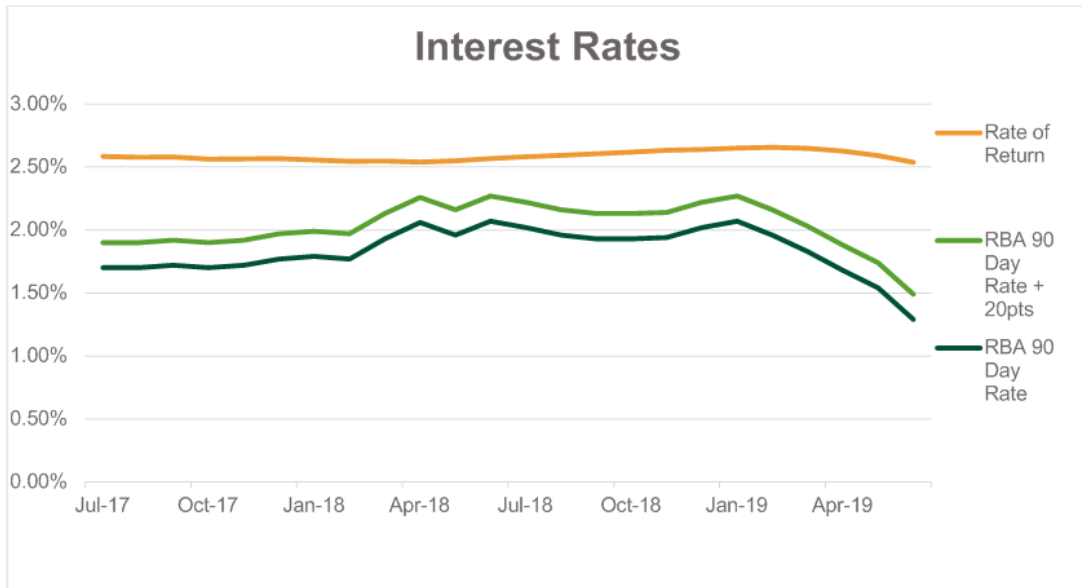
Council has made investments for fixed term periods from 4 months to 13 months. The interest rates achieved as at 30<sup>th</sup> June 2019 are in the range of 2.00% (Bendigo Bank) to 2.75% p.a (Bank West). Council has invested with 5 financial institutions and meets all risk management guidelines of its Investment Policy. NAB represented 47.4% of overall investment valued at \$64.0 million, followed by Westpac at 34.0% valued at \$46.0 million, Bank West at 11.1% valued at \$15.0 million and ANZ at 6.7% 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.



Only \$1.1 million (0.8%) of Investments are held with BBB+ rated Financial Institutions (ie Bendigo Bank). The remaining \$134.0 million (99.2%) is held with Financial Institutions rated AA-. Of the 4 major banks, we don't hold any investments with CBA as their rates have not been competitive to date.










**Snap Shot of Investments**

Issue Date	Transaction Reference	BANK	Product	Rate	Maturity Date	Principal
04-Oct-18	Deal - 4762659	Bank West	Fixed Rate, One Payment	2.75%	02-Jul-19	\$3,000,000.00
19-Feb-19	Deal - 4806453	Bank West	Fixed Rate, One Payment	2.60%	02-Jul-19	\$3,000,000.00
17-Jan-19	GMI-DEAL-10598285	NAB	Fixed Rate, One Payment	2.72%	09-Jul-19	\$3,000,000.00
19-Feb-19	Deal - 4806456	Bank West	Fixed Rate, One Payment	2.60%	09-Jul-19	\$3,000,000.00
18-Jan-19	GMI-DEAL-10598434	NAB	Fixed Rate, One Payment	2.72%	16-Jul-19	\$3,000,000.00
19-Feb-19	Deal - 4806457	Bank West	Fixed Rate, One Payment	2.60%	16-Jul-19	\$3,000,000.00
22-Jan-19	GMI-DEAL-10599505	NAB	Fixed Rate, One Payment	2.72%	23-Jul-19	\$3,000,000.00
19-Feb-19	Deal - 4806458	Bank West	Fixed Rate, One Payment	2.60%	23-Jul-19	\$3,000,000.00
25-Jan-19	GMI-DEAL-10600578	NAB	Fixed Rate, One Payment	2.72%	30-Jul-19	\$3,000,000.00
31-Jan-19	KINGSTONCC-MEL-7280141	Westpac	Fixed Rate, One Payment	2.70%	06-Aug-19	\$3,000,000.00
01-Feb-19	GMI-DEAL-10602190	NAB	Fixed Rate, One Payment	2.71%	13-Aug-19	\$3,000,000.00
04-Feb-19	GMI-DEAL-10602520	NAB	Fixed Rate, One Payment	2.70%	20-Aug-19	\$3,000,000.00
05-Feb-19	GMI-DEAL-10602916	NAB	Fixed Rate, One Payment	2.70%	27-Aug-19	\$3,000,000.00
08-Feb-19	GMI-DEAL-10603251	NAB	Fixed Rate, One Payment	2.70%	03-Sep-19	\$3,000,000.00
08-Feb-19	GMI-DEAL-10603842	NAB	Fixed Rate, One Payment	2.68%	10-Sep-19	\$3,000,000.00
05-Mar-19	KINGSTONCC-MEL-7351536	Westpac	Fixed Rate, Quarterly Interest	2.52%	17-Sep-19	\$3,000,000.00
05-Mar-19	KINGSTONCC-MEL-7351537	Westpac	Fixed Rate, Quarterly Interest	2.52%	24-Sep-19	\$3,000,000.00
25-Sep-18	KINGSTONCC-MEL-7203709	Westpac	Fixed Rate, Quarterly Interest	2.70%	01-Oct-19	\$3,000,000.00
25-Sep-18	KINGSTONCC-MEL-7203733	Westpac	Fixed Rate, Quarterly Interest	2.70%	08-Oct-19	\$3,000,000.00
25-Sep-18	KINGSTONCC-MEL-7203739	Westpac	Fixed Rate, Quarterly Interest	2.70%	15-Oct-19	\$3,000,000.00
15-Feb-19	GMI-DEAL-10605778	NAB	Fixed Rate, One Payment	2.67%	22-Oct-19	\$3,000,000.00
26-Oct-18	Account 114951361	Bendigo Bank	Fixed Rate, One Payment	2.30%	26-Oct-19	\$50,000.00
15-Feb-19	GMI-DEAL-10605779	NAB	Fixed Rate, One Payment	2.67%	29-Oct-19	\$3,000,000.00
12-Mar-19	GMI-DEAL-10611655	NAB	Fixed Rate, One Payment	2.54%	05-Nov-19	\$4,000,000.00
26-Apr-19	GMI-DEAL-10623237	NAB	Fixed Rate, One Payment	2.40%	12-Nov-19	\$3,000,000.00
12-May-19	Account 10895811	Bendigo Bank	Fixed Rate, One Payment	2.00%	12-Nov-19	\$50,000.00
30-Apr-19	832076868	ANZ	Fixed Rate, One Payment	2.23%	19-Nov-19	\$3,000,000.00
30-Apr-19	832076876	ANZ	Fixed Rate, One Payment	2.23%	26-Nov-19	\$3,000,000.00
03-May-19	GMI-DEAL-10625025	NAB	Fixed Rate, One Payment	2.30%	03-Dec-19	\$3,000,000.00
08-May-19	GMI-DEAL-10626074	NAB	Fixed Rate, One Payment	2.35%	10-Dec-19	\$3,000,000.00
20-May-19	GMI-DEAL-10628443	NAB	Fixed Rate, One Payment	2.26%	17-Dec-19	\$3,000,000.00
27-May-19	GMI-DEAL-10630003	NAB	Fixed Rate, One Payment	2.23%	24-Dec-19	\$3,000,000.00
27-May-19	GMI-DEAL-10630006	NAB	Fixed Rate, One Payment	2.23%	31-Dec-19	\$3,000,000.00
12-Jun-19	832083873	ANZ	Fixed Rate, One Payment	2.05%	07-Jan-20	\$3,000,000.00
04-Jun-19	GMI-DEAL-10632421	NAB	Fixed Rate, One Payment	2.18%	07-Jan-20	\$3,000,000.00
04-Jun-19	GMI-DEAL-10632422	NAB	Fixed Rate, One Payment	2.18%	14-Jan-20	\$3,000,000.00
19-Jun-19	GMI-DEAL-10635345	NAB	Fixed Rate, One Payment	2.02%	21-Jan-20	\$3,000,000.00
29-Jan-19	Account 141205112	Bendigo Bank	Fixed Rate, One Payment	2.30%	29-Jan-20	\$50,000.00
21-Feb-19	KINGSTONCC-MEL-7324477	Westpac	Fixed Rate, One Payment	2.60%	04-Feb-20	\$3,000,000.00
21-Feb-19	KINGSTONCC-MEL-7324479	Westpac	Fixed Rate, One Payment	2.60%	11-Feb-20	\$3,000,000.00
12-Feb-19	KINGSTONCC-MEL-7511425	Westpac	Fixed Rate, Quarterly Interest	2.70%	18-Feb-20	\$3,000,000.00
12-Feb-19	KINGSTONCC-MEL-7511441	Westpac	Fixed Rate, Quarterly Interest	2.70%	25-Feb-20	\$3,000,000.00
26-Feb-19	KINGSTONCC-MEL-7542370	Westpac	Fixed Rate, Semi Annual Interest	2.65%	25-Feb-20	\$4,000,000.00
14-Feb-19	KINGSTONCC-MEL-7516183	Westpac	Fixed Rate, Quarterly Interest	2.70%	03-Mar-20	\$3,000,000.00
14-Feb-19	KINGSTONCC-MEL-7516189	Westpac	Fixed Rate, Quarterly Interest	2.70%	10-Mar-20	\$3,000,000.00
14-Feb-19	KINGSTONCC-MEL-7516251	Westpac	Fixed Rate, Quarterly Interest	2.70%	17-Mar-20	\$3,000,000.00
22-Jun-19	Account 136052511	Bendigo Bank	Fixed Rate, One Payment	2.00%	22-Jun-20	\$50,000.00
19-Mar-19	KINGSTONCC-MEL-7600671	Westpac	Fixed Rate, Quarterly Interest	2.50%	24-Mar-20	\$3,000,000.00
	Term Deposits maturing in the next month					<b>Total \$135,100,000.00</b>



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# Ordinary Meeting of Council

23 September 2019

Agenda Item No: 11.5

## UPDATE OF COUNCIL'S INSTRUMENT OF DELEGATION TO MEMBERS OF COUNCIL STAFF

Contact Officer: Sasha Pearson, Governance and FOI Officer

### Purpose of Report

This report recommends that Council adopt a revised *Instrument of Delegation to Members of Council Staff* to incorporate administrative changes to meet organisational requirements.

### 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

In the exercise of the powers conferred by section 98(1) of the *Local Government Act 1989* (the Act) and the other legislation referred to in the attached instrument of delegation, Kingston City Council (Council) resolves that:

1. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached *Instrument of Delegation to Members of Council Staff*, the powers, duties and functions set out in that Instrument, subject to the conditions and limitations specified in that Instrument.
2. The Instrument comes into force immediately upon the resolution.
3. On the coming into force of the Instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.
4. The duties and functions set out in the Instrument must be performed, and the powers set out in the instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

### 1. Executive Summary

The *Instrument of Delegation to Members of Council Staff* (last adopted on 23 April 2019) has been revised and is now proposed for adoption by resolution of Council at the Ordinary Meeting of Council on 23 September 2019. The changes are administrative and relate to changes in positions or position titles of Council officers.

## **2. Background**

Council last adopted revised instruments of delegation at its meeting on 23 April 2019. The Instruments adopted at that meeting were the *Instrument of Delegation to the Chief Executive Officer*, *Instrument of Delegation to Planning Committee* and *Instrument of Delegation to Members of Council Staff*. Only the *Instrument of Delegation to Members of Council Staff* (the Instrument) is proposed for to be updated at the September 2019 Ordinary Meeting of Council, as no updates are required for the other instruments.

## **3. Discussion**

### **3.1 Council Plan Alignment**

Goal 5 - Our well-governed and responsive organisation

Direction 5.1 - Support decision making to provide an efficient and effective council which embodies the principles of democracy

The formal delegation of legislated powers, duties and functions via instruments of delegation allow Council officers to perform day to day duties and make decisions that may otherwise need to be decided upon by Council.

### **3.2 Consultation/Internal Review**

The revised Instrument of Delegation has been prepared with reference to the most current template provided at the end of June 2019 by Council's lawyers, Maddocks, and to Maddocks' suggested legislative updates. The proposed Council resolution has also been prepared with reference to template provided by Maddocks Lawyers.

No legislative updates have been made to the Instrument. The changes are administrative and incorporate Managers' requests to add new position titles and remove obsolete ones. Corporate Leadership Group has reviewed the proposed changes to the *Instrument of Delegation to Members of Council Staff*.

### **3.3 Operation and Strategic Issues**

The Instrument proposed for adoption is attached at Appendix 1. The proposed changes are detailed in Appendix 2, and are described below:

#### **3.3.1 Organisational Updates**

The Manager Compliance and Amenity has requested the addition of the following three positions to the Instrument

CCF	Construction Compliance Facilitator
CLO	Construction Liaison Officer
LCO	Landscape Compliance Officer

Officers holding the above positions would have the power to allow a person served an infringement notice further time under section 130(5) of the *Planning and Environment Act 1987*. Further, the Planning Liaison and Enforcement Officer (PLEO), an existing delegate in the Instrument, is to be delegated power under this same provision.

The Construction Liaison Officer (CLO) would also have the power to approve any plan or any amendment to a plan in accordance with the planning scheme or permit condition under the *Planning and Environment Act 1987*.

The position Team Leader City Transformation (TLCT) from the City Strategy department has been deleted from the Instrument as the position no longer exists. Only one provision under the *Planning and Environment Act 1987* is affected by this deletion. The provision is already appropriately delegated to the Team Leader Strategic Planning and does not need to be transferred to another officer in City Strategy.

**3.3.2 Minor Administrative Typographical Errors**

Some administrative errors from the last update have been rectified, for example one historic references to MPALS (Manager Property Arts and Leisure Services) remained and has now been replaced with the current position MPA (Manager Property and Arts).

**4. Conclusion**

**4.1 Environmental Implications**

Not applicable

**4.2 Social Implications**

All Council Instruments of Delegation are available on the City of Kingston website. This review and update will ensure that Council's practices remain transparent and that high standards of integrity and accountability are maintained.


**4.3 Resource Implications**

The costs to prepare and adopt the Instruments are minimal and are be met within the current departmental budget.

**4.4 Legal / Risk Implications**

The *Local Government Act 1989* (the Act) subsection 98(1) provides the basis for the establishment of Instruments of Delegation, that enable Council to delegate its powers, duties or functions to a member of its staff, other than certain specified powers. Under Section 98(6) of the Act, Council must review all delegations that have been made by the Council within 12 months after a general election. This proposed update goes beyond compliance with the Act but is in accordance with legal advice that it is prudent to update all Instruments of Delegation regularly, to ensure they consider all legislative developments and organisational changes. This will reduce the risk of a successful challenge to actions made by staff made under delegation.

**Appendices**

Appendix 1 - Draft Instrument of Delegation to Members of Council Staff - for adoption - 23 September 2019 (Ref 13/86087[v6])  [↓](#)

Appendix 2 - Summary of Proposed changes to Instrument of Delegation to Members of Council Staff (Ref 19/194605)  [↓](#)

Author/s: Sasha Pearson, Governance and FOI Officer  
Reviewed and Approved By: Phil DeLosa, Manager Governance  
Paul Franklin, General Manager Corporate Services



# 11.5

## **UPDATE OF COUNCIL'S INSTRUMENT OF DELEGATION TO MEMBERS OF COUNCIL STAFF**

<b>1</b>	<b>Draft Instrument of Delegation to Members of Council Staff - for adoption - 23 September 2019 .....</b>	<b>349</b>
<b>2</b>	<b>Summary of Proposed changes to Instrument of Delegation to Members of Council Staff .....</b>	<b>423</b>

DRAFT FOR ADOPTION



**Kingston City Council**

**Instrument of Delegation**

**to**

**Members of Council Staff**

## DRAFT FOR ADOPTION

### VERSION CONTROL

This Instrument (13/86067[v6]) was authorised by resolution of Council on 23 September 2019.

This Instrument revokes and replaces the Instrument of Delegation to Council Staff authorised by resolution of Council on 23 April 2019 (13/86067[v5]).

## DRAFT FOR ADOPTION

### Instrument of Delegation

In exercise of the power conferred by s 98(1) of the *Local Government Act 1989* and the other legislation referred to in the attached Schedule, the Council:

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
2. record that references in the Schedule are as follows:

<b>CCF</b>	Construction Compliance Facilitator
<b>CDTSC</b>	City Development Technical and Systems Coordinator
<b>CEO</b>	Chief Executive Officer
<b>CLAO</b>	Customer Liaison and Administration Officer
<b>CLO</b>	Construction Liaison Officer
<b>EHO</b>	Environmental Health Officer
<b>GMCAE</b>	General Manager City Assets & Environment
<b>GMCorpS</b>	General Manager Corporate Services
<b>GMPD</b>	General Manager Planning and Development
<b>LCO</b>	Landscape Compliance Officer
<b>MBFMPO</b>	Major Building Facilities Maintenance & Planning Officer
<b>MCA</b>	Manager Compliance and Amenity
<b>MCD</b>	Manager City Development
<b>MCEI</b>	Manager City Economy and Innovation
<b>MCS</b>	Manager City Strategy
<b>MFCP</b>	Manager Finance and Corporate Performance
<b>MG</b>	Manager Governance
<b>MI</b>	Manager Infrastructure
<b>MPA</b>	Manager Property and Arts
<b>MTT</b>	Manager Traffic and Transport
<b>OCEH</b>	Operations Coordinator - Environmental Health
<b>PAA</b>	Planning Appeals Advocate
<b>PLEO</b>	Planning Liaison and Enforcement Officer
<b>PP</b>	Principal Planner
<b>PStrgP</b>	Principal Strategic Planner
<b>SCLAO</b>	Senior Customer Liaison and Administration Officer
<b>SO</b>	Subdivisions Officer
<b>SPLEO</b>	Senior Planning Liaison and Enforcement Officer
<b>SStatBP</b>	Senior Statutory and Business Planner
<b>SStrgP</b>	Senior Strategic Planner
<b>StatP</b>	Statutory Planner
<b>StP</b>	Student Planning Officer
<b>TLCDA</b>	Team Leader City Development Administration
<b>TLED</b>	Team Leader Engineering Design

## DRAFT FOR ADOPTION

<b>TLEH</b>	Team Leader Environmental Health
<b>TLMCW</b>	Team Leader Maintenance Contracts and Waste
<b>TLPAC</b>	Team Leader Planning Appeals & Compliance
<b>TLPS</b>	Team Leader Property Services
<b>TLRD</b>	Team Leader Roads & Drains
<b>TLSB-MBS</b>	Team Leader Statutory Building (MBS)
<b>TLStatP</b>	Team Leader Statutory Planning
<b>TLStrgP</b>	Team Leader Strategic Planning
<b>VSFTO</b>	VicSmart / Fast Track Officer

3. declares that:
  - 3.1. this Instrument of Delegation is authorised by a resolution of Council passed on 23 September 2019; and
  - 3.2. the delegation:
    - 3.2.1. comes into force upon the resolution of Council;
    - 3.2.2. remains in force until varied or revoked;
    - 3.2.3. is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and
    - 3.2.4. must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
  - 3.3. the delegate must not determine the issue, take the action or do the act or thing:
    - 3.3.1. if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council; or
    - 3.3.2. if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
      - (a) policy; or
      - (b) strategyadopted by Council; or
    - 3.3.3. if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of s 98(1)(a)-(f) (inclusive) of the Act or otherwise; or
    - 3.3.4. the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

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## DRAFT FOR ADOPTION

<b>DOMESTIC ANIMALS ACT 1994</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 41A(1)	Power to declare a dog to be a menacing dog	GMPD	Council may delegate this power to a Council authorised officer

## DRAFT FOR ADOPTION

<b>ENVIRONMENT PROTECTION ACT 1970</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 53M(3)	Power to require further information	EHO, GMPD, MCEI, OCEH, TLEH	
s 53M(4)	Duty to advise applicant that application is not to be dealt with	EHO, GMPD, MCEI, OCEH, TLEH	
s 53M(5)	Duty to approve plans, issue permit or refuse permit	EHO, GMPD, MCEI, OCEH, TLEH	Refusal must be ratified by Council or it is of no effect
s 53M(6)	Power to refuse to issue septic tank permit	EHO, GMPD, MCEI, OCEH, TLEH	Refusal must be ratified by Council or it is of no effect
s 53M(7)	Duty to refuse to issue a permit in circumstances in (a)-(c)	EHO, GMPD, MCEI, OCEH, TLEH	Refusal must be ratified by Council or it is of no effect



## DRAFT FOR ADOPTION

<b>FOOD ACT 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 19(2)(a)	Power to direct by written order that the food premises be put into a clean and sanitary condition	EHO, GMPD, MCEI, OCEH, TLEH	If s 19(1) applies
s 19(2)(b)	Power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable	EHO, GMPD, MCEI, OCEH, TLEH	If s 19(1) applies
s 19(3)	Power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process	EHO, GMPD, MCEI, OCEH, TLEH	If s 19(1) applies  Only in relation to temporary food premises or mobile food premises
s 19(4)(a)	Power to direct that an order made under s 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	CEO	If s 19(1) applies
s 19(6)(a)	Duty to revoke any order under section 19 if satisfied that an order has been complied with	EHO, GMPD, MCEI, OCEH, TLEH	If s 19(1) applies
s 19(6)(b)	Duty to give written notice of revocation under section 19(6)(a) if satisfied that an order has been complied with	EHO, GMPD, MCEI, OCEH, TLEH	If s 19(1) applies
s 19AA(2)	Power to direct, by written order, that a person must take any of the actions described in (a)-(c).	EHO, GMPD, MCEI, OCEH, TLEH	Where Council is the registration authority
s 19AA(4)(c)	Power to direct, in an order made under s 19AA(2) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises	EHO, GMPD, MCEI, OCEH, TLEH	Note: the power to direct the matters under s 19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution

## DRAFT FOR ADOPTION

<b>FOOD ACT 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 19AA(7)	Duty to revoke order issued under s 19AA and give written notice of revocation, if satisfied that that order has been complied with	EHO, GMPD, MCEI, OCEH, TLEH	Where Council is the registration authority
s 19CB(4)(b)	Power to request copy of records	EHO, GMPD, MCEI, OCEH, TLEH	Where Council is the registration authority
s 19E(1)(d)	Power to request a copy of the food safety program	EHO, GMPD, MCEI, OCEH, TLEH	Where Council is the registration authority
s 19GB	Power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	EHO, GMPD, MCEI, OCEH, TLEH	Where Council is the registration authority
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	EHO, GMPD, MCEI, OCEH, TLEH	Where Council is the registration authority
s 19NA(1)	Power to request food safety audit reports	EHO, GMPD, MCEI, OCEH, TLEH	Where Council is the registration authority
s 19U(3)	Power to waive and vary the costs of a food safety audit if there are special circumstances	GMPD, MCEI, OCEH, TLEH	
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	EHO, GMPD, MCEI, OCEH, TLEH	Except for an assessment required by a declaration under s 19C or an inspection under ss 38B(1)(c) or 39.
s 19W	Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	EHO, GMPD, MCEI, OCEH, TLEH	Where Council is the registration authority
s 19W(3)(a)	Power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	EHO, GMPD, MCEI, OCEH, TLEH	Where Council is the registration authority

## DRAFT FOR ADOPTION

<b>FOOD ACT 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 19W(3)(b)	Power to direct a proprietor of a food premises to have details of any staff training incorporated into the minimum records required to be kept or food safety program of the premises	EHO, GMPD, MCEI, OCEH, TLEH	Where Council is the registration authority
	Power to register, renew or transfer registration	EHO, GMPD, MCEI, OCEH, TLEH	Where Council is the registration authority refusal to grant/renew/transfer registration must be ratified by Council or the CEO (see s 58A(2))
s 38AA(5)	Power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	EHO, GMPD, MCEI, OCEH, TLEH	Where Council is the registration authority
s 38AB(4)	Power to fix a fee for the receipt of a notification under s 38AA in accordance with a declaration under s 38AB(1)	GMPD, MCEI, OCEH, TLEH	Where Council is the registration authority
s 38A(4)	Power to request a copy of a completed food safety program template	EHO, GMPD, MCEI, OCEH, TLEH	Where Council is the registration authority
s 38B(1)(a)	Duty to assess the application and determine which class of food premises under s 19C the food premises belongs	EHO, GMPD, MCEI, OCEH, TLEH	Where Council is the registration authority
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	EHO, GMPD, MCEI, OCEH, TLEH	Where Council is the registration authority
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	EHO, GMPD, MCEI, OCEH, TLEH	Where Council is the registration authority
s 38D(1)	Duty to ensure compliance with the applicable provisions of s 38C and inspect the premises if required by s 39	EHO, GMPD, MCEI, OCEH, TLEH	Where Council is the registration authority

## DRAFT FOR ADOPTION

<b>FOOD ACT 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	EHO, GMPD, MCEI, OCEH, TLEH	Where Council is the registration authority
s 38D(3)	Power to request copies of any audit reports	EHO, GMPD, MCEI, OCEH, TLEH	Where Council is the registration authority
s 38E(2)	Power to register the food premises on a conditional basis	EHO, GMPD, MCEI, OCEH, TLEH	Where Council is the registration authority not exceeding the prescribed time limit defined under s 38E(5)
s 38E(4)	Duty to register the food premises when conditions are satisfied	EHO, GMPD, MCEI, OCEH, TLEH	Where Council is the registration authority
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	EHO, GMPD, MCEI, OCEH, TLEH	Where Council is the registration authority
s 39A	Power to register, renew or transfer food premises despite minor defects	EHO, GMPD, MCEI, OCEH, TLEH	Where Council is the registration authority Only if satisfied of matters in s 39A(2)(a)-(c)
s 40(2)	Power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the Public Health and Wellbeing Act 2008	EHO, GMPD, MCEI, OCEH, TLEH	
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	EHO, GMPD, MCEI, OCEH, TLEH	Where Council is the registration authority
s 40D(1)	Power to suspend or revoke the registration of food premises	GMPD, MCEI, OCEH, TLEH	Where Council is the registration authority

## DRAFT FOR ADOPTION

<b>FOOD ACT 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 43F(6)	Duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business	EHO, GMPD, MCEI, OCEH, TLEH	Where Council is the registration authority
s 43F(7)	Power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	EHO, GMPD, MCEI, OCEH, TLEH	Where Council is the registration authority
s 46(5)	Power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged	EHO, GMPD, MCEI, OCEH, TLEH	Where Council is the registration authority

## DRAFT FOR ADOPTION

<b>HERITAGE ACT 2017</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 116	Power to sub-delegate Executive Director's functions, duties or powers	CEO	<p>Must first obtain Executive Director's written consent</p> <p>Council can only sub-delegate if the Instrument of Delegation from the Executive Director authorises sub-delegation</p>

## DRAFT FOR ADOPTION

<b>LOCAL GOVERNMENT ACT 1989</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 181H	Power to enter into an environmental upgrade agreement on behalf of Council and declare and levy an environmental upgrade charge	CEO	The only member of staff who can be a delegate in Column 3 is the CEO.

## DRAFT FOR ADOPTION

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 4B	Power to prepare an amendment to the Victorian Planning Provisions	GMPD, MCS	If authorised by the Minister
s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	GMPD, MCD, MCS, TLStrgP	
s 4H	Duty to make amendment to Victoria Planning Provisions available	GMPD, MCS, TLStrgP	
s 4I	Duty to keep Victorian Planning Provisions and other documents available	GMPD, MCS, TLStrgP	
s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A	GMPD, MCS	
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	GMPD, MCS, TLStrgP	
s 8A(5)	Function of receiving notice of the Minister's decision	GMPD, MCS	
s 8A(7)	Power to prepare the amendment specified in the application without the Minister's authorisation if no response received after 10 business days	GMPD, MCS	
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	GMPD, MCS	
s 12(3)	Power to carry out studies and do things to ensure proper use of land and consult with other persons to ensure co-ordination of planning scheme with these persons	GMPD, MCD, MCS	



## DRAFT FOR ADOPTION

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Item Delegated	Delegate	Conditions and Limitations
s 12A(1)	Duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under s19 of the Planning and Environment (Planning Schemes) Act 1996)	GMPD, MCS	
s 12B(1)	Duty to review planning scheme	GMPD, MCS	
s 12B(2)	Duty to review planning scheme at direction of Minister	GMPD, MCD, MCS	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	GMPD, MCS	
s 14	Duties of a Responsible Authority as set out in s 14(a) to (d)	GMPD, MCD, MCS, PAA, PP, PStrgP, SO, SPLEO, SStatBP, SStrgP, StatP, TLStatP, TLStrgP, VSFTO	In accordance with this Instrument of Delegation.
s 17(1)	Duty of giving copy amendment to the planning scheme	GMPD, MCS, TLStrgP	
s 17(2)	Duty of giving copy s 173 agreement	GMPD, MCS, TLStrgP	
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	GMPD, MCS	
s 18	Duty to make amendment etc. available	GMPD, MCS, TLStrgP	

## DRAFT FOR ADOPTION

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Item Delegated	Delegate	Conditions and Limitations
s 19	Power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under s 19 to a planning scheme	GMPD, MCS	
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	GMPD, MCS	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority.
s 20(1)	Power to apply to Minister for exemption from the requirements of s 19	GMPD, MCS	
s 21(2)	Duty to make submissions available	GMPD, MCS, PStrgP, SStrgP, TLCDA, TLStrgP	
s 21A(4)	Duty to publish notice	GMPD, MCS	
s 22	Duty to consider all submissions	GMPD, MCS, PStrgP, TLStrgP	Except submissions which request a change to the items in s 22(5)(a) and (b)
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	GMPD, MCS	
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	GMPD, MCS	
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	GMPD, MCD, MCS, MTT, PP, PStrgP, SStatBP, SStrgP, StatP, TLED, TLRD, TLStatP, TLStrgP	

## DRAFT FOR ADOPTION

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 26(1)	Power to make report available for inspection	GMPD, MCS	
s 26(2)	Duty to keep report of panel available for inspection	GMPD, MCS, PStrgP, SStrgP, TLStrgP	
s 27(2)	Power to apply for exemption if panel's report not received	GMPD, MCS	
s 28	Duty to notify the Minister if abandoning an amendment	GMPD, MCS, TLStrgP	Note: the power to make a decision to abandon an amendment cannot be delegated
s 30(4)(a)	Duty to say if amendment has lapsed	GMPD, MCS, TLStrgP	
s 30(4)(b)	Duty to provide information in writing upon request	GMPD, MCS, TLStrgP	
s 32(2)	Duty to give more notice if required	GMPD, MCS	
s 33(1)	Duty to give more notice of changes to an amendment	GMPD, MCS	
s 36(2)	Duty to give notice of approval of amendment	GMPD, MCS	
s 38(5)	Duty to give notice of revocation of an amendment	GMPD, MCS	
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	GMPD, MCS	
s 40(1)	Function of lodging copy of approved amendment	GMPD, MCS, TLStrgP	

## DRAFT FOR ADOPTION

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Item Delegated	Delegate	Conditions and Limitations
s 41	Duty to make approved amendment available	GMPD, MCS, PStrgP, SStrgP, TLCDA, TLStrgP	
s 42	Duty to make copy of planning scheme available	GMPD, MCD, MCS, TLCDA	
s 46AW	Function of being consulted by the Minister	GMPD, MCS	Where Council is a responsible public entity
s 46AX	Function of receiving a draft Statement of Planning Policy and written direction in relation to the endorsement of the draft Statement of Planning Policy  Power to endorse the draft Statement of Planning Policy	GMPD, MCS	Where Council is a responsible public entity
s 46AZC(2)	Duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for the declared area that is expressed to be binding on the responsible public entity	GMPD, MCS	Where Council is a responsible public entity
s 46AZK	Duty not to act inconsistently with any provision of the Statement of Planning Policy that is expressed to be binding on the public entity when performing a function or duty or exercising a power in relation to the declared area	GMPD, MCS	Where Council is a responsible public entity
s 46GI(2)(b)(i)	Power to agree to a lower rate of standard levy for a class of development of a particular type of land than the rate specified in a Minister's direction	GMCAE, GMCorpS, GMPD, MCS, MI	Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency
s 46GJ(1)	Function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans	GMPD, MCS	

## DRAFT FOR ADOPTION

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority	GMPD, MCS	
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	GMCAE, GMPD, MCS, MPA	
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	GMCAE, GMPD, MCS, MPA	
s 46GP	Function of receiving a notice under s 46GO	GMCAE, GMPD, MCS, MPA	Where Council is the collecting agency
s 46GQ	Function of receiving a submission from an affected owner who objects to the estimated value per hectare (or other appropriate unit of measurement) of the inner public purpose land	GMCAE, GMPD, MCS, MPA	
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO	GMCAE, GMPD, MCS, MPA	
s 46GR(2)	Power to consider a late submission  Duty to consider a late submission if directed to do so by the Minister	GMCAE, GMPD, MCS, MPA	
s 46GS(1)	Power to accept or reject the estimate of the value of the inner public purpose land in a submission made under s 46GQ	GMCAE, GMPD, MCS, MPA	
s 46GS(2)	Duty, if Council rejects the estimate of the value of the inner public purpose land in the submission, to refer the matter to the valuer-general, and notify the affected owner of the rejection and that the matter has been referred to the valuer-general	GMCAE, GMPD, MCS, MPA	

## DRAFT FOR ADOPTION

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	GMCAE, GMPD, MCS, MPA	
s 46GT(4)	Function of receiving, from the valuer-general, written confirmation of the agreement between the planning authority's valuer and the affected owner's valuer as to the estimated value of the inner public purpose land	GMCAE, GMPD, MCS, MPA	
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	GMCAE, GMPD, MCS, MPA	
s 46GU	Duty not to adopt an amendment under s.29 to an infrastructure contributions plan that specifies a land credit amount or a land equalisation amount that relates to a parcel of land in the ICP plan area of the plan unless the criteria in s 46GU(1)(a) and (b) are met	GMCAE, GMPD, MCS, MI	
s 46GV(3)	Function of receiving the monetary component and any land equalisation amount of the infrastructure contribution  Power to specify the manner in which the payment is to be made	GMCAE, GMCorpS, GMPD, MCS, MI	Where Council is the collecting agency
s 46GV(3)(b)	Power to enter into an agreement with the applicant	GMCAE, GMPD, MCS	Where Council is the collecting agency
s 46GV(4)(a)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	GMCAE, GMPD, MCS, MPA	Where Council is the development agency
s 46GV(4)(b)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	GMCAE, GMPD, MCS, MPA	Where Council is the collecting agency
s 46GV(7)	Duty to impose the requirements set out in s 46GV(3) and (4) as conditions on the permit applied for by the applicant to develop the land in the ICP plan area	GMCAE, GMPD, MCS	

## DRAFT FOR ADOPTION

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 46GV(9)	Power to require the payment of a monetary component or the provision of the land component of an infrastructure contribution to be secured to Council's satisfaction	GMCAE, GMPD, MCS, MI, MPA	Where Council is the collecting agency
s 46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	GMCAE, GMPD, MCS, MI, MPA	Where Council is the collecting agency
s 46GX(2)	Duty, before accepting the provision of works, services or facilities by an applicant under s 46GX(1), to obtain the agreement of the development agency or agencies specified in the approved infrastructure contributions plan	GMCAE, GMPD, MCS, MI, MPA	Where Council is the collecting agency
s 46GY(1)	Duty to keep proper and separate accounts and records	GMCAE, GMCorpS, GMPD, MCS, MFCP	Where Council is the collecting agency
s 46GY(2)	Duty to keep the accounts and records in accordance with the Local Government Act 1989	GMCAE, GMCorpS, GMPD, MCS, MFCP, MI	Where Council is the collecting agency
s 46GZ(2)(a)	Duty to forward any part of the monetary component that is imposed for plan preparation costs to the planning authority that incurred those costs	GMCAE, GMPD, MCS, MI	Where Council is the collecting agency under an approved infrastructure contributions plan  This duty does not apply where Council is that planning authority
s 46GZ(2)(a)	Function of receiving the monetary component	GMCAE, GMCorpS, GMPD, MCS, MFCP, MI, MPA	Where the Council is the planning authority  This duty does not apply where Council is also the collecting agency
s 46GZ(2)(b)	Duty to forward any part of the monetary component that is imposed for the provision of works, services or facilities to the development agency that is specified in the plan, as responsible for those works, services or facilities	GMCAE, GMCorpS, GMPD, MCS, MFCP, MI, MPA	Where Council is the collecting agency under an approved infrastructure contributions plan  This provision does not apply where Council is also the relevant development agency

## DRAFT FOR ADOPTION

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Item Delegated	Delegate	Conditions and Limitations
s 46GZ(2)(b)	Function of receiving the monetary component	GMCAE, GMCorpS, GMPD, MCS, MFCP, MI, MPA	Where Council is the development agency under an approved infrastructure contributions plan  This provision does not apply where Council is also the collecting agency
s 46GZ(4)	Duty to use any land equalisation amounts to pay land credit amounts under s 46GZ(7), except any part of those amounts that are to be forwarded to a development agency under s 46GZ(5)	GMCAE, GMCorpS, GMPD, MCS, MFCP, MI, MPA	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZ(5)	Duty to forward any part of a land equalisation amount required for the acquisition of outer public purpose land by a development agency specified in the approved infrastructure contributions plan to that development agency	GMCAE, GMCorpS, GMPD, MCS, MFCP, MI, MPA	Where Council is the collecting agency under an approved infrastructure contributions plan  This provision does not apply where Council is also the relevant development agency
s 46GZ(5)	Function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land	GMCAE, GMPD, MCS, MI, MPA	Where Council is the development agency specified in the approved infrastructure contributions plan  This provision does not apply where Council is also the collecting agency
s 46GZ(7)	Duty to pay to each person who must provide an infrastructure contribution under the approved infrastructure contributions plan any land credit amount to which the person is entitled under s 46GW	GMCAE, GMPD, MCS, MFCP, MI, MPA	Where Council is the collecting agency under an approved infrastructure contributions plan



## DRAFT FOR ADOPTION

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Item Delegated	Delegate	Conditions and Limitations
s 46GZ(9)	Duty to transfer the estate in fee simple in the land to the development agency specified in the approved infrastructure contributions plan as responsible for the use and development of that land	GMCAE, GMCorpS, GMPD	If any inner public purpose land is vested in Council under the Subdivision Act 1988 or acquired by Council before the time it is required to be provided to Council under s 46GV(4)  Where Council is the collecting agency under an approved infrastructure contributions plan  This duty does not apply where Council is also the development agency
s 46GZ(9)	Function of receiving the fee simple in the land	GMCAE, GMCorpS, GMPD	Where Council is the development agency under an approved infrastructure contributions plan  This duty does not apply where Council is also the collecting agency
s 46GZA(1)	Duty to keep proper and separate accounts and records	GMCAE, GMCorpS, GMPD, MCS, MFCP	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZA(2)	Duty to keep the accounts and records in accordance with the Local Government Act 1989	GMCAE, GMCorpS, GMPD, MCS, MFCP	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZB(3)	Duty to follow the steps set out in s 46GZB(3)(a) – (c)	GMCAE, GMCorpS, GMPD, MCS	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZB(4)	Duty, in accordance with requirements of the VPA, to report on the use of the infrastructure contribution in the development agency's annual report and provide reports on the use of the infrastructure contribution to the VPA	GMCAE, GMCorpS, GMPD, MCS, MFCP, MI	If the VPA is the collecting agency under an approved infrastructure contributions plan  Where Council is a development agency under an approved infrastructure contributions plan

## DRAFT FOR ADOPTION

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 46GZD(2)	Duty, within 6 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZD(2)(a) and (b)	GMCAE, GMPD, MCS, MI	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZD(3)	Duty to follow the steps set out in s 46GZD(3)(a) and (b)	GMCAE, GMPD, MCS, MI	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZD(5)	Duty to make payments under s 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b)	GMCAE, GMPD, MCS, MI	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZE(2)	Duty to forward the land equalisation amount back to the collecting agency within 6 months after the expiry date if any part of a land equalisation amount paid or forwarded to a development agency for acquiring outer public purpose land has not been expended by the development agency to acquire that land at the date on which the approved infrastructure contributions plan expires	GMCAE, GMCorpS, GMPD, MCS, MFCP, MI	Where Council is the development agency under an approved infrastructure contributions plan  This duty does not apply where Council is also the collecting agency
s 46GZE(2)	Function of receiving the unexpended land equalisation amount	GMCAE, GMCorpS, GMPD, MCS, MFCP	Where Council is the collecting agency under an approved infrastructure contributions plan  This duty does not apply where Council is also the development agency
s 46GZE(3)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZE(3)(a) and (b)	GMCAE, GMCorpS, GMPD, MCS, MFCP	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZF(2)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to use the public purpose land for a public purpose approved by the Minister or sell the public purpose land	GMCAE, GMPD, MCS, MI	Where Council is the development agency under an approved infrastructure contributions plan

## DRAFT FOR ADOPTION

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Item Delegated	Delegate	Conditions and Limitations
s.46GZF(3)	Duty, if land is sold under s.46GZF(2)(b), to follow the steps in s.46GZF(3)(a) and (b)	GMCAE, GMPD, MCS, MPA	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZF(3)	s 46GZF(3)(a) function of receiving proceeds of sale	GMCAE, GMCorpS, GMPD, MCS, MFCP, MPA	Where Council is the collection agency under an approved infrastructure contributions plan  This provision does not apply where Council is also the development agency
s 46GZF(4)	Duty to divide the proceeds of the public purpose land among the current owners of each parcel of land in the ICP plan area and pay each current owner a portion of the proceeds in accordance with s 46GZF(5)	GMCAE, GMCorpS, GMPD, MCS, MPA	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZF(6)	Duty to make the payments under s 46GZF(4) in accordance with s 46GZF(6)(a) and (b)	GMCAE, GMCorpS, GMPD, MFCP	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZH	Power to recover the monetary component, or any land equalisation amount of the land component, payable under Part 3AB as a debt in any court of competent jurisdiction	GMCAE, GMCorpS, GMPD, MCS, MFCP	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZI	Duty to prepare and give a report to the Minister at the times required by the Minister	GMCAE, GMCorpS, GMPD, MCS, MFCP	Where Council is a collecting agency or development agency
s 46GZK	Power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	GMCAE, GMCorpS, GMPD, MCS, MPA	Where Council is a collecting agency or development agency
s 46LB(3)	Duty to publish, on Council's Internet site, the payable dwelling amount for a financial year on or before 1 July of each financial year for which the amount is adjusted under s 46LB (2)	GMCAE, GMCorpS, GMPD, MCS, MI	

## DRAFT FOR ADOPTION

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	GMCAE, MCD, MI, PP, TLPAC, TLStatP	
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	GMCAE, GMCorpS, GMPD, MCD, MCS, MFCP, MI, PP, TLPAC, TLStatP, TLStrgP	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	GMCAE, GMPD, MCD, MCS, MI, PP, TLPAC, TLStatP, TLStrgP	
s 46O(1)(a) & (2)(a)	Power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit	GMCAE, GMPD, MCD, MI, TLSB-MBS	
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	GMCAE, GMPD, MCD, MCS, MI	
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	GMCAE, GMCorpS, GMPD, MCD, MCS, MFCP, MI	
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	GMCAE, GMCorpS, GMPD, MCD, MCS, MFCP, MI, MPA	
s 46Q(1)	Duty to keep proper accounts of levies paid	GMCAE, GMCorpS, GMPD, MFCP, MI	

## DRAFT FOR ADOPTION

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Item Delegated	Delegate	Conditions and Limitations
s 46Q(1A)	Duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency or plan preparation costs incurred by a development agency or plan preparation costs incurred by a development agency	GMCAE, GMCorpS, GMPD, MCD, MFCP, MI	
s 46Q(2)	Duty to apply levy only for a purpose relating to the provision of plan preparation costs or the works, services and facilities in respect of which the levy was paid etc	GMCAE, GMCorpS, GMPD, MCD, MFCP, MI	
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	GMCAE, GMCorpS, GMPD, MCD, MFCP, MI	Only applies when levy is paid to Council as a 'development agency'
s 46Q(4)(c)	Duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal council as a development agency for plan preparation costs incurred by the Council or for the provision by the Council of works, services or facilities in an area under s 46Q(4)(a)	GMCAE, GMCorpS, GMPD, MCD, MFCP, MI	Must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister
s 46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan	GMPD, MCD, MCS	Must be done in accordance with Part 3
s46Q(4)(e)	Duty to expend that amount on other works etc.	GMCAE, GMPD, MCD, MCS, MI	With the consent of, and in the manner approved by, the Minister
s 46QC	Power to recover any amount of levy payable under Part 3B	GMCAE, GMCorpS, GMPD, MCD, MFCP, MI	
s 46QD	Duty to prepare report and give a report to the Minister	GMPD, MCD, MCS	Where Council is a collecting agency or development agency

## DRAFT FOR ADOPTION

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Item Delegated	Delegate	Conditions and Limitations
s 46V(3)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available	GMPD, MCD, MCS	
s 46Y	Duty to carry out works in conformity with the approved strategy plan	GMPD, MCD	
s 47	Power to decide that an application for a planning permit does not comply with that Act	GMPD, MCD, PP, TLPAC, TLStatP	
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	CDTSC, GMPD, MCD, PP, StatP, TLCDA, TLPAC, TLStatP	
s 49(2)	Duty to make register available for inspection	CDTSC, GMPD, MCD, PP, SCLAO, SStatBP, StatP, TLCDA, TLPAC, TLStatP	
s 50(4)	Duty to amend application	CDTSC, GMPD, MCD, PP, SStatBP, StatP, StP, TLPAC, TLStatP	
s 50(45)	Power to refuse to amend application	CDTSC, GMPD, MCD, PP, SStatBP, StatP, StP, TLPAC, TLStatP	
s 50(6)	Duty to make note of amendment to application in register	CDTSC, GMPD, MCD, PP, SStatBP, StatP, TLCDA, TLPAC, TLStatP	

## DRAFT FOR ADOPTION

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Item Delegated	Delegate	Conditions and Limitations
s 50A(1)	Power to make amendment to application	CDTSC, GMPD, MCD, PP, SStatBP, StatP, StP, TLPAC, TLStatP	
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	CDTSC, GMPD, MCD, PP, SStatBP, StatP, StP, TLPAC, TLStatP	
s 50A(4)	Duty to note amendment to application in register	CDTSC, GMPD, MCD, PP, SCLAO, SStatBP, StatP, TLCDA, TLPAC, TLStatP	
s 51	Duty to make copy of application available for inspection	CDTSC, GMPD, MCD, PP, SCLAO, SStatBP, StatP, StP, TLCDA, TLPAC, TLStatP	
s 52(1)(a)	Duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person	GMPD, MCD, PP, SStatBP, TLPAC, TLStatP	
s 52(1)(b)	Duty to give notice of the application to other municipal council where appropriate	GMPD, MCD, PP, SStatBP, TLPAC, TLStatP	
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	GMPD, MCD, PP, SStatBP, TLPAC, TLStatP	

## DRAFT FOR ADOPTION

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 52(1)(ca)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if may result in breach of covenant	GMPD, MCD, PP, SStatBP, TLPAC, TLStatP	
s 52(1)(cb)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant	GMPD, MCD, PP, SStatBP, TLPAC, TLStatP	
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	GMPD, MCD, PP, SStatBP, TLPAC, TLStatP	
s.52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	GMPD, MCD, PP, SStatBP, TLPAC, TLStatP	
s 52(3)	Power to give any further notice of an application where appropriate	GMPD, MCD, PP, SStatBP, TLPAC, TLStatP	
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	GMPD, MCD, PP, TLPAC, TLStatP	
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	GMPD, MCD, PP, TLPAC, TLStatP	
s 54(1)	Power to require the applicant to provide more information	GMPD, MCD, PP, TLPAC, TLStatP	
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	GMPD, MCD, PP, TLPAC, TLStatP	
s 54(1B)	Duty to specify the lapse date for an application	GMPD, MCD, PP, TLPAC, TLStatP	



## DRAFT FOR ADOPTION

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	GMPD, MCD, PP, TLPAC, TLStatP	
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	GMPD, MCD, PP, TLPAC, TLStatP	
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	CDTSC, CLAO, GMPD, MCD, PP, SCLAO, SStatBP, StatP, StP, TLCDA, TLPAC, TLStrgP	
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	GMPD, MCD, PP, TLPAC, TLStatP	
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	CDTSC, CLAO, GMPD, MCD, PP, SCLAO, SStatBP, StatP, StP, TLPAC, TLStatP	
s 57(5)	Duty to make available for inspection copy of all objections	CDTSC, CLAO, GMPD, MCD, PP, SCLAO, SStatBP, StatP, StP, TLCDA, TLPAC, TLStatP	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	CDTSC, GMPD, MCD, PP, SStatBP, StatP, StP, TLPAC, TLStatP	
s 57A(5)	Power to refuse to amend application	GMPD, MCD, PP, SStatBP, TLPAC, TLStatP	

## DRAFT FOR ADOPTION

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 57A(6)	Duty to note amendments to application in register	CDTSC, GMPD, MCD, PP, SCLAO, SStatBP, StatP, StP, TLCDA, TLPAC, TLStatP	
s 57B(1)	Duty to determine whether and to whom notice should be given	GMPD, MCD, PP, SStatBP, TLPAC, TLStatP	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	GMPD, MCD, PP, SStatBP, TLPAC, TLStatP	
s 57C(1)	Duty to give copy of amended application to referral authority	CDTSC, CLAO, GMPD, MCD, PP, SCLAO, SStatBP, StatP, StP, TLCDA, TLPAC, TLStatP	
s 58	Duty to consider every application for a permit	GMPD, MCD, PStrgP, TLPAC, TLStatP	
s 58A	Power to request advice from the Planning Application Committee	GMPD, MCD, TLPAC, TLStatP	
s 60	Duty to consider certain matters	GMPD, MCD, PP, TLPAC, TLStatP	
s 60(1A)	Duty to consider certain matters	GMPD, MCD, PP, TLPAC, TLStatP	
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	GMPD, MCD, PP, TLPAC, TLStatP	

## DRAFT FOR ADOPTION

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 61(1)	Power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application	GMPD, MCD, PP, TLPAC, TLStatP	The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	GMPD, MCD, PP, TLPAC, TLStatP	
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	GMPD, MCD, PP, TLPAC, TLStatP	
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	GMPD, MCD, PP, TLPAC, TLStatP	
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	GMPD, MCD, PP, TLPAC, TLStatP	
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	GMPD, MCD, PP, TLPAC, TLStatP	
s 62(1)	Duty to include certain conditions in deciding to grant a permit	GMPD, MCD, PAA, PP, TLPAC, TLStatP	
s 62(2)	Power to include other conditions	GMPD, MCD, PAA, PP, TLPAC, TLStatP	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	GMPD, MCD, PP, TLPAC, TLStatP	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	GMPD, MCD, PP, TLPAC, TLStatP	

## DRAFT FOR ADOPTION

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 62(5)(b)	Power to include a permit condition that specified works be provided on or to the land or paid for in accordance with s 173 agreement	GMPD, MCD, PP, TLPAC, TLStatP	
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	GMPD, MCD, PP, TLPAC, TLStatP	
s 62(6)(a)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with ss 46N(1), 46GV(7) or 62(5)	GMPD, MCD, PP, TLPAC, TLStatP	
s 62(6)(b)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in s 62(1)(a)	GMPD, MCD, PP, TLPAC, TLStatP	
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	GMPD, MCD, PAA, PP, TLPAC, TLStatP	
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	GMPD, MCD, PAA, PP, TLPAC, TLStatP	This provision applies also to a decision to grant an amendment to a permit - see s 75
s 64(3)	Duty not to issue a permit until after the specified period	GMPD, MCD, PAA, PP, TLPAC, TLStatP	This provision applies also to a decision to grant an amendment to a permit - see s 75
s 64(5)	Duty to give each objector a copy of an exempt decision	CDTSC, CLAO, GMPD, MCD, PP, SCLAO, SStatBP, StatP, StP, TLCDA, TLPAC, TLStatP	This provision applies also to a decision to grant an amendment to a permit - see s 75

## DRAFT FOR ADOPTION

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Item Delegated	Delegate	Conditions and Limitations
s 64A	Duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	GMPD, MCA, MCD, PAA, PP, TLPAC, TLStatP	This provision applies also to a decision to grant an amendment to a permit - see s 75A
s 65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57	CDTSC, CLAO, GMPD, MCA, MCD, PP, SCLAO, TLCDA, TLPAC, TLStatP	
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	CDTSC, CLAO, GMPD, MCD, PAA, PP, SCLAO, TLCDA, TLPAC, TLStatP	
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	CDTSC, CLAO, GMPD, MCD, PAA, PP, SCLAO, TLCDA, TLPAC, TLStatP	If the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority
s 66(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	CDTSC, CLAO, GMPD, MCD, PAA, PP, SCLAO, TLCDA, TLPAC, TLStatP	If the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit
s 66(6)	Duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under s 64 or 65	CDTSC, CLAO, GMPD, MCD, PP, SCLAO, TLCDA, TLPAC, TLStatP	If the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit

## DRAFT FOR ADOPTION

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 69(1)	Function of receiving application for extension of time of permit	CDTSC, CLAO, GMPD, MCD, PP, SCLAO, SStatBP, StatP, StP, TLCDA, TLPAC, TLStatP	
s 69(1A)	Function of receiving application for extension of time to complete development	CDTSC, CLAO, GMPD, MCD, PP, SCLAO, SStatBP, StatP, StP, TLCDA, TLPAC, TLStatP	
s 69(2)	Power to extend time	GMPD, MCD, PP, TLPAC, TLStatP	Planning permits two years old or more in Green Wedge or environmentally sensitive areas (ie foreshore, wetlands and natural resources environs) for works worth more than \$20,000 in value should be submitted to an Ordinary Council Meeting for decision before being renewed or endorsed if there is a material change.
s 70	Duty to make copy permit available for inspection	CDTSC, CLAO, GMPD, MCD, PP, SCLAO, SStatBP, StatP, StP, TLCDA, TLPAC, TLStatP	
s 71(1)	Power to correct certain mistakes	GMPD, MCD, PP, TLPAC, TLStatP	
s 71(2)	Duty to note corrections in register	CDTSC, GMPD, MCD, PP, SCLAO, SStatBP, StatP, StP, TLCDA, TLPAC, TLStatP	

## DRAFT FOR ADOPTION

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 73	Power to decide to grant amendment subject to conditions	GMPD, MCD, PP, TLPAC, TLStatP	
s 74	Duty to issue amended permit to applicant if no objectors	GMPD, MCD, PP, TLPAC, TLStatP	
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	GMPD, MCD, PP, TLPAC, TLStatP	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	CDTSC, CLAO, GMPD, MCD, PP, SCLAO, SStatBP, StatP, StP, TLCDA, TLPAC, TLStatP	
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	CDTSC, CLAO, GMPD, MCD, PP, SCLAO, SStatBP, StatP, StP, TLCDA, TLPAC, TLStatP	If the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority
s 76A(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	CDTSC, CLAO, GMPD, MCD, PP, SCLAO, SStatBP, StatP, StP, TLCDA, TLPAC, TLStatP	If the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit
s 76A(6)	Duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under s 64 or 76	CDTSC, CLAO, GMPD, MCD, PP, SCLAO, SStatBP, StatP, StP, TLCDA, TLPAC, TLStatP	If the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit

## DRAFT FOR ADOPTION

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 76D	Duty to comply with direction of Minister to issue amended permit	GMPD, MCD, PAA, PP, TLPAC, TLStatP	
s 83	Function of being respondent to an appeal	GMPD, MCA, MCD, PAA, PP, TLPAC, TLStatP	
s 83B	Duty to give or publish notice of application for review	GMPD, MCD, PAA, PP, TLPAC, TLStatP	
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	GMPD, MCA, MCD, PAA, PP, TLPAC, TLStatP	
s 84(2)	Duty not to issue a permit or notice of decision or refusal after an application is made for review of a failure to grant a permit	GMPD, MCD, PAA, PP, TLPAC, TLStatP	
s 84(3)	Duty to tell principal registrar if decide to grant a permit after an application is made for review of its failure to grant a permit	GMPD, MCA, MCD, PAA, PP, TLPAC, TLStatP	
s 84(6)	Duty to issue permit on receipt of advice within 3 working days	CDTSC, CLAO, GMPD, MCA, MCD, PAA, PP, SCLAO, TLCDA, TLPAC, TLStatP	
s 84AB	Power to agree to confining a review by the Tribunal	GMPD, MCD, PP, TLPAC, TLStatP	



## DRAFT FOR ADOPTION

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 86	Duty to issue a permit at order of Tribunal within 3 working days	CDTSC, CLAO, GMPD, MCA, MCD, PAA, PP, SCLAO, TLCDA, TLPAC, TLStatP	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	GMPD, MCA, MCD, PAA, PP, TLPAC, TLStatP	
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	GMPD, MCA, MCD, PAA, PP, SStatBP, StatP, TLPAC, TLStatP	
s 91(2)	Duty to comply with the directions of VCAT	GMPD, MCD, PAA, PP, TLCDA, TLPAC, TLStatP	
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	CDTSC, CLAO, GMPD, MCA, MCD, PAA, PP, SCLAO, TLCDA, TLPAC, TLStatP	
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	CDTSC, GMPD, MCA, MCD, PAA, PP, SStatBP, StatP, StP, TLPAC, TLStatP	
s 93(2)	Duty to give notice of VCAT order to stop development	GMPD, MCS, PAA, PP, SPLEO, TLPAC, TLStatP	

## DRAFT FOR ADOPTION

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Item Delegated	Delegate	Conditions and Limitations
s 95(3)	Function of referring certain applications to the Minister	GMPD, MCA, MCD, MCS, TLPAC, TLStatP	
s 95(4)	Duty to comply with an order or direction	GMPD, MCA, MCD, MCS, TLPAC, TLStatP	
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	GMPD, MCD, MCS, TLPAC, TLStatP	
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	GMCAE, GMPD, MCD, MPA, TLPAC, TLStatP	
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	GMPD, MCD, MCS, PP, TLPAC, TLStatP, TLStrgP	
s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	GMPD, MCD, MCS, PP, TLPAC, TLStatP, TLStrgP	
s 96F	Duty to consider the panel's report under s 96E	GMPD, MCD, MCS, TLPAC, TLStatP, TLStrgP	
s 96G(1)	Power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under s 23 of the Planning and Environment (Planning Schemes) Act 1996)	GMPD, MCD, MCS	

## DRAFT FOR ADOPTION

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Item Delegated	Delegate	Conditions and Limitations
s 96H(3)	Power to give notice in compliance with Minister's direction	GMPD, MCD, MCS, TLPAC, TLStatP, TLStrgP	
s 96J	Power to issue permit as directed by the Minister	GMPD, MCD, PP, TLPAC, TLStatP	
s 96K	Duty to comply with direction of the Minister to give notice of refusal	GMPD, MCD, PP, TLPAC, TLStatP	
s 96Z	Duty to keep levy certificates given to it under ss 47 or 96A for no less than 5 years from receipt of the certificate	GMPD, MCD, MCS, TLCDA	
s 97C	Power to request Minister to decide the application	GMPD, MCD, TLPAC, TLStatP	
s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	GMPD, MCD, TLPAC, TLStatP	
s 97G(3)	Function of receiving from Minister copy of notice of refusal to grant permit or copy of any permit granted by the Minister	GMPD, MCD, MCS, PP, TLPAC, TLStatP	
s 97G(6)	Duty to make a copy of permits issued under s 97F available for inspection	CDTSC, CLAO, GMPD, MCD, MCS, PP, SCLAO, SStatBP, StatP, StP, TLCDA, TLPAC, TLStatP	
s 97L	Duty to include Ministerial decisions in a register kept under s 49	CDTSC, GMPD, MCD, MCS, PP, SStatBP, StatP, StP, TLCDA, TLPAC, TLStatP	

## DRAFT FOR ADOPTION

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 97MH	Duty to provide information or assistance to the Planning Application Committee	GMPD, MCD, PAA, TLPAC, TLStatP	
s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee	GMPD, MCD, TLPAC, TLStatP	
s 97O	Duty to consider application and issue or refuse to issue certificate of compliance	GMPD, MCA, MCD, PP, SPLEO, TLPAC, TLStatP	
s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	GMPD, MCA, MCD, PAA, PP, SPLEO, TLPAC, TLStatP	
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	GMPD, MCA, MCD, PAA, PP, SPLEO, SStatBP, StatP, TLPAC, TLStatP	
s 97Q(4)	Duty to comply with directions of VCAT	GMPD, MCA, MCD, PAA, PP, SPLEO, TLPAC, TLStatP	
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	CDTSC, GMPD, MCA, MCD, PP, SStatBP, StatP, STP, TLCDA, TLPAC, TLStatP	
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances	GMCAE, GMPD, MCD, MPA	

## DRAFT FOR ADOPTION

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Item Delegated	Delegate	Conditions and Limitations
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	GMCAE, GMPD, MCD, MPA	
s 101	Function of receiving claim for expenses in conjunction with claim	GMCAE, GMPD, MCD, MPA	
s 103	Power to reject a claim for compensation in certain circumstances	GMCAE, GMPD, MCD, MPA	
s.107(1)	function of receiving claim for compensation	GMCAE, GMPD, MCD, MPA	
s 107(3)	Power to agree to extend time for making claim	GMCAE, GMCorpS, GMPD, MCD, MFCP, MPA	
s 114(1)	Power to apply to the VCAT for an enforcement order	GMPD, MCD, PAA, PP, SPLEO, TLPAC, TLStatP	
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	GMPD, MCA, MCD, PAA, PP, SPLEO, SStatBP, StatP, TLPAC, TLStatP	
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	GMPD, MCA, MCD, PAA, PP, SPLEO, TLPAC, TLStatP	

## DRAFT FOR ADOPTION

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Item Delegated	Delegate	Conditions and Limitations
s 123(1)	Power to carry out work required by enforcement order and recover costs	GMCAE, GMCorpS, GMPD, MCA, MCD, MFCP, MI, PP, SPLEO, TLPAC, TLStatP	
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	GMCAE, GMCorpS, GMPD, MCA, MCD, MFCP, MI	Except Crown Land
s 129	Function of recovering penalties	GMCorpS, GMPD, MCA, MCD, MFCP, PP, SPLEO, TLPAC, TLStatP	
s 130(5)	Power to allow person served with an infringement notice further time	CCF, CLO, GMPD, LCO, MCA, MCD, PLEO, SPLEO, TLStatP	
s 149A(1)	Power to refer a matter to the VCAT for determination	GMPD, MCA, MCD, PAA, PP, SPLEO, TLPAC, TLStatP	
s 149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	GMPD, MCA, MCD, PAA, PP, SPLEO, TLPAC, TLStatP	

## DRAFT FOR ADOPTION

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 156	Duty to pay fees and allowances (including a payment to the Crown under s 156(2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under s 156(2B)power to ask for contribution under s 156(3) and power to abandon amendment or part of it under s 156(4)	GMPD, MCS, TLPAC, TLStrgP	Where Council is the relevant planning authority
s 171(2)(f)	Power to carry out studies and commission reports	GMPD, MCD, MCS, TLPAC, TLStatP	
s 171(2)(g)	Power to grant and reserve easements	GMCAE, GMPD, MCD, MI, MPA, PP, TLPAC, TLStatP	
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	GMCAE, GMPD, MCS, MI, MPA	Where Council is a development agency specified in an approved infrastructure contributions plan
s 172D(1)	Power to compulsorily acquire any inner public purpose land that is specified in the plan before the time that the land is required to be provided to Council under s 46GV(4)	GMCAE, GMPD, MCS, MI, MPA	Where Council is a collecting agency specified in an approved infrastructure contributions plan
s 172D(2)	Power to compulsorily acquire any inner public purpose land, the use and development of which is to be the responsibility of Council under the plan, before the time that the land is required to be provided under s 46GV(4)	GMCAE, GMPD, MCS, MI, MPA	Where Council is the development agency specified in an approved infrastructure contributions plan
s 173(1)	Power to enter into agreement covering matters set out in s 174	GMCAE, GMPD, MCD, MCS	
s 173(1A)	Power to enter into an agreement with an owner of land for the development or provision of land in relation to affordable housing	GMPD, MCS	Where Council is the relevant responsible authority

## DRAFT FOR ADOPTION

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Item Delegated	Delegate	Conditions and Limitations
	Power to decide whether something is to the satisfaction of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 requires something to be to the satisfaction of Council or Responsible Authority	GMCAE, GMPD, MCA, MCD, MCS, PP, TLPAC, TLStatP	
	Power to give consent on behalf of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 requires that something may not be done without the consent of Council or Responsible Authority	GMCAE, GMPD, MCD, MCS	
s 177(2)	Power to end a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	GMCAE, GMPD, MCD, MCS	
s 178	power to amend a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	GMCAE, GMPD, MCD, MCS	
s 178A(1)	Function of receiving application to amend or end an agreement	CDTSC, CLAO, GMCAE, GMPD, MCD, PP, SCLAO, SStatBP, StatP, StP, TLCDA, TLPAC, TLStatP	
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	CDTSC, GMCAE, GMPD, MCD, PP, SStatBP, StatP, StP, TLCDA, TLPAC, TLStatP	



## DRAFT FOR ADOPTION

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Item Delegated	Delegate	Conditions and Limitations
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	CDTSC, GMCAE, GMPD, MCD, PP, SStatBP, StatP, StP, TLCDA, TLPAC, TLStatP	
s 178A(5)	Power to propose to amend or end an agreement	CDTSC, GMCAE, GMPD, MCD, PP, SStatBP, StatP, StP, TLCDA, TLPAC, TLStatP	
s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	CDTSC, GMCAE, GMPD, MCD, PP, SStatBP, StatP, StP, TLCDA, TLPAC, TLStatP	
s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement	CDTSC, GMCAE, GMPD, MCD, PP, SStatBP, StatP, StP, TLCDA, TLPAC, TLStatP	
s 178C(2)	Duty to give notice of the proposal to all parties to the agreement and other persons who may be detrimentally affected by decision to amend or end	GMPD, MCD, MCS, PP, TLPAC, TLStatP	
s 178C(4)	Function of determining how to give notice under s 178C(2)	GMPD, MCD, MCS, PP, TLPAC, TLStatP	
s 178E(1)	Duty not to make decision until after 14 days after notice has been given	GMPD, MCD, MCS, TLPAC, TLStatP	

## DRAFT FOR ADOPTION

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s.178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	GMCAE, GMPD, MCD, MCS, TLPAC, TLStatP	If no objections are made under s 178D Must consider matters in s 178B
s 178E(2)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	GMCAE, GMPD, MCD, MCS, TLPAC, TLStatP	If no objections are made under s 178D Must consider matters in s 178B
s 178E(2)(c)	Power to refuse to amend or end the agreement	GMCAE, GMPD, MCD, MCS, TLPAC, TLStatP	If no objections are made under s 178D Must consider matters in s 178B
s 178E(3)(a)	Power to amend or end the agreement in accordance with the proposal	GMCAE, GMPD, MCD, MCS, TLPAC, TLStatP	After considering objections, submissions and matters in s 178B
s 178E(3)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	GMCAE, GMPD, MCD, MCS, TLPAC, TLStatP	After considering objections, submissions and matters in s 178B
s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	GMCAE, GMPD, MCD, MCS, TLPAC, TLStatP	After considering objections, submissions and matters in s.178B
s 178E(3)(d)	Power to refuse to amend or end the agreement	GMCAE, GMPD, MCD, MCS, TLPAC, TLStatP	After considering objections, submissions and matters in s 178B
s 178F(1)	Duty to give notice of its decision under s 178E(3)(a) or (b)	CDTSC, CLAO, GMPD, MCD, MCS, PP, SCLAO, TLCDA, TLPAC, TLStatP	

## DRAFT FOR ADOPTION

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	CDTSC, CLAO, GMPD, MCD, MCS, PP, SCLAO, TLCDA, TLPAC, TLStatP	
s 178F(4)	Duty not to proceed to amend or end an agreement under s 178E until at least 21 days after notice has been given or until an application for review to the Tribunal has been determined or withdrawn	GMCAE, GMPD, MCD, MCS, PAA, PP, TLPAC, TLStatP	
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	GMCAE, GMPD, MCD, MCS	
s 178H	Power to require a person who applies to amend or end an agreement to pay the costs of giving notices and preparing the amended agreement	CDTSC, CLAO, GMCAE, GMPD, MCD, MCS, PP, SCLAO, TLCDA, TLPAC, TLStatP	
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	GMCAE, GMPD, MCD, MCS, PP, TLPAC, TLStatP	
s 179(2)	Duty to make available for inspection copy agreement	GMPD, MCD, MCS, TLCDA, TLPAC, TLStatP, TLStrgP	
s 181	Duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	GMCAE, GMPD, MCD, TLCDA, TLPAC, TLStatP	
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	GMCAE, GMPD, MCD, MCS, TLCDA, TLStatP	

## DRAFT FOR ADOPTION

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Item Delegated	Delegate	Conditions and Limitations
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	GMCAE, GMPD, MCD, MCS, SO, TLCDA, TLStatP	
s 182	Power to enforce an agreement	GMCAE, GMPD, MCA, MCD, MCS, SPLEO, TLPAC, TLStatP	
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	GMCAE, GMPD, MCD, MCS, SO, TLCDA, TLPAC, TLStatP	
s 184F(1)	Power to decide to amend or end an agreement at any time after an application for review of the failure of Council to make a decision	GMCAE, GMPD, MCA, MCD, MCS, PAA, PP, TLPAC, TLStatP	
s 184F(2)	Duty not to amend or end the agreement or give notice of the decision after an application is made to VCAT for review of a failure to amend or end an agreement	GMCAE, GMPD, MCA, MCD, MCS, PP, TLPAC, TLStatP	
s 184F(3)	Duty to inform the principal registrar if the responsible authority decides to amend or end an agreement after an application is made for the review of its failure to end or amend the agreement	GMPD, MCA, MCD, MCS, TLCDA, TLPAC, TLStatP	
s 184F(5)	Function of receiving advice from the principal registrar that the agreement may be amended or ended in accordance with Council's decision	GMPD, MCD, MCS, TLCDA, TLPAC, TLStatP	

## DRAFT FOR ADOPTION

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Item Delegated	Delegate	Conditions and Limitations
s 184G(2)	Duty to comply with a direction of the Tribunal	GMCAE, GMPD, MCA, MCD, MCS, PAA, TLCDA, TLPAC, TLStatP	
s 184G(3)	Duty to give notice as directed by the Tribunal	GMPD, MCA, MCD, MCS, TLCDA, TLPAC, TLStatP	
s 198(1)	Function to receive application for planning certificate	CDTSC, CLAO, GMPD, MCD, PP, SCLAO, SStatBP, StatP, StP, TLCDA, TLPAC, TLStatP	
s 199(1)	Duty to give planning certificate to applicant	CDTSC, CLAO, GMPD, MCD, PP, SCLAO, SStatBP, StatP, StP, TLCDA, TLPAC, TLStatP	
s 201(1)	Function of receiving application for declaration of underlying zoning	CDTSC, CLAO, GMPD, MCD, MCS, PP, SCLAO, SStatBP, StP, TLCDA, TLPAC, TLStatP	
s 201(3)	Duty to make declaration	GMPD, MCD, MCS, PP, TLPAC, TLStatP	
	Power to decide, in relation to any planning scheme or permit, that a specified thing has or has not been done to the satisfaction of Council	GMPD, MCD, MCS, PP, TLPAC, TLStatP	

## DRAFT FOR ADOPTION

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
	Power, in relation to any planning scheme or permit, to consent or refuse to consent to any matter which requires the consent or approval of Council	GMPD, MCD, MCS, PP, TLPAC, TLStatP	
	Power to approve any plan or any amendment to a plan or other document in accordance with a provision of a planning scheme or condition in a permit	CLO, GMPD, MCD, MCS, PP, TLPAC, TLStatP	
	Power to give written authorisation in accordance with a provision of a planning scheme	GMPD, MCD, MCS, PP, TLPAC, TLStatP	
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	GMPD, MCD, MCS	
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	GMPD, MCD, MCS	

## DRAFT FOR ADOPTION

<b>RAIL SAFETY (LOCAL OPERATIONS) ACT 2006</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 33	Duty to comply with a direction of the Safety Director under s 33	GMCAE, MI, MTT	Where Council is a utility under s 3
s 33A	Duty to comply with a direction of the Safety Director to give effect to arrangements under s 33A	GMCAE, MI, MTT	Duty of Council as a road authority under the Road Management Act 2004
s 34	Duty to comply with a direction of the Safety Director to alter, demolish or take away works carried out contrary to a direction under s 33(1)	GMCAE, MI, MTT	Where Council is a utility under s 3
s 34C(2)	Function of entering into safety interface agreements with rail infrastructure manager	GMCAE, MI, MTT	Where Council is the relevant road authority
s 34D(1)	Function of working in conjunction with rail infrastructure manager in determining whether risks to safety need to be managed	GMCAE, MI, MTT	Where Council is the relevant road authority
s 34D(2)	Function of receiving written notice of opinion	GMCAE, MI, MTT	Where Council is the relevant road authority
s 34D(4)	Function of entering into safety interface agreement with infrastructure manager	GMCAE, MI, MTT	Where Council is the relevant road authority
s 34E(1)(a)	Duty to identify and assess risks to safety	GMCAE, MI, MTT	Where Council is the relevant road authority
s 34E(1)(b)	Duty to determine measures to manage any risks identified and assessed having regard to items set out in s 34E(2)(a)-(c)	GMCAE, MI, MTT	Where Council is the relevant road authority
s 34E(3)	Duty to seek to enter into a safety interface agreement with rail infrastructure manager	GMCAE, MI, MTT	Where Council is the relevant road authority
s 34F(1)(a)	Duty to identify and assess risks to safety, if written notice has been received under s 34D(2)(a)	GMCAE, MI, MTT	Where Council is the relevant road authority
s 34F(1)(b)	Duty to determine measures to manage any risks identified and assessed, if written notice has been received under s 34D(2)(a)	GMCAE, MI, MTT	Where Council is the relevant road authority

## DRAFT FOR ADOPTION

<b>RAIL SAFETY (LOCAL OPERATIONS) ACT 2006</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 34F(2)	Duty to seek to enter into a safety interface agreement with rail infrastructure manager	GMCAE, MI, MTT	Where Council is the relevant road authority
s 34H	Power to identify and assess risks to safety as required under s 34B, 34C, 34D, 34E or 34F in accordance with s 34H(a)-(c)	GMCAE, MI, MTT	Where Council is the relevant road authority
s 34I	Function of entering into safety interface agreements	GMCAE, MI, MTT	Where Council is the relevant road authority
s 34J(2)	Function of receiving notice from Safety Director	GMCAE, MI, MTT	Where Council is the relevant road authority
s 34J(7)	Duty to comply with a direction of the Safety Director given under s 34J(5)	GMCAE, MI, MTT	Where Council is the relevant road authority
s 34K(2)	Duty to maintain a register of items set out in s 34K(a)-(b)	GMCAE, MI, MTT	Where Council is the relevant road authority



## DRAFT FOR ADOPTION

<b>RESIDENTIAL TENANCIES ACT 1997</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 142D	Function of receiving notice regarding an unregistered rooming house	EHO, GMPD, MCEI, MCS, OCEH, TLEH, TLSB-MBS	
s 142G(1)	Duty to enter required information in Rooming House Register for each rooming house in municipal district	TLEH	
s 142G(2)	Power to enter certain information in the Rooming House Register	TLEH	
s 142I(2)	Power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry	TLEH	
s 252	Power to give tenant a notice to vacate rented premises if s 252(1) applies	EHO, GMPD, MCEI, MCS, OCEH, TLEH, TLSB-MBS	Where Council is the landlord
s 262(1)	Power to give tenant a notice to vacate rented premises	EHO, GMPD, MCEI, MCS, OCEH, TLEH, TLSB-MBS	Where Council is the landlord
s 262(3)	Power to publish its criteria for eligibility for the provision of housing by Council	EHO, GMPD, MCEI, MCS, OCEH, TLEH, TLSB-MBS	
s 518F	Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	TLEH	
s 522(1)	Power to give a compliance notice to a person	EHO, GMPD, MCEI, MCS, OCEH, TLEH, TLSB-MBS	

## DRAFT FOR ADOPTION

<b>RESIDENTIAL TENANCIES ACT 1997</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	CEO	Retained at Council / CEO level
s 525(4)	Duty to issue identity card to authorised officers	GMCorpS, MBFMPO, MG	
s 526(5)	Duty to keep record of entry by authorised officer under s 526	EHO, GMPD, MCEI, MCS, OCEH, PLEO, TLEH, TLSB-MBS	
s 526A(3)	Function of receiving report of inspection	GMPD, MCEI, MCS, TLEH, TLSB- MBS	
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	CEO	Retained at Council / CEO level

## DRAFT FOR ADOPTION

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 11(1)	Power to declare a road by publishing a notice in the Government Gazette	MPA	Obtain consent in circumstances specified in s 11(2)
s 11(8)	Power to name a road or change the name of a road by publishing notice in Government Gazette	MPA	
s 11(9)(b)	Duty to advise Registrar	MPA	
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	GMCAE, MI, TLRD	Subject to s 11(10A)
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	GMCAE, MI, TLRD	Where Council is the coordinating road authority
s 12(2)	Power to discontinue road or part of a road	GMCAE	Where Council is the coordinating road authority where council is the coordinating road authority
s 12(4)	Power to publish, and provide copy, notice of proposed discontinuance	GMCAE, MPA, TLPS	Power of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(5)	Duty to consider written submissions received within 28 days of notice	GMCAE, MPA, TLPS	Duty of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(6)	Function of hearing a person in support of their written submission	GMCAE, MPA, TLPS	Function of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(7)	Duty to fix day, time and place of meeting under s 12(6) and to give notice	GMCAE, MPA, TLPS	Duty of coordinating road authority where it is the discontinuing body Unless s 12(11) applies

## DRAFT FOR ADOPTION

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 12(10)	Duty to notify of decision made	GMCAE, MPA, TLPS	Duty of coordinating road authority where it is the discontinuing body  Does not apply where an exemption is specified by the regulations or given by the Minister
s 13(1)	Power to fix a boundary of a road by publishing notice in Government Gazette	GMCAE, MI, TLRD	Power of coordinating road authority and obtain consent under s 13(3) and s 13(4) as appropriate
s 14(4)	Function of receiving notice from VicRoads	GMCAE, MI, TLRD	
s 14(7)	Power to appeal against decision of VicRoads	GMCAE	
s 15(1)	Power to enter into arrangement with another road authority, utility or a provider of public transport to transfer a road management function of the road authority to the other road authority, utility or provider of public transport	GMCAE, GMPD, MI	
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	GMCAE, MI	
s 15(2)	Duty to include details of arrangement in public roads register	GMCAE, MI, TLRD	
s 16(7)	Power to enter into an arrangement under s 15	GMCAE	
s 16(8)	Duty to enter details of determination in public roads register	GMCAE, MI, TLRD	
s 17(2)	Duty to register public road in public roads register	GMCAE, MI, TLRD	Where Council is the coordinating road authority

## DRAFT FOR ADOPTION

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 17(3)	Power to decide that a road is reasonably required for general public use	GMCAE	Where Council is the coordinating road authority
s 17(3)	Duty to register a road reasonably required for general public use in public roads register	GMCAE, MI, TLRD	Where Council is the coordinating road authority
s 17(4)	Power to decide that a road is no longer reasonably required for general public use	GMCAE, MI, TLRD	Where Council is the coordinating road authority
s 17(4)	Duty to remove road no longer reasonably required for general public use from public roads register	GMCAE, MI, TLRD	Where Council is the coordinating road authority
s 18(1)	Power to designate ancillary area	GMCAE	Where Council is the coordinating road authority, and obtain consent in circumstances specified in s 18(2)
s 18(3)	Duty to record designation in public roads register	GMCAE, MI, TLRD	Where Council is the coordinating road authority
s 19(1)	Duty to keep register of public roads in respect of which it is the coordinating road authority	GMCAE, MI, TLRD	
s 19(4)	Duty to specify details of discontinuance in public roads register	GMCAE, MI, TLRD	
s 19(5)	Duty to ensure public roads register is available for public inspection	GMCAE, MI, TLRD	
s 21	Function of replying to request for information or advice	GMCAE, MI, TLRD	Obtain consent in circumstances specified in s 11(2)
s 22(2)	Function of commenting on proposed direction	GMCAE, MI, TLRD	
s 22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report.	GMCAE, MI, TLRD	

## DRAFT FOR ADOPTION

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 22(5)	Duty to give effect to a direction under s 22	GMCAE, MI	
s 40(1)	Duty to inspect, maintain and repair a public road.	GMCAE, MI, TLRD	
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	GMCAE, MI, TLRD	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	GMCAE, MI, TLRD	
s 42(1)	Power to declare a public road as a controlled access road	GMCAE, MI, TLRD	Power of coordinating road authority and sch 2 also applies
s 42(2)	Power to amend or revoke declaration by notice published in Government Gazette	GMCAE	Power of coordinating road authority and sch 2 also applies
s 42A(3)	Duty to consult with VicRoads before road is specified	GMCAE	Where Council is the coordinating road authority If road is a municipal road or part thereof
s 42A(4)	Power to approve Minister's decision to specify a road as a specified freight road	GMCAE	Where Council is the coordinating road authority If road is a municipal road or part thereof and where road is to be specified a freight road
s 48EA	Duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport)	GMCAE, MI, TLRD	Where Council is the responsible road authority, infrastructure manager or works manager
s 48M(3)	Function of consulting with the relevant authority for purposes of developing guidelines under s 48M	GMCAE, MI	
s 49	Power to develop and publish a road management plan	GMCAE, MI	

## DRAFT FOR ADOPTION

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 51	Power to determine standards by incorporating the standards in a road management plan	GMCAE, MI	
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	GMCAE, MI	
s 54(2)	Duty to give notice of proposal to make a road management plan	GMCAE, MI	
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	GMCAE, MI	
s 54(6)	Power to amend road management plan	GMCAE, MI	
s 54(7)	Duty to incorporate the amendments into the road management plan	GMCAE, MI	
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	GMCAE, MI	
s 63(1)	Power to consent to conduct of works on road	GMCAE, MI, TLRD	Where Council is the coordinating road authority
s 63(2)(e)	Power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	GMCAE, MI, TLMCW	Where Council is the infrastructure manager
s 64(1)	Duty to comply with cl 13 of sch 7	GMCAE, MI	Where Council is the infrastructure manager or works manager
s 66(1)	Power to consent to structure etc	GMCAE, MI, TLRD	Where Council is the coordinating road authority
s 67(2)	Function of receiving the name & address of the person responsible for distributing the sign or bill	GMCAE, MI, TLRD	Where Council is the coordinating road authority

## DRAFT FOR ADOPTION

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 67(3)	Power to request information	GMCAE, MI, TLRD	Where Council is the coordinating road authority
s 68(2)	Power to request information	GMCAE, MI, TLRD	Where Council is the coordinating road authority
s 71(3)	Power to appoint an authorised officer	GMCAE	
s 72	Duty to issue an identity card to each authorised officer	MBFMPO, MG	
s 85	Function of receiving report from authorised officer	GMCAE, MI, MTT, TLRD	
s 86	Duty to keep register re s 85 matters	GMCAE, MI, MTT, TLRD	
s 87(1)	Function of receiving complaints	GMCAE, MI, TLRD	
s 87(2)	Duty to investigate complaint and provide report	GMCAE, MI, MTT, TLRD	
s 112(2)	Power to recover damages in court	GMCAE, MI, MTT	
s 116	Power to cause or carry out inspection	GMCAE, MI, MTT, TLRD	
s 119(2)	Function of consulting with VicRoads	GMCAE, MI, TLRD	
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of VicRoads)	GMCAE, MI, TLRD	



## DRAFT FOR ADOPTION

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 120(2)	Duty to seek consent of VicRoads to exercise road management functions before exercising power in s 120(1)	GMCAE, MI, TLRD	
s 121(1)	Power to enter into an agreement in respect of works	GMCAE, MI, MTT, TLRD	
s 122(1)	Power to charge and recover fees	GMCorpS, MFCP	
s 123(1)	Power to charge for any service	GMCorpS, MFCP	
sch 2 cl 2(1)	Power to make a decision in respect of controlled access roads	GMCAE, MI, MTT, TLRD	
sch 2 cl 3(1)	Duty to make policy about controlled access roads	GMCAE	
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	GMCAE	
sch 2 cl 4	Function of receiving details of proposal from VicRoads	GMCAE, MI, MTT, TLRD	
sch 2 cl 5	Duty to publish notice of declaration	GMCAE, MI, TLRD	
sch 7 cl 7(1)	Duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	GMCAE, MI, MTT, TLRD	Where Council is the infrastructure manager or works manager
sch 7 cl 8(1)	Duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	GMCAE, MI, MTT, TLRD	Where Council is the infrastructure manager or works manager

## DRAFT FOR ADOPTION

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
sch 7 cl 9(1)	Duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	GMCAE, MI, MTT, TLRD	Where Council is the infrastructure manager or works manager responsible for non-road infrastructure
sch 7 cl 9(2)	Duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	GMCAE, MI, MTT, TLRD	Where Council is the infrastructure manager or works manager
sch 7 cl 10(2)	Where Sch 7 cl 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	GMCAE, MI, MTT, TLRD	Where Council is the infrastructure manager or works manager
sch 7 cl 12(2)	Power to direct infrastructure manager or works manager to conduct reinstatement works	GMCAE, MI, MTT, TLRD	Where Council is the coordinating road authority
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	GMCAE, MI, MTT, TLRD	Where Council is the coordinating road authority
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	GMCAE, MI, MTT, TLRD	Where Council is the coordinating road authority
sch 7 cl 12(5)	Power to recover costs	GMCAE, MI, MTT, TLRD	Where Council is the coordinating road authority
sch 7 cl 13(1)	Duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to sch 7 cl 13(2)	GMCAE, MI, MTT, TLRD	Where Council is the works manager
sch 7 cl 13(2)	Power to vary notice period	GMCAE, MI, MTT, TLRD	Where Council is the coordinating road authority

## DRAFT FOR ADOPTION

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
sch 7 cl 13(3)	Duty to ensure works manager has complied with obligation to give notice under sch 7 cl 13(1)	GMCAE, MI, MTT	Where Council is the infrastructure manager
sch 7 cl 16(1)	Power to consent to proposed works	GMCAE, MI, MTT, TLRD	Where Council is the coordinating road authority
sch 7 cl 16(4)	Duty to consult	GMCAE, MI, MTT, TLRD	Where Council is the coordinating road authority, responsible authority or infrastructure manager
sch 7 cl 16(5)	Power to consent to proposed works	GMCAE, MI, MTT, TLRD	Where Council is the coordinating road authority
sch 7 cl 16(6)	Power to set reasonable conditions on consent	GMCAE, MI, MTT, TLRD	Where Council is the coordinating road authority
sch 7 cl 16(8)	Power to include consents and conditions	GMCAE, MI, MTT, TLRD	Where Council is the coordinating road authority
sch 7 cl 17(2)	Power to refuse to give consent and duty to give reasons for refusal	GMCAE, MI, MTT, TLRD	Where Council is the coordinating road authority
sch 7 cl 18(1)	Power to enter into an agreement	GMCAE	Where Council is the coordinating road authority
sch 7 cl 19(1)	Power to give notice requiring rectification of works	GMCAE, MI, MTT, TLRD	Where Council is the coordinating road authority
sch 7 cl 19(2) & (3)	Power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	GMCAE, MI, MTT, TLRD	Where Council is the coordinating road authority
sch 7 cl 20(1)	Power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	GMCAE, MI, MTT, TLRD	Where Council is the coordinating road authority
sch 7A cl 2	Power to cause street lights to be installed on roads	GMCAE, MI	Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road

DRAFT FOR ADOPTION

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
Provision	Item Delegated	Delegate	Conditions and Limitations
sch 7 cl 3(1)(d)	Duty to pay installation and operation costs of street lighting - where road is not an arterial road	GMCAE, MI	Where Council is the responsible road authority
sch 7A cl 3(1)(e)	Duty to pay installation and operation costs of street lighting - where road is a service road on an arterial road and adjacent areas	GMCAE, MI	Where Council is the responsible road authority
sch 7A cl (3)(1)(f)	Duty to pay installation and percentage of operation costs of street lighting - for arterial roads in accordance with cls 3(2) and 4	GMCAE, MI	Duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal council (re: operating costs)

## DRAFT FOR ADOPTION

<b>PLANNING AND ENVIRONMENT REGULATIONS 2015</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
r.6	function of receiving notice, under section 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	GMPD, MCS	where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.
r.21	power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under section 54 of the Act	GMPD, MCD, PP, SStatBP, TLPAC, TLStatP	
r.25(a)	duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge	GMPD, MCD, MCS, PP, TLCDA, TLPAC, TLStatP, TLStrgP	where Council is the responsible authority
r.25(b)	function of receiving a copy of any document considered under section 60(1A)(g) by the responsible authority and duty to make the document available for inspection free of charge	GMPD, MCD, MCS, PP, TLCDA, TLPAC, TLStatP, TLStrgP	where Council is not the responsible authority but the relevant land is within Council's municipal district
r.42	function of receiving notice under section 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application	GMPD, MCS	where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.

## DRAFT FOR ADOPTION

<b>PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme	GMPD, MCD, MCS	
r 20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	GMPD, MCD, TLStatP	
r 21	Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r 19 or 20	GMPD, MCD, MCS, TLCDA, TLStatP	

## DRAFT FOR ADOPTION

<b>RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
r 7	Function of entering into a written agreement with a caravan park owner	GMPD, MCEI, MCS, TLEH	
r 11	Function of receiving application for registration	EHO, GMPD, MCEI, MCS, OCEH, TLEH	
r 13(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	GMPD, MCEI, MCS, TLEH	
r 13(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	GMPD, MCEI, MCS, TLEH	
r.13(2)	power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	GMPD, MCD, MCEI, TLEH	
r 13(4) & (5)	Duty to issue certificate of registration	EHO, GMPD, MCEI, MCS, OCEH, TLEH	
r 15(1)	Function of receiving notice of transfer of ownership	EHO, GMPD, MCEI, MCS, OCEH, TLEH	
r 15(3)	Power to determine where notice of transfer is displayed	EHO, GMPD, MCEI, MCS, OCEH, TLEH	
r 16(1)	Duty to transfer registration to new caravan park owner	EHO, GMPD, MCEI, MCS, OCEH, TLEH	
r 16(2)	Duty to issue a certificate of transfer of registration	EHO, GMPD, MCEI, MCS, OCEH, TLEH	
r 17(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	EHO, GMPD, MCEI, MCS, OCEH, TLEH	
r 18	Duty to keep register of caravan parks	GMPD, MCEI, MCS, TLEH	

## DRAFT FOR ADOPTION

<b>RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
r 19(4)	Power to determine where the emergency contact person's details are displayed	EHO, GMPD, MCEI, MCS, OCEH, TLEH	
r 19(6)	Power to determine where certain information is displayed	EHO, GMPD, MCEI, MCS, OCEH, TLEH	
r 22A(1)	Duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	EHO, GMPD, MCEI, MCS, OCEH, TLEH	
r 22A(2)	Duty to consult with relevant emergency services agencies	EHO, GMPD, MCEI, MCS, OCEH, TLEH	
r 23	Power to determine places in which caravan park owner must display a copy of emergency procedures	EHO, GMPD, MCEI, MCS, OCEH, TLEH	
r 24	Power to determine places in which caravan park owner must display copy of public emergency warnings	EHO, GMPD, MCEI, MCS, OCEH, TLEH	
r 25(3)	Duty to consult with relevant floodplain management authority	EHO, GMPD, MCEI, MCS, OCEH, TLEH	
r 26	Duty to have regard to any report of the relevant fire authority	EHO, GMPD, MCEI, MCS, OCEH, TLEH	
r 28(c)	Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	EHO, GMPD, MCEI, MCS, OCEH, TLEH	
r 39	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	EHO, GMPD, MCEI, MCS, OCEH, TLEH	
r 39(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	EHO, GMPD, MCEI, MCS, OCEH, TLEH	



## DRAFT FOR ADOPTION

<b>RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
r 40(4)	Function of receiving installation certificate	EHO, GMPD, MCEI, MCS, OCEH, TLEH	
r 42	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling	EHO, GMPD, MCEI, MCS, OCEH, TLEH	
sch 3 cl4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling	EHO, GMPD, MCEI, MCS, OCEH, TLEH	

## DRAFT FOR ADOPTION

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
Provision	Item Delegated	Delegate	Conditions and Limitations
r 8(1)	Duty to conduct reviews of road management plan	GMCAE, MI	
r 9(2)	Duty to produce written report of review of road management plan and make report available	GMCAE, MI	
r 9(3)	Duty to give notice where road management review is completed and no amendments will be made (or no amendments for which notice is required)	GMCAE, MI, MTT	Where Council is the coordinating road authority
r.10	Duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under s 41 of the Act	GMCAE, MI	
r 13(1)	Duty to publish notice of amendments to road management plan	GMCAE, MI	where Council is the coordinating road authority
r 13(3)	Duty to record on road management plan the substance and date of effect of amendment	GMCAE, MI	
r 16(3)	Power to issue permit	GMCAE, MI, MTT, TLRD	Where Council is the coordinating road authority
r 18(1)	Power to give written consent re damage to road	GMCAE, MI, TLRD	Where Council is the coordinating road authority
r 23(2)	Power to make submission to Tribunal	GMCAE, MI	Where Council is the coordinating road authority
r 23(4)	Power to charge a fee for application under s 66(1) Road Management Act	GMCAE, MI, MTT	Where Council is the coordinating road authority
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	GMCAE, MI, MTT, TLMCW	Where Council is the responsible road authority
r 25(2)	Power to sell or dispose of things removed from road or part of road (after first complying with regulation 25(3))	GMCAE, MI, MTT, TLMCW	Where Council is the responsible road authority
r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	GMCAE, MI, MTT, TLMCW	

## DRAFT FOR ADOPTION

<b>ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
r 15	Power to exempt a person from requirement under cl 13(1) of sch 7 of the Act to give notice as to the completion of those works	GMCAE, MI, TLRD	Where Council is the coordinating road authority and where consent given under s 63(1) of the Act
r 22(2)	Power to waive whole or part of fee in certain circumstances	GMCAE, MI, TLRD	Where Council is the coordinating road authority

## Summary of Proposed Changes to Instrument of Delegation to Members of Council Staff

### Administrative Updates

#### Title Changes: New Titles Inserted

Abbreviation	Position Title	Council Department
CCF	Construction Compliance Facilitator	Compliance and Amenity
CLO	Construction Liaison Officer	Compliance and Amenity
LCO	Landscape Compliance Officer	Compliance and Amenity

#### Title Changes: Titles Deleted

Abbreviation	Position Title	Council Department
TLCT	Team Leader City Transformation	City Strategy

### Provisions affected by administrative updates

New delegates added appear in [blue underlined](#) text.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Item Delegated	Delegate	Conditions and Limitations
s 130(5)	Power to allow person served with an infringement notice further time	GMPD, MCD, MCA, TLStatP, SPLEO, <a href="#">PLEO, LCO,</a> <a href="#">CCF, CLO</a>	
	Power to approve any plan or any amendment to a plan or other document in accordance with a provision of a planning scheme or condition in a permit	GMPD, MCD, MCS, TLPAC, TLStatP, PP, <a href="#">CLO</a>	

## **14. Confidential Items**

## 14 Confidential Items

The following items were deemed by the Chief Executive Officer to be suitable for consideration in closed session in accordance with section 89 (2) of the Local Government Act 1989. In accordance with that Act, Council may resolve to consider these issues in open or closed session.

**14.1 Notice of Motion No. 45/2019 - Cr Brownlees - Property Acquisition**

Agenda item 14.1 *Notice of Motion No. 45/2019 - Cr Brownlees - Property Acquisition* is designated confidential as it relates to any other matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)

**14.2 Response to Notice of Motion No. 30/2019 - Cr Barth - Early Childhood Education**

Agenda item 14.2 *Response to Notice of Motion No. 30/2019 - Cr Barth - Early Childhood Education* is designated confidential as it relates to any other matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)

**14.3 Council's Before & After School Programs**

Agenda item 14.3 *Council's Before & After School Programs* is designated confidential as it relates to any other matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)

**14.4 Proposed Acquisition**

Agenda item 14.4 *Proposed Acquisition* is designated confidential as it relates to any other matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)

**14.5 Response to Notice of Motion 33/2019 - Solar Energy**

Agenda item 14.5 *Response to Notice of Motion 33/2019 - Solar Energy* is designated confidential as it relates to any other matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)

**14.6 KP-2018/459 - 54 - 64 Pier One Drive, & 115A McLeod Road Patterson Lakes - VCAT Appeal Position Sought**

Agenda item 14.6 *KP-2018/459 - 54 - 64 Pier One Drive, & 115A McLeod Road Patterson Lakes - VCAT Appeal Position Sought* is designated confidential as it relates to legal advice (s89 2f)

### Confidential Appendices

**8.3 Implementing the Removal of Fees at the Governor Road Boat Ramp**

*Appendix 2, Boat Ramp Agreement - v. 3.0 - 28June2019* is designated confidential as it relates to (s89 2d)

**9.2 Delivered Meals Program - Award of Contract**

*Appendix 2, Final evaluation Combined Tender Evaluation Matrix - CON-19 60* is designated confidential as it relates to (s89 2d)

**RECOMMENDATION**

That in accordance with the provisions of section 89(2) of the *Local Government Act 1989*, the meeting be closed to members of the public for the consideration of the following confidential items:

**14.1 Notice of Motion No. 45/2019 - Cr Brownlees - Property Acquisition**

*This agenda item is confidential in accordance with the Local Government Act s89(2) as it relates to any other matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)*

**14.2 Response to Notice of Motion No. 30/2019 - Cr Barth - Early Childhood Education**

*This agenda item is confidential in accordance with the Local Government Act s89(2) as it relates to any other matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)*

**14.3 Council's Before & After School Programs**

*This agenda item is confidential in accordance with the Local Government Act s89(2) as it relates to any other matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)*

**14.4 Proposed Acquisition**

*This agenda item is confidential in accordance with the Local Government Act s89(2) as it relates to any other matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)*

**14.5 Response to Notice of Motion 33/2019 - Solar Energy**

*This agenda item is confidential in accordance with the Local Government Act s89(2) as it relates to any other matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)*

**14.6 KP-2018/459 - 54 - 64 Pier One Drive, & 115A McLeod Road Patterson Lakes - VCAT Appeal Position Sought**

*This agenda item is confidential in accordance with the Local Government Act s89(2) as it relates to legal advice (s89 2f)*

**Confidential Appendices**

**8.3 Implementing the Removal of Fees at the Governor Road Boat Ramp Appendix 2, Boat Ramp Agreement - v. 3.0 - 28June2019**

*This appendix is confidential in accordance with the Local Government Act s89(2) as it relates to (s89 2d)*

**9.2 Delivered Meals Program - Award of Contract Appendix 2, Final evaluation Combined Tender Evaluation Matrix - CON-19 60**

*This appendix is confidential in accordance with the Local Government Act s89(2) as it relates to (s89 2d)*