

Agenda

Ordinary Meeting of Council

Monday, 26th August 2019

Commencing at 7.00pm

Council Chamber
1230 Nepean Highway, Cheltenham

kingston.vic.gov.au

John Nevins
Chief Executive Officer
Kingston City Council

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City of
KINGSTON

**City of Kingston
Ordinary Meeting of Council**

Agenda

26 August 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, 26 August 2019.

1. Apologies

2. Confirmation of Minutes of Previous Meetings

Minutes of Ordinary Council Meeting 22 July 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

Nil

6. Reports from Delegates Appointed by Council to Various Organisations

7. Question Time

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- 10.9 South East Melbourne Advanced Waste Resource Recovery Facility
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- 10.9 South East Melbourne Advanced Waste Resource Recovery Facility
 - Appendix 2 Maddocks review - AWART Management Deed

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.

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

26 August 2019

Agenda Item No: 8.1

FOOTPATH ACTIVITIES POLICY

**Contact Officer: Priya Prasad, Business Development Officer
Dusan Ivanic, Team Leader Environmental Health**

Purpose of Report

The purpose of this report is to provide feedback from the pre-engagement undertaken by officers with businesses and the local community regarding cooking food on the footpath. An updated Footpath Activities Policy has subsequently been prepared and Council support is now sought to commence the public exhibition process.

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 pre-engagement findings regarding cooking on the footpath.
2. Endorse the draft Footpath Activities Policy for public exhibition with a further report to be brought to Council at the conclusion of the exhibition period for consideration of the feedback received and consideration of the final Policy.

1. Executive Summary

The current Footpath Activities Policy has been reviewed by officers and the suggested minor changes and additions, as outlined in reports presented at the Councillor Information Sessions on 8 April 2019 and 5 August 2019 have been included in the draft Policy.

These changes include:

- Additional requirements for businesses to enter into an agreement with Council when installing glass screens.
- The introduction of new provisions into the policy to provide Council with the flexibility to place additional controls on Footpath Activities permits issued.
- Inclusion of a new provision providing for a formal refund / waiver of permit fees where major works affect an activity centre.

Council officers have also engaged with businesses and the wider community to obtain their feedback about cooking food and BBQs on the footpath.

The pre-engagement findings determined that the majority of respondents were in favour of allowing cooking of food and BBQs on the footpath subject to the following key concerns being addressed: public safety; ease of movement; and width of footpaths.

Based on this analysis and further detailed review, an updated Footpath Activities Policy has been prepared (refer Attachment 2) and Council support is requested to commence the public exhibition process.

2. Background

The Footpath Activities Policy 2013 aims to balance Council's clear obligations to allow for pedestrians to move through the streetscape in a safe and accessible manner whilst still allowing businesses to trade on the footpath. New trends and ways of outdoor trading have been evolving over time and to ensure Council is able to adapt to these and maintain clear pedestrian movement, new provisions are required.

Level crossing removal (LXR) works that have occurred within other municipalities have at times had a negative impact on activity centres and traders. The LXR works will either reduce the business' ability to utilise the trading zone or affect the business by reducing the patronage to the area. Providing a refund or waiver of new or renewal footpath trading fees can assist traders whilst these projects are occurring. Currently there is no formal mechanism in the Policy to allow for this to occur.

At the CIS meeting on 8 April 2019, officers sought feedback from Council about proposed new provisions after a comprehensive internal review of the current policy.

Whilst the update to general provisions was considered acceptable, there was some discussion over the appropriateness of allowing the cooking of food and BBQs on the footpath owing to concerns about pedestrian safety, risk and congestion. Officers were asked to undertake pre-engagement with the community to help inform a decision on whether to allow or prohibit cooking of food and BBQs on the footpath.

Pre-engagement with the community was undertaken in June and July, as well as further internal discussions. The team has also reviewed policies from neighbouring councils that refer to cooking on the footpath, as well as discussions with PrimeSafe about the requirements for butchers. The findings of this research are outlined below and informs the discussion on operational and strategic issues.

Based on the detailed analysis, it is recommended that the Policy be updated to allow cooking of food and BBQs on the footpath subject to a number of requirements. Support from Council is sought to allow officers to commence public exhibition of the updated Policy.

3. Discussion

3.1 Council Plan Alignment

Goal 4 - Our free-moving safe, prosperous and dynamic city

Direction 4.1 - Vibrant shopping centres and employment precincts

Footpath trading adds vibrancy to the retail shopping centres and provides businesses with an added commercial opportunity to increase their trade.

Council has an obligation to regulate the use of public spaces and to provide safe and accessible paths to all pedestrians.

3.2 Consultation/Internal Review

To ascertain the community's view on whether provisions should be included in the Footpath Activities Policy for cooking on the footpath, the following engagement activities were undertaken during June and July:

- Face to face consultation with the six butchers in Kingston that have a retail storefront onto a public footpath;
- Consultation with neighbouring businesses of these butchers;
- Approximately 490 letters mailed out to food businesses in activity centres; and
- Feedback invited from the community via Your Kingston Your Say.

Your Kingston Your Say Survey

A total of 250 responses were received to the survey on Your Kingston Your Say. A copy of the survey is included as Attachment 1.

The majority of respondents were regular visitors to activity centres with 28 business owners responding.

87% of respondents believed that cooking on the footpath should be permitted with the remainder stating it should not be allowed.

Of the 236 people that answered the question on how it will affect them, 61% believed that allowing cooking would have a positive effect, with approximately 28% believing there will be no effect. Approximately 10% believed that there would be a negative effect.

However, when reviewing the free text comments on how cooking on the footpath is likely to affect them, the 235 responses showed that 17.5% had concerns over pedestrian safety, congestion and food safety, even if they believed this activity would have a positive or no effect on them.

Of the 140 respondents who provided further general comments, 34% expressed that pedestrian safety and food safety must be the priority when this activity takes place.

Below is a summary of the survey responses regarding the positive or negative effects for allowing cooking on the footpath:

Positive impacts	Negative impacts
It will create ambience, nice atmosphere, community feel	Hamper free movement and pedestrian safety
Opportunity to sample food before buying	Concern about it being unhygienic and food safety regulations not being met
Opportunity for businesses to promote themselves and locals to support business	Congestion of footpath, limiting ability for pedestrians to move freely, queuing can cause crowding issues
Activation of centres and will attract more people	
Community interaction	

Interviews with butchers

Of the six butchers interviewed that have retail frontage to a public footpath, four indicated that BBQs would be something they would consider if it was permitted under the Policy (one of these businesses is already running a BBQ on the footpath). One business stated that they would only consider the BBQ if their competitors were conducting BBQs - they felt that there was little profit in conducting BBQs. Only one butcher said they were not interested in doing BBQs.

Most butchers were unwilling to pay additional cleaning costs of the footpath and stated that they would clean up after they had finished the BBQ.

Neighbouring businesses

The consensus of neighbouring businesses to butchers was that they were amiable to the idea of BBQs as there was no direct effect to their business. They felt it could potentially promote their business as people would walk past more frequently if a BBQ was being conducted.

Some businesses did express concern about the smoke and smell and queried what measures Council will have in place to ensure this didn't affect neighbouring businesses, especially those with outdoor seating.

There was also some concern of waste generated from this and whether the public bins provided by Council will be sufficient, especially in summer in centres near the beach.

Internal review

Discussions have been undertaken with several internal departments at Council including Business Directions, Environmental Health, Local Laws, Infrastructure and Risk to help inform the review of the current policy provisions.

External review

Discussions have been held with PrimeSafe regarding food safety requirements for butchers as Council does not register these businesses. PrimeSafe will allow butchers to have a BBQ/cooking if they meet their structural requirements (storage for BBQ, hand basins etc), they have identified the hazards and controls in the Food Safety Program, and it has been audited. There is no restriction on the number or frequency of BBQs that a butcher may run. PrimeSafe requires that the relevant council approves the footpath activity but does not undertake any checks in this regard and leaves it to the council to regulate.

Discussions have also been held with Bayside Council and Port Phillip Council regarding their policy position for cooking on the footpath. Bayside Council, under their Footpath Trading Policy, allow temporary BBQs to be held adjacent to a butcher's shop by the proprietor once a month (maximum 12 times per year.) They will be reviewing their current policy in 2020.

Port Phillip Council are conducting a trial until 30 September 2019, which allows for 10 businesses to cook within their existing footpath trading zone. Businesses are required to submit an expression of interest to participate in the trial and must meet the guidelines set including having a minimum 6-metre wide footpath. Port Phillip are focusing on three key areas when assessing applications – safety, accessibility and amenity.

Outcome of consultation

Based on the feedback received from the community and internal departments, there is a majority view that provisions should be included in the policy to allow cooking (including BBQs) on the footpath subject to certain conditions relating to minimum footpath widths, pedestrian safety and managing ease of movement. The feedback also highlighted that food safety is a concern and that businesses should adhere to all the rules when cooking outside.

3.3 Operation and Strategic Issues

The following operation and strategic issues were considered as part of the consideration to the draft policy.

3.3.1 Cooking food on the footpath

To be eligible the business must:

- Have a minimum 3.2-metre wide footpath.
- Be able to accommodate the BBQ or cooking station within the designated trading zone.
- Be able to accommodate the required health and safety equipment within the designated trading zone.
- Undertake the cooking activity on either a Friday or Saturday only.
- Be able to meet applicable Food Safety requirements.
- Submit and adhere to a health and safety plan.
- Submit a waste plan.
- Can remove and store the equipment on private premises at the end of each trading day.
- Meet all the requirements for holding a Footpath Activities Permit, including Public Liability Insurance of \$20 million.
(refer Clause 9.5.12 of the draft Footpath Activities Policy)

Charitable organisations are exempt from this provision.

Allowing cooking on the footpath creates additional activation and draws customers into Kingston's activity centres. This sentiment was reflected in the pre-engagement feedback. Limiting the frequency of the activity to once a week, and ensuring that minimum footpath widths are achieved, provides businesses with certainty and minimises potential congestion on the footpath.

If no restrictions are imposed on the frequency of the activity, or a minimum footpath width applied, there is increased potential for pedestrian movements and safety to be compromised. This increases Council's risk profile.

3.3.2 Other changes

Additional minor changes proposed are outlined below and have been included in the draft Footpath Activities Policy.

Glass Screens

Internal consultation has determined that further information for the requirements of glass screens should be included in the policy to ensure Council assets are protected. Glass screens are already provided for in the current policy with further requirements to be added that require businesses to enter an agreement with Council (refer Clause 9.5.3). The agreement would address matters of installation, maintenance, and removal.

Outdoor dining - additional conditions

A new provision has been inserted into the draft policy that provides Council with the ability to place additional controls on a Footpath Activities Permit (refer Clause 10). This will allow Council to manage mixed-use zones and preserve the amenity of the neighbourhood by placing restrictions such as trading hours on the footpath. For example, Council may wish to restrict the hours of outdoor dining for a restaurant in a neighbourhood centre to ensure noise levels are kept to a minimum during the week.

It is intended that this new provision would expressly provide Council with the ability to cancel a permit where amenity complaints have been proven. No changes to the current Community Local Law will be required to introduce this provision to the policy.

3.3.3 Refund / Waiver of permit fees in certain circumstances

As a consequence of the impact that Level Crossing Removal Work will cause, an additional clause to waive permit fees is to be inserted in the Policy (refer Clause 9.6.2).

This clause will allow Officers to waive fees or provide refunds for either new or renew permits, where Level Crossing Removal Works are occurring and will affect the activity centre. The requirement for the return of the application form, along with the signed indemnity and evidence of public liability insurance will continue to be mandatory.

4. Conclusion

The policy has undergone a comprehensive review to ensure all activities are covered and can be managed by Council. It is now ready for public exhibition to get the community's feedback and direction.

4.1 Environmental Implications

Consideration needs to be given to spills of fats and oils, and waste produced from these items. Additional cleaning of the footpaths may be required, even if businesses are cleaning up after they have finished cooking. Consideration needs to be given to cleaning methods to ensure that oils and fats do not end up in the stormwater system.

4.2 Social Implications

BBQs and food carts can add vibrancy and increase foot traffic to an activity centre, especially if held on a regular basis. This can create additional commercial opportunities to the retail sector and can allow businesses to diversify their offering.

Whilst issues such as odour or congestion can occur during this activity, by having clear guidelines Council can mitigate any concerns and work with businesses to ensure all safety requirements are being met.

4.3 Resource Implications

Complex operations will require more time and Council resources for the assessment of footpath activities permits.

Additional time and resources will be required from Council's Risk Management team to ensure the risk management plans submitted by a business complies and covers all the perceived risks of their chosen activity.

Additional staff resources and time will be required should any complaints be received to review and monitor the situation.

Food safety, and health and safety inspections will also need to be conducted randomly during operations to ensure compliance, which will require further staff resourcing.

Council may require additional financial resources to increase the frequency in which footpaths in activity centres are cleaned by high pressure equipment to ensure there are no slip hazards. In such instances where operators have generated this need, permits will be reviewed and revoked in appropriate instances.

To meet these obligations and to cover the additional assessment and review requirements required by staff, a footpath activities permit (cooking food or BBQs) cost of \$750 per annum is recommended, if the frequency of this activity is permitted once a week.

4.4 Legal / Risk Implications

Any allowed activity on Council land has a level of risk associated with it. There will be a level of risk which Council can reduce to a certain degree by ensuring that appropriate policies and procedures are in place. Council can further reduce risk by ensuring businesses have the suitable risk management plan, \$20 million Public Liability Insurance and checks are conducted for compliance annually.

Appendices

Appendix 1 - Footpath Activities Policy - pre-engagement survey (Ref 19/165599)  

Appendix 2 - Draft Footpath Activities Policy (August 2019) (Ref 19/194587)  

Author/s: Priya Prasad, Business Development Officer
Dusan Ivanic, Team Leader Environmental Health

Reviewed and Approved By: Tania Asper, Manager City Economy and Innovation
Jonathan Guttmann, General Manager Planning and Development

8.1

FOOTPATH ACTIVITIES POLICY

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Questions for consultation on Cooking on the Footpath

Council is in the process of reviewing the Footpath Activities Policy and would like to receive feedback from businesses and the wider community on cooking food on footpaths and BBQs by butchers.

We want to understand how the community view this and what matters Council should consider if this were permitted in Kingston's strip shopping centres.

We would appreciate if you could take the time to fill in this 5-minute questionnaire to assist us in forming a policy for this.

1. Are you a business owner in a shopping centre strip or a regular visitor?
2. Should cooking on footpaths be permitted? This could be a BBQ outside a butcher's shop or other food items outside a café or restaurant.

Yes / No

3. If cooking is permitted on the footpath, how many times per year should this be allowed? (List)

Once a week | Once a month | Every weekend | When the business wants to
Should not be allowed

4. If cooking is permitted on the footpath, how do you believe this will affect you?
 - It won't affect me
 - Negative effect
 - Positive effect

Please answer this question if you are a business only (Can we only display this question to the ones who say they are a business owner?)

5. If cooking is not allowed on footpaths, what will the effect be on your business?
6. Any other comments regarding cooking on the footpath?

TRIM: 19/165599

Footpath Activities Policy



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APPROVAL / VERSION NO.	Version 1 – draft 5 August 2019
TRIM REF:	19/165617
REVIEW	TBC
RESPONSIBLE EXECUTIVE	General Manager Planning and Development
POLICY OWNER	Manager City Economy and Innovation

The electronic version of this document is the controlled version. Printed copies are considered uncontrolled. Before using a printed copy, verify that it is the current.

1. Purpose of the Policy

This Policy aims is to ensure a safe and vibrant environment that reflects Kingston's energy and continues to facilitate a wide range of street trading opportunities by allowing private businesses to trade on the city's footpaths, enabling those enterprises to profit from the use of public land.

2. Scope

This Policy applies to all applications, amendments and renewals for a Footpath Activities Permit.

3. Definitions

Footpath Trading includes:

- Tables and chairs
- Portable wind barriers
- Permanent Glass Screens
- Umbrellas
- Transparent drop-down blinds
- Heaters
- A-Frame signs
- Tear drop banners and flags
- Display of goods
- Cooking food on the footpath

4. Responsible Executive

General Manager Planning and Development

5. Policy owner

Manager City Economy and Innovation

6. Related Documents

- Disability Discrimination Action 1992
- Community Local Law
- Road Management Act 2004
- Road Safety Act 1986
- Building Act 1993
- Food Act 1984
- Meat Industry Act 1993

- Kingston Planning Scheme
- Footpath Activities Standards
- Footpath Activities Permit Application Form
- Footpath Activities Form of Indemnity
- Footpath Activities Amendment and Renewal Forms

7. Delegation Authority

Council officers have delegated authority from the Chief Executive Officer to issue permits and enforce permit conditions.

8. Policy Statement

The City of Kingston is committed to supporting and enhancing local business, street life and village shopping.

While acknowledging the importance of street trading as a means to enhance the vibrancy of our local community and support the sustainable growth of local businesses, Council must be mindful that footpaths are available for all persons.

Council has a clear obligation to allow for pedestrians to move through the streetscape in a safe and accessible manner. It is important to acknowledge that commercial use of public space is a privilege not a right.

The principle objectives of the Footpath Activities Policy are to:

1. Promote a vibrant street life which balances the interests and needs of residents, ratepayers, business operators and visitors to the municipality;
2. Regulate and control the placement of objects on footpaths to ensure:
 - safe and unobstructed passage for pedestrians, in particular those who have sight and movement impairments or disabilities;
 - safe and unobstructed vision for drivers of vehicles and cyclists;
 - limited impact on the residential amenity and the streetscape characteristics of the shopping centre; and
 - fairness and consistency between traders in the use of footpaths.

9. Policy Details

9.1. Community Local Law

The Footpath Activities Policy is administered under the Community Local Law.

No items may be placed on the footpaths within the City of Kingston except in accordance with a permit issued by Council under its Community Local Law. To be granted a permit, a business operator must sign an agreement to comply with this policy and accompanying standards. Non-compliance is an offence against the above Local Law and will result in enforcement measures being taken.

This policy is supported by the Footpath Activity Standards which set out the specific requirements of the policy. These standards may be amended from time to time.

Council reserves the right to place conditions on a permit to provide certainty and manage possible impacts on neighbourhood amenity.

Council retains the right to refuse a permit application where the application is not consistent with Council's Footpath Activities Policy and supporting standards or where Council is of the view that public safety may be compromised. Council may also cancel a permit where there is evidence of non-compliance with the Footpath Activities Policy or where changed circumstances make the footpath activities no longer consistent with the overall public benefit.

This policy and supporting standards should be read in conjunction with Community Local Law to ensure a complete and thorough understanding of an applicant's rights and obligations.

9.2. Footpath Zones

Footpath widths within Kingston's village shopping centres vary from centre to centre and from street to street. In all situations, trading activity must deliver a clear, continuous and safe path of travel for pedestrians and provide a relaxed environment that enhances the streetscape and other functions of the area.

The footpath is divided into four zones to ensure a balance between public and commercial uses. The specific requirements for each zone are contained within the Footpath Activities Standards. The City of Kingston reserves the right to vary zones to meet community requirements. The zones consist of:

9.2.1. Pedestrian Zone

The Pedestrian Zone is the area of footpath that is measured from the property boundary and is for the exclusive use of pedestrians. No goods/services, furniture or trading can occur in this zone at any time.

The Pedestrian Zone must provide a continuous and accessible path of travel along the property boundary. It must also provide for the safety of all of the community including meeting the access needs of people with mobility aids, prams and shopping trolleys.

The minimum clearance required between a proposed footpath trading area and the building will vary depending on the overall width of the footpath, pedestrian activity, safety and circulation requirements. The specific requirements are contained within the Footpath Activities Standards.

9.2.2. Trading Zone

The Trading Zone is the area between the Pedestrian Zone and the Kerb Zone. This zone allows for commercial use including furniture, goods/services and trading. All commercial use must be contained within this zone and can only occur during permitted trading hours. The width of this zone will vary depending on the overall width of the footpath, the width of the adjoining pedestrian zone and any clearances from public infrastructure that is located within the trading zone.

Any application for footpath activities that may impact on the public safety at an intersection or pedestrian crossing will be referred to Council's traffic department. A

site assessment by Council's traffic engineers will be required. In some instances footpath trading will not be permitted.

9.2.3. Kerb Zone

The Kerb Zone is the area between the Trading Zone and the face of the kerb. This area must remain clear of any footpath items approved within the trading zone. The width of this area will vary depending on the parking conditions adjacent to the area.

Parking spaces adjacent to a kerb help to protect footpath trading activity from moving traffic. Where there is no parking next to a kerb, the footpath trading application will be referred to Council's traffic department for consideration. In some instances, due to the footpath width, parking restrictions and public safety concerns, footpath trading may not be permitted.

9.2.4. Access Zone

The Access Zone is the area between two trading zones. Pedestrians must be provided with adequate access to the footpath when crossing the road or alighting from a parked vehicle. A gap must be left between adjoining trading zones with each zone set back from their respective property boundary. If there is no adjacent trading zone, the current business may trade up to the property line. However, if an adjacent trading zone is established at a later date, the required gap for both properties will apply.

9.3. Public Infrastructure

The City of Kingston provides public infrastructure to meet community needs. This includes public seating which gives people the opportunity to rest while walking to and from their destination. Public seating also provides informal meeting places. For the wellbeing of the community, it is important that public seats are appropriately spaced to support people of all ages and abilities. It is also necessary that other items of public infrastructure, such as litter bins and bicycle stands, are positioned to meet community needs.

As a general rule, public infrastructure that is already in place will not be moved or removed (relocated or repositioned) to accommodate footpath trading. However, in special circumstances applicants may request the City of Kingston to consider relocating public seats, litter bins or bicycle stands. This will only be considered if the new location provides an equal or better outcome for the general community.

Furniture will only be relocated to the front of another premise if the property owner and business operator both agree. All costs associated with the relocation of any public infrastructure, including the reinstatement of footpath, will be borne by the person applying for the permit. Prospective business operators should not assume that infrastructure will be moved and should take this into account when selecting a site.

The required clearance distances for footpath trading elements from public infrastructure are listed in the Footpath Activities Standards. Public infrastructure on footpaths has priority over commercial interests (footpath trading) at all times.

Existing street furniture and infrastructure must not be used for any trading purposes including for business signage or displays.

9.4. Occupying an adjacent premises

Should a business operator seek to extend their trading zone across the adjoining premises, written permission is required from the business occupying the adjacent premises and remains subject to Council review and approval. This agreement would run with the owner of the adjacent business and not with the property owner. Thus the agreement would be nullified if the business were to close or change hands. If the neighbouring business is sold, a new letter of approval must be obtained from the new business occupier.

The City of Kingston will assess each application on a case-by-case basis and reserves the right to refuse a permit if the outcome compromises the streetscape or is considered to be against community interest. The agreement of the neighbouring business operator does not automatically imply Council approval.

If a business operator has obtained a permit to trade in front of a neighbouring business, the required clearance must be in place between the two trading areas to allow pedestrian access to the footpath.

The footpath is a public space and as such is not owned by any one business. This means that a business owner cannot charge "rent" for the footpath space in front of their premises.

9.5. Design Standards

Streets that are attractive, clean and pleasant, with well-maintained public spaces, draw people into those areas. Footpath trading activities can make a positive contribution to the overall appearance and economic viability of a shopping strip through the adoption of good design practices.

Unless specific exemptions are granted by the City of Kingston, footpath trading elements must:

- Be of a high standard in appearance, durable, portable, windproof and approved by the City of Kingston.
- Remain within the approved Trading Zone for the duration of their use.
- Not cause any undue obstruction or danger, restrict the reasonable access or exit from any premises, or obstruct the vision of motorists at intersections.
- Not be fixed and be removed at the end of business each day or as specified in permit conditions (Council approved permanent glass screens are exempt).
- Ensure Council assets are not damaged.

9.5.1. Tables and Chairs

Tables and chairs must, at all times, be confined within the trading zone approved by Council:

- All chairs and tables must have rubber pads on their legs to protect the footpath surface.

Furniture must be positioned to ensure that the back of chairs does not encroach into the adjoining Pedestrian Zone or Kerb Zone during use. In narrow trading zones chairs should not be positioned with the back adjoining the Pedestrian Zone.

9.5.2. Portable Café Screens

Portable café screens can be used to assist businesses in containing their tables and chairs within their approved Trading Zone and provide wind protection for patrons. Screens must:

- comply with the advertising specifications in section 9.5.10 of this Policy and the dimensions set out in the Footpath Activities Standards.

9.5.3. Glass Screens

Semi-permanent glass screens may be permitted subject to available space and existing street infrastructure and traffic conditions. Applications will be assessed on a case-by-case basis and will only be considered where the footpath is of sufficient width to ensure that public accessibility is not compromised.

Pedestrian access to the footpath must be preserved so Council is unlikely to approve an application for semi-permanent glass screens if this would create a continuous row of screens along the footpath

All costs associated with the installation, maintenance, removal and reinstatement of the footpath will be met by the applicant. In the interests of public safety, any damage must be repaired immediately.

Semi-permanent glass screens must comply with the advertising specifications in section 9.5.10 of this Policy and the dimensions set out in the Footpath Activities Standards.

The design and construction of glass screens must meet Australian Standards. Approval from Council must be obtained to ensure compliance with proper standards and safety requirements and to ensure Council assets are protected.

Applicants will be required to provide a Maintenance Management Plan which will include, as a minimum, details on a cleaning schedule, graffiti removal process and timing for repair of damaged screen.

Applicants will also be required to enter into an agreement with Council that will cover installation requirements, maintenance and removal.

9.5.4. Umbrellas

Umbrellas must:

- Only be used in areas where there are no conflicts with existing building canopies, trees, or any other structures unless approved by the City of Kingston.
- Comply with section 9.5.10 of this Policy and the dimensions set out in the Footpath Activities Standards.
- Not extend beyond the Trading Zone.
- Be secured at all times and removed in times of strong winds or storms.

The design and construction of permanent footings must meet Australian Standards. Approval from Council must be obtained to ensure compliance with proper standards and safety requirements and to ensure Council assets are protected.

9.5.5. Transparent drop-down blinds

Transparent drop-down blinds may be permitted subject to available space, prevailing urban character, existing street infrastructure and traffic conditions. Pedestrian access to the footpath must be preserved so Council is unlikely to approve an application for a transparent drop down blind if it would create a continuous row of blinds along the footpath. Applications will be considered on a case-by-case basis and are subject to the following conditions:

- Anything attached to a building or verandah requires street projection consent from Council and building approval. An application under Building Regulations 2018 (Council report and consent application form) is required to be submitted to Council's Building Department for approval.
- No advertising is permitted on a blind.
- Blinds must be UV resistant to avoid breakdown of the material and loss of transparency.
- Blinds must be secured with appropriate weights or fixing devices. If weights are used they must be placed so as not to cause any tripping hazard.
- All fixings must be fully concealed within the footpath and not create a trip hazard when not in use.
- Council approval must be obtained prior to inserting fixings into the footpath.
- The applicant will be responsible for any footpath restoration work that is required as a result of the use of fixings.
- All blinds should be retractable.
- Blinds must not intrude into the pedestrian or kerb zone.
- Blinds should not obscure sight lines within 10.0 metres of an intersection and all applications will be referred to Council's traffic engineer for approval.

A footpath activities permit and building permit from a private building surveyor must be obtained prior to any construction and works. The building surveyor will advise if an *Asset Protection Permit* is required for any *Protection of the Public* requirements.

9.5.6. Heaters

Heaters must:

- Be licensed as part of a permit and covered by the business owner's public liability insurance.
- Comply with Australian Standard AS 1956 and be certified by the Australian Gas Association.
- Be located within the Trading Zone only. In some instances, where the footpath has a narrow Trading Zone, the use of heaters may not be permitted.
- If the heater is attached to the building, an application under Building Regulations 2018 (Council report and consent application form) is required to be submitted to Council's Building Department for approval.
- The works will also require a building permit to be issued by a registered building surveyor.

9.5.7. A-Frame Signs

A-Frame Signs must:

- Not be fixed to any footpath, pole or any other structure.
- Comply with the height and width dimensions set out in the Footpath Activities Standards.
- Be limited to one sign per premises unless approved by the City of Kingston.
- Be securely placed and windproof.
- Be displayed within the Trading Zone unless approved by the City of Kingston. A permit may be granted for an application where the business has no street frontage and the sign is placed outside premises not occupied by the applicant.

9.5.8. Tear Drop Banners and Flags

Tear drop banners or flags will be considered as an alternative to A-frame signs to advertise the name of a business.

- Banners must be secured with appropriate weights or fixing devices. If weights are used they must be placed so as not to cause any tripping hazard.
- All fixings must be fully concealed within the footpath and not create a trip hazard when not in use. The fixings must be marine grade stainless steel. Specific Council approval must be obtained prior to inserting fixings into the footpath as not all footpath treatments are suitable. The applicant will be responsible for any footpath restoration work that is required as a result of the use of fixings.
- Signage, whether A-Frame or banner, will be limited to one sign per premises.

9.5.9. Display of Goods

Display of goods gives businesses the opportunity to show items that are sold within the premises. The selling of these items on the footpath is not permitted.

The following standards apply to the approved use of the footpath for display of goods:

- Goods must be secured, protected and displayed in an approved barrier so they are not displaced by wind or other elements or create an unsightly display on the public thoroughfare.
- No loose items or boxes containing items are permitted on the footpath. All display of goods must be located within a stand or table.
- Display stands on wheels must ensure that the wheels are lockable so as not to create a safety hazard.
- Displays must comply with the dimensions set out in the Footpath Activities Standards unless an exemption has been granted by Council. Appropriately designed displays that exceed these dimensions may be granted approval if Council deems that the amenity of the streetscape will be enhanced and safety considerations are met.
- Goods or their displays must not be fixed to any footpath, building, asset, pole or other structure.
- The display must not take up the entire width of the Trading Zone. Sufficient space should be provided for customers within the Trading Zone to stop and browse at the display without intruding into the Pedestrian Zone.
- Goods must not be hung on shop fronts or awnings.

9.5.10. Advertising

Council understands the need for businesses to engage in marketing and advertising as a part of their comprehensive business strategy. As such, Council allows for identification and promotion signs that meet, not only the needs of the business, but

considers the amenity of the area and streetscape appearance for the whole community.

- Business and third party signage must comply with the specifications set out in the Footpath Activities Standards.
- Details of any proposed signage on furniture must be submitted with any application to trade on the footpath.
- No café or commercial advertising is allowed on chairs or tables unless required for identification purposes only and placed in an unobtrusive manner allowing for identification by traders of business property.
- Portable electric, illuminated or flashing, revolving/spinning signs are prohibited.

9.5.11. Waste and Litter

To ensure the hygiene and cleanliness of a footpath is maintained, the following standards apply:

- Litter must be immediately cleared from the trading area by the permit holder.
- Food scraps or other rubbish generated by footpath trading must be immediately removed and deposited within the permit holder's own bins kept within the premises.
- Litter generated by footpath trading must not be disposed of into street gutters, stormwater drains, adjacent footpath areas or placed in public litter bins.
- No noise or other disturbance can emanate from the footpath activity so as to cause a nuisance to others or detriment to the amenity of the neighbourhood.
- Windproof ashtrays should be provided as required. The permit holder is responsible for all cigarette ash, butts and other litter generated by patrons of their footpath trading areas.

9.5.12. Cooking food on the footpath

Applications for a permit for cooking on the footpath (including barbeques) will be assessed on a case-by-case basis and will only be considered where the footpath is a minimum of 3.2 metres wide to ensure that public accessibility is not compromised.

Pedestrian access to the footpath must be preserved so Council is unlikely to approve an application for cooking on the footpath if it would create a continuous row of food equipment along the footpath.

- Permanent barbeques and cooking stations are not permitted.
- Cooking on the footpath is permitted once a week on either a Friday or Saturday only.
- No sale of product is to occur on public land, any exchange of money is to be within the business premises.
- Council retains the right to add any additional conditions to the permit as required to ensure public safety is not compromised.

To be eligible the business must:

- Have a minimum 3.2-metre-wide footpath.
- Be able to accommodate the BBQ or cooking station within the designated Trading Zone.
- Be able to accommodate the required health and safety equipment within the designated Trading Zone.

- Undertake the cooking activity on either a Friday or Saturday only, as nominated by the business.
- Be able to meet applicable Food Safety requirements.
- Submit and adhere to a Risk and Safety Plan.
- Can remove and store the equipment on private premises at the end of each trading day.
- Meet all the requirements for holding a Footpath Activities Permit, including Public Liability Insurance of \$20 million.

The business must submit a proposal with their application covering the following:

- A diagram with the layout of the proposed cooking station.
- An explanation of the food to be cooked and how it will be served.
- Nominated day (Friday or Saturday) for this activity to occur.
- How the business will maintain a clear and accessible footpath, taking into consideration queuing and serving of food.
- A Risk Management Plan covering the activities to take place and how it will be managed to eliminate any risk to customers and pedestrians.
- Identification of potential impacts such as smells, fumes, splatter and how this will be controlled.
- How the footpath will be cleaned and the frequency of this.
- Waste Management Plan, including how any waste generated from this activity will be managed and disposed of.

Note: Charitable organisations are exempt from this provision.

9.6. Management Responsibilities

The Footpath Activities Policy aims to balance the different interests and needs of businesses, residents and visitors. Each has an important role to play in creating vibrant retail precincts.

9.6.1. Operator Responsibilities

The permit holder must operate in accordance with Council's Community Local Law, Council's Footpath Activities Policy and supporting standards and any specific conditions placed on individual permits at all times. It is the responsibility of the permit holder to monitor and manage their footpath trading at all times.

The Permit holder is responsible for the conduct of patrons utilising tables and chairs and must:

- Ensure that tables and chairs remain in the Trading Zone and are not moved by patrons.
- Ensure any cooking equipment and any associated queuing is maintained within the Trading Zone.
- Ensure that prams, bikes and any other personal items do not obstruct the Pedestrian Zone.
- Ensure patron's dogs are supervised and not impeding the pedestrian access.
- Maintain a clear and accessible footpath, taking into consideration queuing and serving of food.

9.6.2. Council Rights and Responsibilities

The City of Kingston will continue to maintain and manage the use of its land and reserves the right to reclaim access to and remove all footpath trading at any time for any purpose deemed appropriate by Council.

Where Council, service authorities and others are required to carry out works within the road reserve (or works at or adjacent to the permit holders footpath trading area) which require removal and/or alteration to the footpath trading arrangements, no compensation is payable for any removal of fittings or fixtures associated with the footpath trading permit or for the loss of trade experienced due to these works. Any reinstatement of fixtures or fittings to do with the footpath-trading permit is the responsibility of the permit holder (this does not include refitting public infrastructure).

Council regularly requires access to footpath areas for the purposes of maintenance and asset renewal programs. Due to the necessity to source labour and materials during business hours, it is impractical to program these works outside shop trading hours. Except for emergency works, Council will give reasonable notification of such works but reserves the right to occupy the Trading Zone for the purpose of asset maintenance or renewal. No compensation will be payable by Council for the loss of use of the Trading Zone.

In special circumstances, such as if works take a prolonged period of time, Council has the discretion to waive fees or provide refunds for new or renewal permits. All Policy requirements will continue to apply irrespective of whether permit fees are waived or not.

9.6.3. Compliance protocol

Council staff will monitor and evaluate all footpath trading on a regular basis. Any observed infringement of the Footpath Activities Policy, standards or individual permit conditions will result in enforcement action being taken.

Upon detection of a breach of the Community Local Law, Footpath Activities Policy or a specific permit condition, Council (including its staff and authorised officers) may take any of the following actions depending on the non-compliance.

1. Provide advice to the permit holder on how to comply with the conditions of the permit.
2. Issue Written Notice to Comply– a first and final written notice – Must comply within the time limit stated.
3. Issue Infringement Notice – fine for non-compliance.
4. Issue further fines or permit suspension for a minimum period of three months and/or prosecution.
5. Revoke / cancel the permit.

Where Council Officers have identified an immediate risk to public health or safety, the permit may be suspended immediately until the business has undertaken remedial action to rectify the risk or non-compliance.

Council may also impound any items that are placed on the footpath that do not comply with Community Local Law, this Policy or any conditions placed on a permit.

Prior to cancellation of a permit, Council will provide the permit holder with an opportunity to make comment on the proposed cancellation. Incidents of non-compliance will be noted and may be taken into consideration for future permit applications. Second and subsequent fines will be issued without additional warning for further acts of non-compliance. Failure to maintain public liability insurance is considered a serious breach.

10. Decision Conditions

The City of Kingston may apply site specific permit conditions to provide certainty and manage possible impacts on neighbourhood amenity.

11. Transition/Translation arrangements

This Policy will commence TBC

12. Review

This Policy is to be reviewed by TBC

Ordinary Meeting of Council

26 August 2019

Agenda Item No: 8.2

C180 - HAWTHORN FOOTBALL CLUB PROPOSED AMENDMENT AND PLANNING PERMIT

Contact Officer: Bianca Coughlan, Principal Strategic Planner

Purpose of Report

The purpose of this report is to seek direction from Council to initiate a combined Planning Scheme Amendment and Planning Permit process and seek authorisation from the Minister for Planning for Planning Scheme Amendment C180 for the land at 94 Tootal Road, Dingley Village.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That Council:

1. Request authorisation from the Minister for Planning to prepare combined Planning Scheme Amendment C180 (Hawthorn Football Club) and Planning Permit KP-2019/359 in accordance with the *Planning and Environment Act 1987*.
2. Exhibit Amendment C180 to the Kingston Planning Scheme and Draft Planning Permit KP-2019/359 in accordance with the *Planning and Environment Act 1987* should authorisation be granted by the Minister for Planning to prepare the amendment.
3. Receive a further report following the close of the exhibition period.

1. Executive Summary

Planning Scheme Amendment C180 and Planning Permit KP-2019/359 has been submitted by David Lock Associates acting on behalf of the landowner Hawthorn Football Club (the club) for the land at 94 Tootal Road, Dingley Village. The application seeks approval for a combined Planning Scheme Amendment and Planning Permit Application pursuant to section 96A of the *Planning and Environment Act 1988*.

The proposed Planning Scheme Amendment allows for use and development to be undertaken in association with the Hawthorn Football Club Training and Administrative Facility on the affected land in a manner that would otherwise be prohibited by Clauses 35.04-1, 35.04-7 and 51.02 of the Kingston Planning Scheme.

The Incorporated Document (Appendix 1 – Draft Incorporated Document) allows for the following matters to be considered by Council that would otherwise be prohibited:

- A function centre in association with an Outdoor recreation facility with up to 400 patrons present at any one time

- An indoor recreation facility
- A medical centre
- Advertising signage

The Incorporated Document also prohibits any gaming machines (as defined in the *Gambling Regulation Act 2003*) from being established on the land.

The Incorporated Document will allow for Council to consider a planning permit application for the above uses, which is proposed to be considered concurrently. The planning permit application KP-2019/359 (Appendix 2 – Draft Planning Permit) seeks approval for:

- *Use and develop the land for a minor sport and recreation facility, function centre, indoor recreation facility, medical centre, residential building, and reduction of bicycle parking requirements.*

The planning permit application generally seeks approval for the following key elements which are also shown in the draft 'Overall Concept Plan' at Appendix 1:

- A two storey training and administration building including administration and medical centre.
- A Community Pavilion.
- An indoor sports hall and associated uses (Indoor Recreation Facility).
- A short stay residential component within the Community Pavilion.
- A medical centre.
- 4 outdoor ovals including one designated as a "community oval".
- Future athletics track.
- Multipurpose training zone.
- Function centre.
- 830 car parks.
- Access to the facility provided at two points along Tootal Road.

This report recommends that a request be made to the Minister for Planning to authorise the preparation of Amendment C180 and proceed with exhibition should authorisation be granted.

2. Background

The Amendment applies to approximately 27.69 hectares of land along Tootal Road, Dingley Village. The site has been purchased by the Hawthorn Football Club for the purpose of establishing a training and administration facility on the site.

Council previously approved an Incorporated Document and Planning Permit in 2016 however, the Club has increased the scope of the facility and has proposed a new Incorporated Document and Planning Permit. This increased scope is largely based on the club's desire to introduce a greater range of community uses onto the land.

The primary changes between the 2016 versions of the Planning Permit and Incorporated Document and that currently proposed are outlined below:

Planning Permit

- A second access point on Tootal Road towards the south east corner of the Site;
- An increase of on site, at grade carparking from 414 spaces to 830 spaces;
- An increase in the size, height and footprint of the Community Pavilion and sports hall;
- An Indoor Recreation Facility;
- Short Stay accommodation located on site for up to 30 people.

Incorporated Document

- Designating an 'Indoor Recreation facility' as a 'permit required' use;
- Designating a 'Medical Centre' as a 'permit required' use;
- Change to the title and address of the Incorporated Document.

To provide greater clarity to the process and any future public exhibition, Council officers requested that the applicant prepare and submit a new Incorporated Document and Planning Permit, as opposed to amendments to the existing approvals.

3. Discussion

3.1 Council Plan Alignment

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

Direction 1.1 - Intergenerational land use planning for a sustainable community

The proponent has provided a detailed package of Amendment and Planning Permit Application documentation which would facilitate the orderly redevelopment of the site. A copy of the proposed Concept Plan is located at Appendix 3.

3.2 Consultation/Internal Review

City Strategy has consulted internally across Council including with Statutory Planning, Drainage and Traffic.

Comments have also been sought from Melbourne Water, the EPA and VicRoads.

If Council resolves to seek authorisation to prepare Amendment C180 and authorisation is granted by the Minister for Planning, formal exhibition of the application is required in accordance with the *Planning and Environment Act 1987*.

This would involve the placing of the Planning Scheme Amendment and Planning Permit Application on public exhibition with the following consultation undertaken:

- Notices placed in the Government Gazette and local paper
- Direct notification to surrounding landowners
- Sign displayed on key site frontages
- Amendment documentation available at key locations including the Cheltenham Office and Council's website.

The public exhibition process will provide opportunity for the community to make formal comments on the proposal. Council will then consider any submissions received, before it further considers its response in relation to the Amendment request.

3.3 Operation and Strategic Issues

3.3.1 Strategic Justification

The combined Amendment and Planning Permit broadly supports and implements the State Planning Policy Framework as it is consistent with the objectives of the Green Wedge clause in that it seeks to facilitate a use and development located in the green wedge that will provide for environmental, economic and social benefits.

The proposed additional uses of the site for a medical centre, indoor sport and recreation facility (noting it does not serve an equestrian function) are uses which, if presented in isolation of the broader proposal, would be prohibited under the Green Wedge 2 Zone. Further discussion is provided below in relation each of these proposed uses.

3.3.2 Zoning Controls

As with the previous amendment on the site, this proposal does not seek to change the zoning of the subject land.

The advertising sign and function centre components remain unchanged as per the Incorporated Document approved as part of the previous Amendment C161. Key changes sought by the applicant in the proposed new Incorporated Document are discussed in more detail below:

- The proposed use of the land as a medical centre is currently a Section 3 – Prohibited Use within the Green Wedge 2 Zone. The Incorporated Document seeks to identify this use as Section 2 – Permit Required.

Given the obvious link between an AFL Club's use of the site as its training facility and the need for specialist medical practitioners, it is considered appropriate that the Incorporated Document allow for a permit to be granted for the establishment of an onsite medical centre.

Council officers have worked with the applicant to refine this component of the proposal with a desire to ensure that the use is primarily justified as a result of its core function in serving the needs of the Hawthorn Football Club, noting that in order to enhance the viability and broader community benefit associated with this aspect of the proposal opportunity may also exist for a component of the medical use(s) to be accessed by a broader population external to the site and this is reflected in the attached draft incorporated document.

- The proposed use of the site for an Indoor Sport and Recreation Facility is currently a Section 2- Permit Required Use within the Green Wedge 2 Zone provided it is for equestrian based leisure, recreation or sport. As with the proposed medical centre use, it is considered that a clear relationship exists between the Club's occupation and use of the site and the need for an indoor sport and recreation facility.

Whilst the facility will also be used by external clubs and community groups, a strong argument exists that the establishment of the facility appropriately forms an ancillary function to the use of the site as the Hawthorn Football Club training facility.

It is noted that the Indoor Recreation Facility component will include an indoor sports hall that will be predominately used by local netball and basketball associations with 95% of its peak use envisioned for local basketball and netball games.

- It is noted that the Incorporated Document prohibits the establishment of any electronic gaming machines from being established on the land.

A key change within the Planning Permit application relates to the proposed use of part of the site for temporary accommodation noting that this is a Section 2 – Permit Required Use (if in association with an outdoor recreation facility) within the Green Wedge 2 Zone. In this instance, and with particular regard to the extent to which the short stay accommodation is exclusively related to the Club's use of the site as its training and administration facility, the short stay accommodation is considered to be ancillary to the proposed use of the site therefore appropriately forming part of the Planning Permit application.

3.3.3 Strategic Context

The Local Planning Policy Framework (LPPF) is supportive of the proposed use and development of the site, located within a Green Wedge Area, for 'Leisure and Recreation', that includes 'Minor Sports and Recreation Facility' and 'Outdoor Recreation Facility'.

At Clause 21.10 'Green Wedge', Kingston's Green Wedge land is earmarked as a location for a range of uses including active and passive recreation facilities. Strategies include promoting the use of landfill sites for open space and recreation facilities. The amendment assists in facilitating such a use and development.

At Clause 21.11 'Open Space', an objective is to promote a diverse range of social and recreational opportunities which provide for the changing leisure needs of the municipality's current and future populations. This includes encouraging the development of 'multi-use' open space facilities.

Clause 22.04 South East Non Urban Area Policy seeks to encourage activities which are consistent with the function and character of the non urban area including sports fields.

The amendment will assist in facilitating a use and development that is consistent with the overall vision outlined in the Local Planning Policy Framework.

3.4 Options

3.4.1 Option 1

Request the Minister for Planning authorise the preparation of combined Planning Scheme Amendment C180 to the Kingston Planning Scheme and Planning Permit Application KP-2019-359, and once authorised, commence public exhibition of the Amendment.

Officers recommend that Council proceed with Option 1 on the basis that adequate strategic justification and supporting documentation has been provided by the applicant to warrant further consideration of the proposal through a public exhibition process. On the basis the Amendment is exhibited Council will need to consider submissions in accordance with the requirements of the Planning and Environment Act 1987.

3.4.2 Option 2

Refuse the request to commence Amendment C180 to the Kingston Planning Scheme and Planning Permit Application KP-2019-359 to the Kingston Planning Scheme.


Officers do not recommend that Council proceed with this option.

4. Conclusion

It is considered that adequate strategic justification and supporting documentation has been provided by the applicant to warrant further consideration and community input into the proposal through a public exhibition process. Accordingly, this report recommends that a request be made to the Minister for Planning to authorise the preparation of combined Amendment C180 and Planning Permit KP-2019-359 and allow the community to make comment on the proposal through a formal exhibition process.

Appendices

Appendix 1 - Draft Incorporated Document (Ref 19/180510) 

Appendix 2 - Hawthorn Draft Planning Permit (Ref 19/180514) 

Appendix 3 - Draft Concept Plan (Ref 19/180455) 

Author/s: Bianca Coughlan, Principal 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

C180 - HAWTHORN FOOTBALL CLUB PROPOSED AMENDMENT AND PLANNING PERMIT

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KINGSTON PLANNING SCHEME

INCORPORATED DOCUMENT

**'Hawthorn Football Club – Function Centre, Indoor Recreation Facility,
Medical Centre and Signage Controls,
94 Tootal Road, Dingley Village'.**

August 2019

DRAFT

**This document is an Incorporated Document in the Planning Scheme pursuant to
Section 6(2)(j) of the Planning and Environment Act 1987.**

INTRODUCTION

This document is an Incorporated Document in the Schedule to clause 45.12 (Specific Controls Overlay) and Schedule to clause 51.01 (Specific Sites and Exclusions) of the Kingston Planning Scheme (the Scheme). It is also listed in the Schedule to clause 72.04 of the Scheme.

This Incorporated Document and Clauses 45.12 and 51.01 has the effect of allowing for matters as identified in this Incorporated Document to be undertaken in association with the Hawthorn Football Club Training and Administrative Facility (Outdoor recreation facility and Minor Sports and Recreation Facility) on the affected land in a manner that would otherwise be prohibited by Clauses 35.04-1, 35.04-7 and 51.02.

ADDRESS OF THE LAND

This Incorporated Document applies to land at 94 Tootal Road, Dingley as shown in the plan below (red line is boundary of the affected land).



The land is more particularly described in Certificate of Title Volume 11866 Folio 511, being Lot 1 on Plan of Subdivision 804736R.

APPLICATION OF PLANNING SCHEME PROVISIONS

Function centre

Notwithstanding Clause 35.04-1 – Green Wedge Zone, Table of Uses, and Clause 51.02 – Metropolitan Green Wedge Land, Table of Uses, Council can consider a planning permit application for up to 400 patrons present at any one time for the Function centre in association with an Outdoor recreation facility. All other provisions of these Clauses continue to apply aside from those mentioned within this incorporated document.

Any application for permit or to increase existing patron numbers must include a written report outlining patron capacity, hours of operation and waste management.

Prior to the use commencing, a Patron Management Plan must be prepared in consultation and to the satisfaction of the City of Kingston associated with the operations of the function centre. The Patron Management Plan must include a site layout plan nominating the overall licensed area together with a written report outlining the following:

- control of consumption of alcohol;
- types of events;
- management of patrons entering and leaving the venue and smoking outside;
- Responsible Serving of Alcohol management;
- keeping of complaints register;
- security; and,
- management arrangements.

Noise emitted from the Function centre must comply with the State Environment Protection Policy N-2 (Control of Music Noise from Public Premises) as amended from time to time.

Indoor Recreation Facility

Notwithstanding the provisions of Clause 35.04-1 – Green Wedge Zone, Table of Uses, and Clause 51.02 Metropolitan Green Wedge Land, Table of Uses, Council can consider a planning permit application for an Indoor Recreation Facility associated with the outdoor leisure, recreation and sporting use of the land. The Indoor Recreation Facility may include ancillary uses such as a café, education space, administration offices, gymnasium, meeting rooms, coaching and media rooms.

Medical Centre

Notwithstanding the provisions of Clause 35.04-1 – Green Wedge Zone, Table of Uses, and Clause 51.02 Metropolitan Green Wedge Land, Table of Uses, Council can consider a planning permit application for Medical Consulting Rooms on the Site.

Advertising Signage

Notwithstanding the provisions of Clause 35.04-7 and Clause 52.05 Signs, an Advertising Sign Master Plan may be approved by the Responsible Authority under this Incorporated Document for the display of advertising signs which would otherwise require a planning permit or be prohibited.

A planning permit is required for Advertising signs in accordance with the Kingston Planning Scheme unless the advertising sign is generally in accordance with the Advertising Sign Master Plan approved by the Responsible Authority or the advertising sign is not visible from outside the subject land.

Any application to approve the Advertising Sign Master Plan under this provision must demonstrate to the Responsible Authority compliance with the following objectives:

- To ensure that signs do not create visual clutter and are not intrusive;
- To allow for identification of the club, sponsors, facilities and activities;
- To ensure that no major promotional signage is established along Tootal Road.
- To ensure that minimal advertising signage (aside from Business Identification Signage) is to be visible from outside the site

The master plan must describe the type and size of signs, the preferred location for signs, proposed lighting and any other relevant matter to the satisfaction of the Responsible Authority.

The layout as shown within the advertising sign master plan must not be altered without the prior written consent of the responsible authority.

Electronic Gaming Machines

Gaming machines, as defined in the *Gambling Regulation Act 2003*, are prohibited from being established on the land.

EXPIRY OF PROVISIONS

The provisions of this Incorporated Document expire if:

- The use and development of the land for an Outdoor Recreation Facility and Minor Sports and Recreation Facility associated with the Hawthorn Football Club is not started within four years of the date of the Approval Date.

DRAFT

PLANNING PERMIT NO. KP-913/2015
ADDRESS: Lot 1 Grange Road & 370 - 440 Old Dandenong Road, DINGLEY VILLAGE

**PLANNING
PERMIT**

Permit Number: **KP-2019/359**
 Planning Scheme: **KINGSTON**
 Responsible Authority: **KINGSTON CITY
COUNCIL**

ADDRESS OF THE LAND:

94 TOOTAL ROAD, DINGLEY VILLAGE

THE PERMIT ALLOWS:

Use and develop the land for a minor sport and recreation facility, function centre, indoor recreation facility, medical centre, residential building and reduction of bicycle parking

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. Before the development starts, excluding works in accordance with condition 38, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the plans submitted to Council on 5 June 2019 by Peddle Thorp Architects and MemLA Landscape Architects , but modified to show:
 - a) the provision of an improved landscape plan in accordance with the submitted development plan and the City of Kingston Landscape Plan Checklist, with such plans to be prepared by a suitably qualified landscape professional and incorporating:
 - i. An associated planting schedule showing the proposed location, species type, mature height and width, pot sizes and number of species to be planted on the site. The schedule must be shown on the plan.
 - ii. The delineation of all garden beds, paving, grassed areas, retaining walls, fences and other landscape works including areas of cut and fill throughout the development.
 - iii. All existing trees on the site and within ten (10) metres to the boundary of the site on adjoining properties, accurately illustrated to represent actual canopy width and labelled with botanical name, height and whether the tree is proposed to be retained or removed.

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- iv. A range of plant types from ground covers to large shrubs and trees, species must comprise a minimum of 80% native species. All proposed plantings must be provided at adequate planting densities (e.g. plants with a mature width of 1 metre, planted at 1 metre intervals).
 - iv. All trees provided at a minimum of two (2) metres in height.
 - v. No trees with a mature height over five (5) meters are to be planted over proposed or existing easements.
 - vi. The provision of notes on the landscape plan regarding site preparation, including the removal of all weeds, proposed mulch, soil types and thickness, subsoil preparation and any specific maintenance requirements.
 - vii. A dense boundary buffer must be provided along all proposed boundaries to the satisfaction of the Responsible Authority.
- b) A comprehensive stormwater management (drainage) strategy of the site including a report with MUSIC model output and a drainage concept plan incorporating Rainwater Tanks for water reuse and other Water Sensitive Urban Design Treatments to achieve best practice objectives must be prepared as per Council's *"Civil Design Requirements for Developers – Part A – Integrated Stormwater Management"* to the satisfaction of the Responsible Authority.
 - c) a note on the site plan to read *'all car parking areas are to be sealed to the satisfaction of the Responsible Authority and subject to the requirements of the Environmental Audit'*;
 - d) external lighting details to the proposed four (4) billboard signs along Tootal Road frontage to be provided to the satisfaction of the Responsible Authority;
 - e) a note on the site plan to read *'southern vehicle access point to be designed and constructed to Council's satisfaction'*;
 - f) the provision of a fully dimensioned and detailed site plan including (but not limited to) finished levels to Australian Height Datum, car parking details (formal and overflow), accessway widths, surface finishes, easements, and location of outdoor training lights and lighting details, to the satisfaction of the Responsible Authority;
 - g) the provision of fully dimensioned detailed floor and elevation plans of the administration and pavilion buildings including floor areas of each ancillary use, their layout and designation of use, to the satisfaction of the Responsible Authority;
 - h) the provision of bicycle parking in accordance with Clause 52.34 Bicycle Facilities of the Kingston Planning Scheme to the satisfaction of the Responsible Authority;
 - i) details of Lot 1 boundary fencing treatments and site access security arrangements, including the provision of a steel picket fence (or similar treatment) for the front boundary to Tootal Road, to the satisfaction of the Responsible Authority; and
 - j) the provision of a schedule of construction materials, external finishes and colours for the administration and pavilion buildings.

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- k) Pedestrian and bicycle access points to be provided along the western property boundary (Mordialloc Freeway SUP) and eastern property boundary (Tootal Road frontage) to the satisfaction of the Responsible Authority.

Endorsed Plans

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

Medical Practitioners

4. No more than twelve (12) persons providing health services may work on the premises at any one time to the satisfaction of the Responsible Authority.

Medical Centre Standard Hours

5. Unless with the prior written consent of the Responsible Authority, the Medical Centre permitted by this permit must operate only between the following times:

Monday to Friday	8.00am to 8.00pm
Saturday	8:00am – 1:00pm
Sunday	Closed

Sustainable Management Plan

6. Prior to the endorsement of plans required by Condition 1, a Sustainable Management Plan (SMP), to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority. When approved, the SMP will be endorsed and will then form part of the permit and shall thereafter be complied with. The SMP must include, but is not limited to the following criteria:
 - a. Indoor Environment Quality
 - b. Energy Efficiency
 - c. Water Efficiency
 - d. Stormwater Management
 - e. Building Materials
 - f. Transport
 - g. Waste Management
 - h. Urban Ecology
 - i. Innovation
 - j. Construction and Building Management.

General amenity conditions

7. The amenity of the area must not be detrimentally affected by the use, including through the:

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- i. Transport of materials, goods or commodities to or from the land.
 - ii. Appearance of any building, works or materials.
 - iii. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
 - iv. Presence of vermin.
 - v. Any other way.
8. The development and / or use of the site shall not cause nuisance or be detrimental to the amenity of the neighbourhood by the emission of noise. In this regard any nuisance shall be assessed in accordance with the Australian Standards AS1055 and AS2107 relating to the measurement of Environmental Noise and recommended sound levels.
 9. The loading and unloading of goods to and from vehicles must only be carried out on the land.
 10. No goods or packaging materials shall be stored or left exposed outside the building so as to be visible to the public from a road or other public place.
 11. All external surfaces of the building elevations must be finished in accordance with the schedule on the endorsed plans and maintained in good condition to the Responsible Authority's satisfaction.
 12. The use of the function centre must operate only between the hours of:
Sunday to Thursday: 7.00am to 11.00pm; and
Friday to Saturday: 7.00am to 1.00am the next day
 13. The maximum number of patrons permitted to use the function centre at any one time is 150.
 14. The use of the café must operate only between the hours of:
7.30am to 5.00pm

Residential Building

15. The Residential Building component of the use must not accommodate persons for stay of any longer than 120 days.
16. No more than thirty (30) persons are to be seek accommodation onsite at anyone time to the satisfaction of the Responsible Authority.

Lighting

17. All external lighting of the site, including all sports fields, car parking areas and buildings, must be designed, fitted with suitable baffles and located to prevent any adverse effect on adjoining land, to the satisfaction of the Responsible Authority.
18. The outdoor lights for all sports ovals must be switched off after 10.30pm each night to the satisfaction of the Responsible Authority.

Infrastructure and Road Works

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ADDRESS: Lot 1 Grange Road & 370 - 440 Old Dandenong Road, DINGLEY VILLAGE

19. Prior to the commencement of the approved development, detailed engineering drawings of all of the site's access points, to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority.
20. The design of the Tootal Road vehicle access required by Condition 19 of this permit must be subject to a satisfactory Road Safety Audit, prior to submission to the Responsible Authority for approval. The findings of this Audit must also be provided to the Responsible Authority, with the detailed engineering drawings of the site access, to the satisfaction of the Responsible Authority.
21. Any existing vehicular crossing not in accordance with the endorsed plan must be removed and the kerb reinstated in a manner satisfactory to the Responsible Authority and any proposed vehicular crossing must be fully constructed to the Responsible Authority's specifications.

Construction Management

23. Before the commencement of any buildings and works associated with the Tootal Road access to the site, a Construction Management Plan (CMP) to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The Responsible Authority can consider the CMP in stages to allow works in accordance with condition 38 to occur. The final CMP must specify and deal with, but is not limited to, the following:
 - a. a detailed schedule of works including a full project timing, including any demolition works;
 - b. a traffic management plan for the site, including when or whether any access points would be required to be blocked; an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services; and preferred routes for trucks delivering to the site;
 - c. the location for the parking of all construction vehicles and construction worker vehicles during construction;
 - d. delivery of materials including times for loading/unloading and unloading points; expected frequency; and details of where materials will be stored and how concrete pours would be managed;
 - e. proposed traffic management signage indicating any inconvenience generated by construction;
 - f. a fully detailed plan indicating where construction hoardings would be located (if required);
 - g. a waste management plan including the containment of waste on site, disposal of waste, stormwater treatment and on-site facilities for vehicle washing;
 - h. containment of dust, dirt and mud within the site and method and frequency of clean up procedures in the event of build up of matter outside the site;
 - i. business operations on the site during construction;
 - j. site security;
 - k. public safety measures;
 - l. construction times, noise and vibration controls;

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- m. restoration of any Council assets removed and/or damaged during construction;
- n. protection works necessary to road and other infrastructure (limited to an area reasonably proximate to the site);
- o. remediation of any damage to road and other infrastructure (limited to an area reasonably proximate to the site);
- p. an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
- q. traffic management measures to comply with provisions of AS 17 42.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads; and
- r. all contractors associated with the construction of the development must be made aware of the requirements of the Construction Management Plan.

24. During the construction, the following must occur:

- a. any stormwater discharged into the stormwater drainage system is to comply with EPA guidelines;
- b. stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the premises enters the stormwater drainage system;
- c. vehicle borne material must not accumulate on the roads abutting the site;
- d. the cleaning of machinery and equipment must take place on site and not on adjacent footpaths, roads or parks;
- e. all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly; and
- f. all site operations must comply with the EPA Publication TG302/92 (including all revisions or replacement guidelines).

Parking construction and traffic management

25. Before the use starts, two (2) copies of a traffic and parking management plan, to the satisfaction of the Responsible Authority, must be submitted for approval. The use must not commence until the plan has been approved and endorsed by the Responsible Authority. The endorsed plan will then form part of the permit. The plan must include (but is not limited to):

- a) The means by which traffic movements to and from the site will be managed for large events.
- b) The location of all areas on- and/or off-site to be used for staff and patron parking for large events.
- c) Owner's permission and any required planning permission for parking on other land.
- d) Specification of staff numbers adequate to enable efficient operation of car parking areas both on- and off-site.
- e) The number and location of all on- and off-site security staff.
- f) The means by which pedestrian flows to and from car parking areas will be controlled both on- and off-site.
- g) Measures to discourage patron car parking in locations other than those approved in this plan.
- h) Measures to preclude staff parking in designated patron car parking areas.
- i) Staffing and other measures to ensure the orderly departure and arrival of patrons especially any large groups departing at closing time.
- j) Servicing of the drainage and maintenance of car parking areas.

Traffic and parking operations on and adjacent to the site must conform to the endorsed plan.

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- 26. Before the use starts, areas set aside for parking vehicles, access lanes and paths as shown on the endorsed plans must, to the satisfaction of the Responsible Authority, be:
 - a. Constructed to the satisfaction of the Responsible Authority.
 - b. Properly formed to such levels that they can be used in accordance with the plans.
 - c. Surfaced in accordance with the endorsed plans under this permit or in an all-weather coloured concrete seal-coat or alternate material, to the satisfaction of the Responsible Authority.
 - d. Drained and maintained to the satisfaction of the Responsible Authority.
 - e. Line-marked to indicate each car space, allocation and signage of visitor car spaces, and access lanes.

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

- 27. In areas set aside for car parking, measures must be taken to the satisfaction of the Responsible Authority to prevent damage to fences or landscaped areas.
- 28. The overflow car parking area shown on the endorsed plans must be graded, compacted, drained and planted with hardwearing grasses, or other surface material to the satisfaction of the Responsible Authority, and thereafter maintained. Clear directions for the use of the overflow car parking areas must be provided on the site, with the areas clearly identified, to the satisfaction of the Responsible Authority.

Drainage and Water Sensitive Urban Design (WSUD)

- 30. Prior to the commencement of the approved development, excluding works in accordance with condition 38 to occur, a detailed Stormwater Management (drainage) Plan in line with accepted Stormwater Management Strategy pursuant to condition 1b) above, showing the stormwater works to the nominated point of discharge must be prepared to the satisfaction of the Responsible Authority. The Stormwater Management Plan must be prepared by a qualified person and show all details of the proposed stormwater works including all existing and proposed features that may have an impact (e.g. trees to be retained, crossings, services, fences, abutting buildings, existing boundary surface levels, etc.). The Stormwater Management Plan must be prepared as per Council's "Civil Design Requirements for Developers – Part A - Integrated Stormwater Management".
- 31. The development of the site must be provided with stormwater works which incorporates the use of water sensitive urban design principles to improve stormwater runoff quality and which also retains on site any runoff above the permissible site discharge. The system must be maintained to the satisfaction of the Responsible Authority. Council's Development Engineer can advise on satisfactory options to achieve these desired outcomes which may include the use of an infiltration or bio-retention system, rainwater tanks connected for reuse and a detention system.

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32. Stormwater works must be provided on the site so as to prevent overflows onto adjacent properties.
33. The overall stormwater outflow of the development to Council drainage system must be limited to a discharge rate calculated based on Council's "*Civil Design Requirements for Developers – Part A - Integrated Stormwater Management*" and must be to Council satisfaction.

Environmental Audit (subsurface landfill gas migration)

34. Prior to the commencement of buildings and works associated with the use or the commencement of the use an environmental audit assessing the risk of harm to occupiers of the subject land from the landfill forming part of the subject land must be undertaken pursuant to section 53V of Part IXD of the *Environment Protection Act 1970* or equivalent future provisions to the satisfaction of the responsible authority.
35. The scope of the environmental audit required by permit condition 34 must include:
 - (a) consideration and evaluation of:
 - (i) any completed environmental audits of the subject land;
 - (ii) any rehabilitation plan for the landfill forming part of the subject land;
 - (iii) any aftercare management plan for the landfill forming part of the subject land;
 - (iv) any monitoring program forming part of any aftercare management plan for the landfill forming part of the subject land;
 - (b) landfill gas measurements collected over a minimum 12 month period under falling barometric pressure meteorological conditions;
 - (c) a full quantitative conceptual site model in compliance with:
 - (i) 'Best Practice Environmental Management – siting, design, operation and rehabilitation of landfills', EPA Victoria publication 788.3 dated August 2015;
 - (ii) 'Landfill Licensing', EPA Victoria publication 1323.3 dated 15 September 2016 – Appendix 2;
 - (iii) 'Assessing risk posed by hazardous ground gases to buildings', publication 665 dated 2007 prepared by CIRIA, a non for profit research and information association incorporated in the United Kingdom;
 - (iv) British Standard 'Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings', BS8485:2015 + A1:2019;
 - (d) any other contemporary landfill gas monitoring data available relating to the landfill or the surrounding area;
 - (e) mitigation and protection measures, including both infrastructure and operation, to prevent the accumulation of landfill gas within buildings and structures on the subject land.
36. The environmental audit required by condition 34 of the permit must include preparation of a subsurface landfill gas management plan providing for:
 - (a) prohibition of subsurface habitable areas within any building on the subject land;
 - (b) all buildings to incorporate:
 - (i) active positive pressurisation by the creation of a blanket of external fresh air beneath the building floor slab by pumps supplying air to points across the central

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footprint of the building into a permeable layer formed of a geocomposite blanket in accordance with Table 6 of the British Standard 'Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings' BS8485:2015 + A1:2019; and

(ii) a gas resistant membrane meeting all of the requirements of Table 7 of the British Standard 'Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings' BS8485:2015+A1:2019; ("**Mitigation Infrastructure**")

(c) periodic inspection, repair and maintenance of the Mitigation Infrastructure;

(d) periodic inspection, repair and maintenance of the landfill gas monitoring bores; and

(e) ongoing monitoring of subsurface landfill gas across the subject land and within the Mitigation Infrastructure.

37. The environmental audit required by condition 34 of the permit must include preparation of a construction quality assurance plan providing for the construction of buildings and the carrying out of works allowed by the permit in a manner that protects and preserves existing landfill rehabilitation structures and elements identified in any:
- (a) rehabilitation plan for the landfill forming part of the subject land;
 - (b) aftercare management plan for the landfill forming part of the subject land; and
 - (c) any monitoring program forming part of any aftercare management plan for the landfill forming part of the subject land.
38. Prior to completion of the environmental audit required by condition 34, investigative, assessment and site preparatory works may be carried out provided the landfill rehabilitation structures and elements are not damaged and the works are to the satisfaction of the responsible authority.
39. **Conditions required by Melbourne Water:**
- a) Pollution and sediment laden runoff shall not be discharged directly or indirectly into Melbourne Water's drains or waterways.
 - b) Prior to Certification, the Plan of Subdivision must be referred to Melbourne Water, in accordance with Section 8 of the *Subdivision Act 1988*.
40. Reticulated water, sewerage and electricity must be available to each lot shown on the endorsed plans before any lot can be used or occupied.

Completion

41. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
42. Before occupation of the development hereby permitted, landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority. The landscaping must then be maintained to the satisfaction of the Responsible Authority.

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Time limits

43. In accordance with section 68 of the *Planning and Environment Act 1987* (The Act), this permit will expire if one of the following circumstances applies:
- The development or use is not started within four (4) years from the date of permit issue.
 - The development is not completed within six (6) years from the date of permit issue.
 - The use is discontinued for a period of two (2) years.

In accordance with section 69 of The Act, the responsible authority may extend the periods referred to if a request is made in writing:

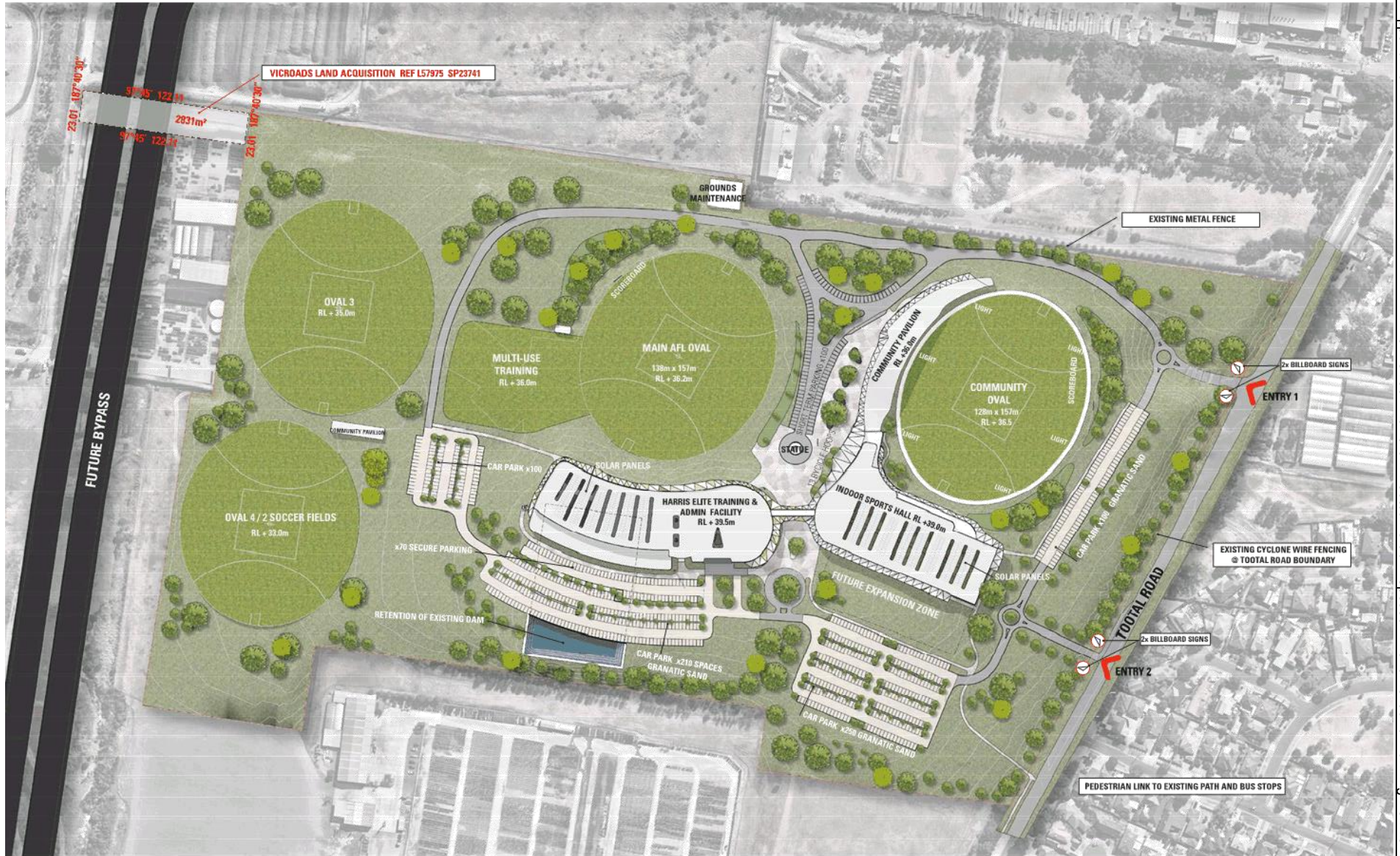
- before the permit expires; or
- within six (6) months after the permit expiry date, where the use or development allowed by the permit has not yet started; or
- within twelve (12) months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.

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

Note: If further information is required in relation to Melbourne Water's permit conditions shown above, please contact Melbourne Water on 9679 7517, quoting Melbourne Water's reference 267252.

Note: The following South East Water agreement options are available:

- 1) Application to enter into a Development Agreement-Works – If South East Water reticulated sewer/water/recycled water (as applicable) is required to be extended to service lots within the development.
- 2) Application to enter into an agreement-Non Works – If South East Water reticulated sewer/water/recycled water (as applicable) is available to the development and the owner only requires Statement of Compliance to release the titles (i.e. subdivision prior to building).
- 3) Plumbing Industrial, Commercial, Units & Private Water application – If South East Water reticulated sewer/water/recycled water (as applicable) is available to the development and the owner wishes to commence construction of the building/s (i.e. building prior to subdivision).



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KENNEDY COMMUNITY CENTRE MASTER PLAN

PROJECT NO:
3-18-0058

REASON FOR ISSUE:
TOWN PLANNING

PROPOSED SITE MASTER PLAN

REVISION:
2

1:1200 A1



DRAWING NO:
TP-009

Ordinary Meeting of Council

26 August 2019

Agenda Item No: 8.3

ELSTER CREEK CATCHMENT FLOOD MANAGEMENT PLAN

Contact Officer: Emily Boucher, Team Leader, Environmental Planning

Purpose of Report

The purpose of this report is to provide an update to Council in relation the Elster Creek Catchment Flood Management Plan 2019-2024 and associated Memorandum of Understanding which will be tabled for endorsement by CEOs at the Elster Creek Catchment Steering Committee Meeting in late August.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That Council:

1. Endorse the Elster Creek Catchment Flood Management Plan 2019 – 2024 (Appendix 1).
2. Authorise the Chief Executive Officer to sign the Elster Creek Catchment Memorandum of Understanding (Appendix 2) on behalf of the City of Kingston.

1. Executive Summary

Kingston has a small portion (around 548 hectares in Moorabbin) of the Elster Creek Catchment (total 4,000 hectares) and since 2017 has been working with other catchment Councils and Melbourne Water to deliver catchment wide solutions to flooding.

The Elster Creek Catchment Flood Management Plan 2019 – 2024 (Appendix 1) has been developed through extensive consultation with affected Councils (Port Phillip, Glen Eira and Bayside) as well as the Community Reference Group and a Deliberative Community Panel.

It outlines a range of institutional, infrastructure and management changes which once implemented should ease the flooding challenges faced within the catchment and particularly around Elwood Canal. City of Kingston only has direct responsibility for one action with the majority being led by City of Port Phillip and Melbourne Water.

The ongoing relationship between all parties is proposed to be governed by a Memorandum of Understanding (MOU) which outlines the cooperative nature in which the group should operate (Appendix 2). It has a duration which mirrors the Flood Management Plan 2019 - 2024.

Officers have actively participated in the development of the Elster Creek Catchment Flood Management Plan and are supportive of its content and recommendations. Similarly, officers have reviewed the proposed MOU and have formed the view that it broadly reflects the collaborative manner in which the group has operated to date and does not seek to introduce any new or unreasonable obligations on Council.

This report recommends that Council endorse the Elster Creek Catchment Flood Management Plan 2019-2024 (Appendix 1) and authorize the CEO to sign the MOU (Appendix 2) on behalf of the City of Kingston.

2. Background

In 2017 the CEO of Port Phillip Council convened a meeting of CEO's from Municipalities within the Elster Creek Catchment, as well as Melbourne Water to explore issues within the Elster Creek Catchment.

Elwood Canal is the mouth of the Elster Creek Catchment and is located within the City of Port Phillip. The canal has significant flooding challenges with limited ability to influence hydraulics as the majority of the catchment is located outside of the City of Port Phillip.

Taking a catchment wide approach to flood mitigation, a critical outcome of the group to date has been the development of a flood management plan to better understand catchment hydraulics and catchment management arrangements with a view to identifying interventions which could mitigate the down stream flood impact.

To underpin the ongoing working relationship between all parties a MOU has been developed which will sit alongside the Elster Creek Catchment Flood Management Plan 2019 – 2024.

3. Discussion

3.1 Council Plan Alignment

Goal 2 - Our sustainable green environment with accessible open spaces

Direction 2.1 - Environmental resilience and sustainability

Whilst the Elster Creek Catchment Flood Management Plan primarily addressed flooding concerns across the catchment, the community clearly expressed an expectation that integrated water management principles be applied.

3.2 Consultation/Internal Review

External

Representatives on the Working Group designed a deliberative community panel process to allow meaningful consultation with representatives across the catchment. Seventeen community representatives attended a workshop on 15th June 2019.

Internal

Whilst the Elster Creek Catchment Flood Management Plan was in development Councils engineering team and strategic planners were closely consulted and provided feedback in relation its content and recommendations.

3.3 Operation and Strategic Issues

3.3.1 City of Kingston responsibility from the Flood Management Plan

City of Kingston only has one action which it is directly responsible for delivering from the Flood Management Plan (page 12):

“Investigate and invest in partnerships with the insurance industry. Advocate to the insurance industry to share information with the community and to reduce insurance premiums for properties that are more resilient to flood impacts.”

Advocating for information transparency about flood modelling and potential impacts on property will allow our community to be better informed of their flood risks. This issue applies not just to the Elster Creek Catchment and the action is considered to have broader relevance to all flood prone areas in Kingston.

All other actions for which we will be a partner are consistent with our current operations or existing strategies.

3.3.2 City of Kingston obligation in the MOU

The Memorandum of Understanding between all involved parties is a high-level document which focuses on the cooperative nature of the group. Specifically it states:

“Councils and Melbourne Water are committed to cooperating across municipalities and with water utilities and State departments for the purpose of exploring a whole-of-catchment approach to flooding.”

The MOU proposes that all parties will:

1. *Be transparent in all interactions and share information with the intent of establishing a shared understanding of the factors influencing the problem.*
2. *Embed a common community engagement language and process that is constructive and meaningful for community members.*
3. *Be considerate of each organisation’s respective circumstances, including but not limited to, community interests, commercial imperatives and strategic contexts.*
4. *Collaborate to identify evidence-based and innovative solutions with a best-for-regional catchment community benefit.*
5. *Ensure opportunities to build community preparedness are explored and actively pursued.*

Officers have reviewed the proposed MOU and have formed the view that it broadly reflects the collaborative manner in which the group has operated to date and does not seek to introduce any new obligations on Council.

This report recommends that Council authorize the CEO to sign the MOU on behalf of the City of Kingston.

3.4 Options

3.4.1 Do not endorse the Flood Management Plan or sign the MOU

Kingston could choose not to endorse the Elster Creek Catchment Flood Management Plan or to sign the MOU. This would not reflect well on Kingston’s cooperative relationship with involved Councils or Melbourne Water and would contradict the manner in which we have participated in the process to date.

This option is not recommended.

3.4.2 Endorse the Flood Management Plan and sign the MOU

Kingston is directly responsible for delivering one action and many of the other partnership actions aligning with Kingston current practices. Endorsing the Plan would send a strong message about Council's support for a catchment wide approach to flood management and our ability to work productively across the region.

This option is recommended.

4. Conclusion

City of Kingston has continued to participate in both the Elster Creek Catchment Steering Committee and the Working Group since its establishment in 2017. Signing of the MOU would demonstrate Council's willingness to continue to work collaboratively on catchment wide solutions.

The endorsement of the Flood Management Plan would give a clear work plan to officers involved and send a strong message to flood affected residents that all Council's within the catchment area are working together towards solutions.

4.1 Environmental Implications

Better water management at a catchment scale is needed to reduce the flooding impacts on Elster Creek. Elster Creek catchment covers four municipalities and only by working together can we achieve integrated water management solutions.

All the actions suggested in the Flood Management Plan will achieve a positive environmental outcome with more water retained in the catchment and treated for pollution; increased permeability and increases in vegetation across the catchment.

4.2 Social Implications

Flooding has an incredibly detrimental impact on the community. Any reduction in the number of properties impacted by flooding or flood levels will have positive impacts not only on the Kingston community, but those of the entire Elster Creek Catchment.



4.3 Resource Implications

Council's role in the delivery of the Flood Management Plan is minimal noting that the single action for which City of Kingston has responsibility is an advocacy-based action which will be delivered with existing resources. One Council officer will continue to attend Working Group Meetings as required and will assist in delivering collaborative actions.

4.4 Legal / Risk Implications

City of Kingston must continue to access up to date flooding information and undertake modern management practices such as those outlined in the Elster Creek Flood Management Plan to ensure no legal liability exposure for flood impact.

Appendices

Appendix 1 - Elster Creek Catchment Flood Management Plan 2019-2024 (Ref 19/177730)  

Appendix 2 - Elster Creek Catchment MOU 2019 (Ref 19/198286)  

Author/s: Emily Boucher, Team Leader, Environmental Planning
Reviewed and Approved By: Paul Marsden, Acting General Manager Planning and Development

8.3

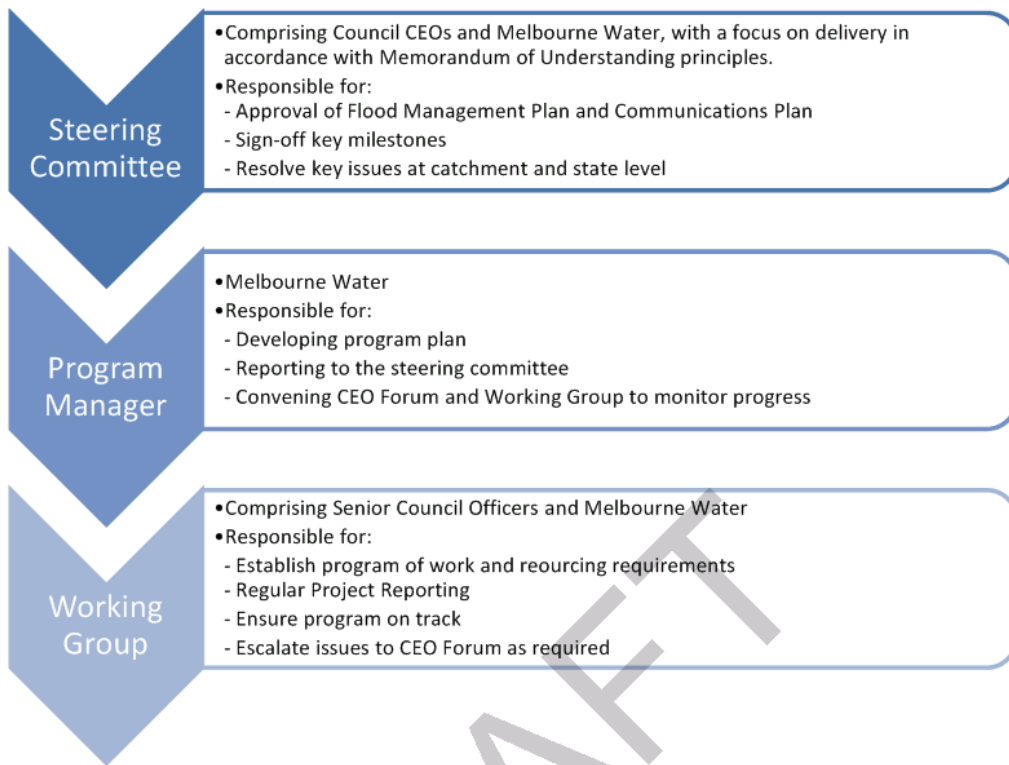
ELSTER CREEK CATCHMENT FLOOD MANAGEMENT PLAN

1	Elster Creek Catchment Flood Management Plan 2019-2024	65
2	Elster Creek Catchment MOU 2019.....	77

Elster Creek Catchment Flood Management Plan 2019-2024

DRAFT





Introduction

Water is always naturally cycling around, through and above the surface; and the constructed urban water infrastructure provides cities with safe water, sewerage and drainage.

We can live safely and comfortably in a catchment prone to flooding. This means ensuring that flooding is expected, designed and planned for to avoid or minimise the flood damage potential. It means adapting our built form to the natural movement of water. It means developing communities that are resilient to weather extremes while also meeting the challenges of the future. Climate change and increasing development within our catchment will require adaptive approaches to flood risk management.

This plan is a continuation of the Elster Creek Action Plan 2018 and looks to establish a long-term coordinated approach to flooding in the Elster Creek Catchment (the Catchment). This Flood Management Plan should be regularly reviewed to ensure it remains relevant and reflective of best practice, innovation and current water management trends.

During the consultation process for this plan the community and key stakeholders advocated for a focus on Integrated Water Management (IWM). This plan cannot address all aspects of water management. The focus is on flood mitigation projects as a key outcome, however the multiple benefits of IWM will not be overlooked.

The collaboration formed in 2017 to address flood issues with a catchment based approach. Stormwater does not adhere to municipal boundaries, by working more closely with our catchment partners we can develop strategies to combat urban flooding together. The below figure is an overview of the collaborative structure.

The catchment collaboration acknowledges the ongoing operational activities undertaken by each partner including drainage maintenance, upgrades and renewal programs. These projects play an important role in ensuring efficient operation of the drainage network.

Where appropriate, operational activities relevant to stormwater movement within the Elster Creek Catchment and the outcomes they deliver will be shared with all of the collaborative partners.

Integrated Water Management

Integrated Water Management is being addressed via a number of other programs and initiatives.

Integrated Water Management is a collaborative approach to water planning and management that brings together organisations with an interest in all aspects of the water cycle. Taking a holistic approach to water management has the potential to provide greater value to our communities by identifying and leveraging opportunities to optimise outcomes.¹ Flood planning and flood management are key dimensions to water management alongside stormwater, wastewater and drinking water.

State government, water authorities and local government have been active in collaboratively increasing integrated water management (IWM) across the state.² The Department of Environment, Land, Water and Planning (DELWP) has led the formation of IWM forums bringing together key leaders in each catchment across the state. Relevant to this catchment is the Dandenong Forum and the Strategic Directions Statement prioritising key catchment projects.

The most recent significant state-wide changes to the planning scheme came into effect in October 2018 through Amendment VC154. This change and the release of the New Environmental Protection Act – State Environment Protection Policy (Waters) bring tougher requirements to embed IWM objectives and strategies into urban land-use planning.³ Flood mitigation and onsite detention requirements are increasingly part of these requirements.

IWM also promotes increased permeability, greening of urban areas and utilisation of alternative water. Councils and water authorities are working collaboratively on many IWM projects.

The Cooperative Research Centre for Water Sensitive Cities (CRC WSC) also has a set of factsheets and a decision-making tool to help restore flowing urban waterways into living streams⁴.

¹ [Dandenong Strategic Directions Statement, Dandenong IWM Forum, DELWP, September 2018](#)

² [Delivering Water for Victoria: Progress report, DELWP, 2018](#)

³ [Planning Amendments for IWM implemented in Victoria](#)

⁴ <https://watersensitivecities.org.au/content/new-factsheets-offer-strategies-for-restoring-urban-waterways/>

Memorandum of Understanding

The Memorandum of Understanding (MOU) establishes a method for collaboration and communication between the catchment partners, it does not override the roles and responsibilities each organisation has while conducting itself. The collaborative partnership does not assume overarching responsibility and decision making for activities within the catchment. An excerpt from the adopted MOU is included below and establishes the collaborative purpose and problem statement.

Purpose

Defines, at a high-level, the drainage problem of concern to communities living, working and visiting within the Elster Creek Catchment

Sets out the core principles to promote collaboration between the four relevant councils and Melbourne Water to find effective evidence-based and innovative solutions to address the catchment's flooding issues, where possible.

Problem Statement

Flooding is a function of rainfall runoff exceeding the capacity of underground and surface drainage systems and waterways across the Elster Creek catchment, as well as storm surge and King Tides. Climate change and infill development are very likely to exacerbate the frequency and impact of flooding events.

Flooding within Elwood is disproportionate to its area of the catchment. In Glen Eira and Bayside, many properties and dwellings flood during heavy rainfall events. Reducing the impact of increased runoff on flood vulnerable areas requires the Elster Creek Catchment to be managed as a whole. All flood retention, detention and conveyance opportunities to reduce flood impact are to be considered irrespective of municipal boundaries.

It is recognised that evidence-based and innovative solutions should consider co-existence of multiple land-uses and multi-functions to achieve optimal community benefit, noting that flood mitigation investment is mutually inclusive with both passive and active recreation.

Our Flood Story: Flooding and flood protection is a complex problem.



Elster Creek Catchment is located in the inner South-East area of Melbourne. The catchment spans four municipal boundaries: Port Phillip, Glen Eira, Bayside and Kingston.

The Catchment has a known history of widespread flooding and given the highly developed nature of the Catchment it will continue to flood.



For a short history, this catchment has developed over a period of more than hundred years. It comprised of relatively flat sandy land which, in nature, did not have a well-defined drainage system in many areas. The lower section of the catchment used to be a swamp, where the runoff from the whole catchment would naturally flow in and accumulate.

With urban development, the swamp was converted to residential development and the Elwood Canal was formed to take the runoff from the Catchment out to Port Phillip Bay.

Natural flow paths conveying runoff from the catchment to the swamp, and further downstream were gradually built over, and replaced with constructed drainage systems over time.

As the urban development and the construction of drainage system continued, each stage of development realised that the previously built infrastructure was not sufficient to convey the floodwater, as more and more urban areas continued to produce more run-off and cause flooding downstream. This is the issue we deal with today – the drainage system does not have the capacity or room to take the amount of water that can run into it in a large storm.

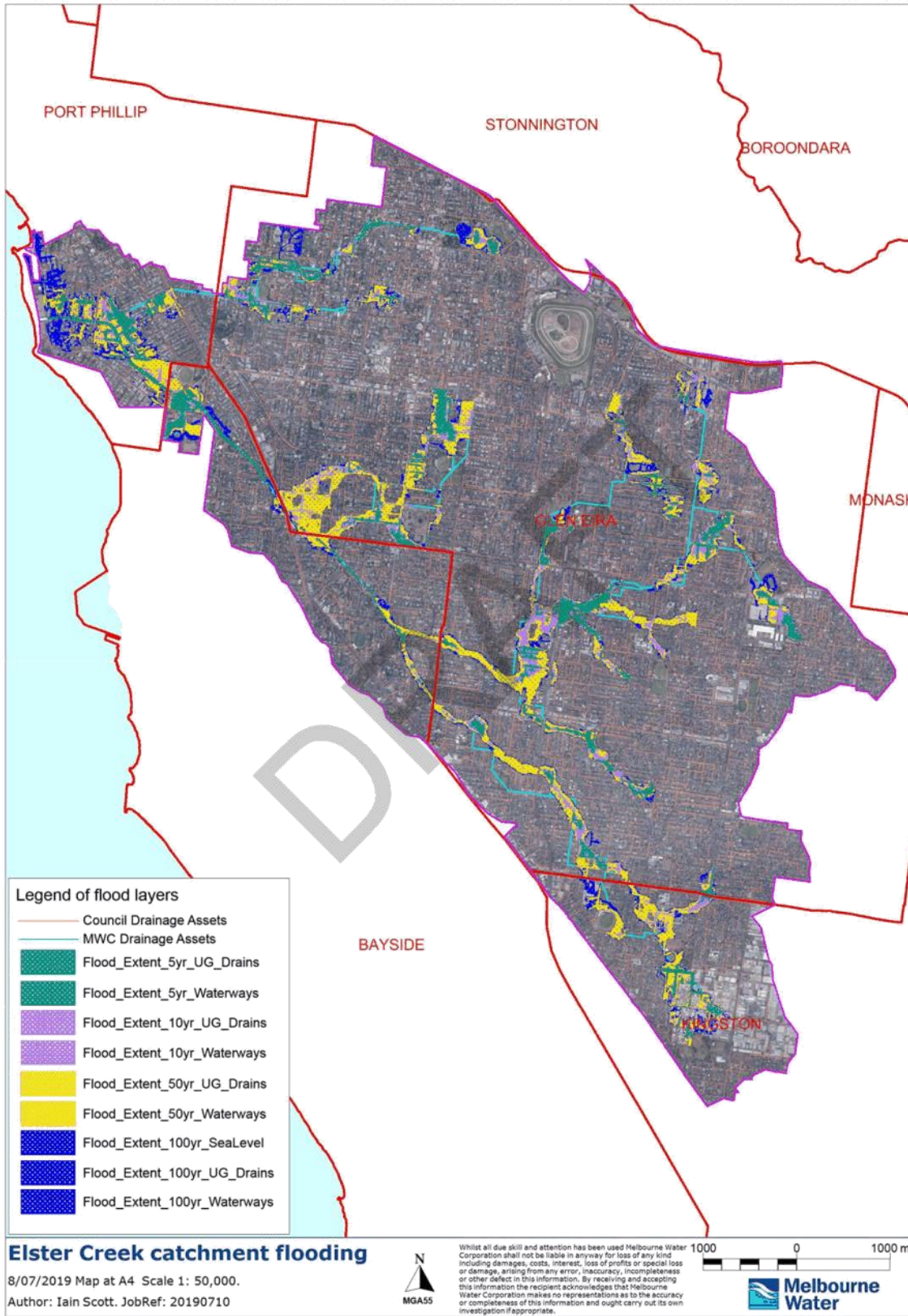
Despite significant drainage upgrade works within the Catchment, exposure to flooding remains an ongoing challenge.



Catchment Administration Map



Catchment Flooding Map



One Catchment, Many Solutions

Working together to implement sustainable on-ground solutions that minimise flooding and its impact of the community.

	DELIVERABLE	DELIVERY	LEAD AGENCY	OUTCOME
1	Incorporate increased flood mitigation within Elsternwick Park Nature Reserve.	July 2019 - December 2020	Bayside City Council and Melbourne Water	Reduced flooding in Elwood and surrounds
2	Seek opportunities to identify new or expanded physical works (including retarding basins) on public land across the catchment. Develop an implementation plan for identified projects.	July 2019 - June 2024	Melbourne Water and Glen Eira City Council	Flood mitigation assessment is consistently applied to public open space projects across the catchment to contribute to the cumulative capacity of the catchment.
3	Incorporate flood mitigation into all Council capital projects within the catchment where feasible.	July 2022 - June 2024	Local Government	Flood mitigation incorporated into Council projects.
4	Undertake research on suitable permeable surfaces for the Elster Creek catchment.	July 2019 - June 2020	City of Port Phillip	Tool developed which enables project partners to identify suitable permeable treatments to implement into planning renewal and upgrade projects.
5	a. Investigate incentives or funding mechanisms for landholders to reduce impacts on local catchments by reducing runoff and increasing permeability. b. Influencing the Department of Education and private schools to include flood mitigation within school open space.	July 2020 - June 2022 July 2019 - June 2024	Melbourne Water City of Port Phillip	Water intercepted across different land tenures at lot boundaries and diverted from drainage infrastructure during rainfall events.

Land Use Planning

Development across the catchment will seek to minimise urban run-off and reduce flood risk.

	DELIVERABLE	DELIVERY	LEAD AGENCY	OUTCOME
6	Seek authorisation from the Minister for Planning to prepare a planning scheme amendment to update the extent of the Special Building Overlay to reflect more recent flood mapping data within Glen Eira.	July 2019 - June 2021	Melbourne Water Glen Eira City Council	Flooding issues are addressed early in the planning development process.
7	Establish a catchment baseline for permeability and set targets to increase permeability in both the private and public realm. Include consideration of future development into permeability target setting.	July 2020 - June 2021	Glen Eira City Council	Increased permeability catchment wide improves the ability of infiltration of water into the landscape, reducing stormwater run-off and increasing greening and the ability for urban environment to respond to extreme heat.
8	Consider options for implementing an offset trading scheme across the Elster Creek Catchment where funds can be collected from developments. For example, collecting funding from downstream developments can seek to reduce volume/flood upstream.	July 2022 - June 2024	Glen Eira City Council	A mechanism established in the Catchment where a contribution is paid by a developer for drainage infrastructure works to be undertaken in another location to reduce the impacts of flooding downstream and improve stormwater management.
9	a) Establish a flood baseline and set flood risk reduction targets within the Elster Creek Catchment.	July 2020 - June 2022	Glen Eira City Council	Flood baseline established in the Catchment with clear identification of existing flooding extent and future catchment conditions.
	b) If feasible, investigate the development of a catchment wide Development Contributions Plan Overlay into the planning scheme for each of the four Councils.	July 2022- June 2024		Introduce a whole of catchment Development Contributions Plan Overlay into the planning scheme for the Elster Creek Catchment in order to collect funds for drainage infrastructure works.

Land Use Planning

Development across the catchment will seek to minimise urban run-off and reduce flood risk.

	DELIVERABLE	DELIVERY	LEAD AGENCY	OUTCOME
10	Ensure a consistent approach to implementing the Victorian Planning Provisions for Stormwater Management in Urban Development. Ensure staff have the knowledge and skills required to effectively assess and implement these requirements.	July 2019 – June 2024	City of Port Phillip	Stormwater Management permitting applied in a consistent format across the catchment.
11	Advocate to the Victorian Government for the following: <ul style="list-style-type: none"> • Prioritisation of flood mitigation in the development of strategic sites and urban renewal areas • To encourage schools to install water recycling infrastructure 	July 2019 – June 2024	Glen Eira City of Port Phillip	Catchment agencies and organisations leverage their collaboration to achieve outcomes through the Victorian State Government.

Informed and Well-Prepared Communities

The community is informed, actively engaged and understands the challenges of managing flooding in the catchment and what is being done about it.

	DELIVERABLE	DELIVERY	LEAD AGENCY	OUTCOME
12	<p>Develop a communications and engagement plan that addresses the following:</p> <ul style="list-style-type: none"> • Builds community awareness about the catchment and flood overlays • Builds community preparedness for flooding • Links with Emergency Management to educate the community about how to respond in times of flood • Educates the community on changes they can make to their properties to increase resilience to flooding • Demonstrates the funding commitment from project partners • Uses simple, plain English and real world relatable examples • Is delivered in a way that reaches different sections of the community (renters, owners, businesses, etc) • Annual awareness campaign targeted at wider community about flood risk and vulnerability 	July 2019 - December 2019	City of Port Phillip	Our catchment community understand their flood risk, can easily access information about what we are doing, and has access to information of what they can do.
13	<p>Collaborate on education and communications programs with key stakeholders and community champions including:</p> <ul style="list-style-type: none"> • Eco Centre • State Emergency Service • South East Water 	July 2019 - October 2019	City of Port Phillip	Linkages to key stakeholders in communications and engagement plans are established and utilised to distribute messaging.
14	Review form and function of the Community Reference Group including membership, purpose and meeting frequency.	July 2019 - December 2019	Melbourne Water	Community conversations are targeted, timely and provide value for all parties.

Informed and Well-Prepared Communities

The community is informed, actively engaged and understands the challenges of managing flooding in the catchment and what is being done about it.

	DELIVERABLE	DELIVERY	LEAD AGENCY	OUTCOME
15	Development of a pilot program that provides a tailored approach to flood awareness, education and response (with potential higher levels of services) based on sub catchment flood risk profiles.	July 2019 - June 2020	Melbourne Water	Responding to our communities needs for high levels of service, building resilience and enabling preparedness and recovery uplift.
16	Work with Emergency Management Victoria, State Emergency Services, Department of Environment, Land, Water and Planning and the Bureau of Meteorology to improved coordination and response, including: <ul style="list-style-type: none"> • Scenario planning • Communications after flood events • A mechanism (such as a mobile app) for impacted communities to update flood impacts during and post flood 	July 2019 - June 2024	Melbourne Water	Meeting community expectations for flood response.
17	Develop an online resource for residents and businesses to find information related to flood risk, how to prepare and what they can do to make their homes more flood resilient.	July 2020 - November 2021	Melbourne Water	Community has free access to most up to date flood mapping and asset responsibility, ensures that the right agency/organisation is responding to the right question.
18	Investigate and invest in partnerships with the insurance industry. Advocate to the insurance industry to share information with the community and to reduce insurance premiums for properties that are more resilient to flood impacts.	July 2019 - June 2024	Kingston City Council	Catchment Community is better informed of their flood risks and the impact flood risk has on insurance.

MOU

ELSTER CREEK CATCHMENT

Purpose

This Memorandum of Understanding:

- Defines, at a high-level, the drainage problem of concern to communities living, working and visiting within the Elster Creek catchment
- Sets out the core principles to promote collaboration between the four relevant councils and Melbourne Water to find effective evidence-based and innovative solutions to address the catchment's flooding issues, where possible.
- Seeks to achieve multiple benefits in all flood mitigation outcomes

Parties

The five relevant parties are:

- Melbourne Water
- The City of Bayside
- The City of Glen Eira
- The City of Kingston
- The City of Port Phillip

Problem Statement

Flooding is a function of rainfall runoff exceeding the capacity of underground and surface drainage systems and waterways across the Elster Creek catchment, as well as storm surge and king tides. Climate change and infill development are very likely to exacerbate the frequency and impact of flooding events.

Flooding within Elwood is disproportionate to its area of the catchment. In Glen Eira and Bayside, a large number of properties and dwellings flood during heavy rainfall events. Reducing the impact of increased runoff on flood vulnerable areas requires the Elster Creek catchment to be managed as a whole. All flood retention, detention and conveyance opportunities to reduce flood impact are to be considered irrespective of municipal boundaries.

It is recognised that evidence-based and innovative solutions should consider co-existence of multiple land-uses and multi-functions to achieve optimal community benefit, noting that flood mitigation investment is mutually inclusive with both passive and active recreation.

Previous attempts to adapt the built form of Elwood to flooding have resulted in some positive impacts but the community is eager for greater levels of change.

Flooding has a high social as well as economic cost and there is an opportunity to increase preparedness of residents.

Core Principles

Councils and Melbourne Water are committed to cooperating across municipalities and with water utilities and State departments for the purpose of exploring a whole-of-catchment approach to flooding. Significant secondary benefits are achievable when managing flood impacts. These include improved stormwater quality and river and bay health, improved

biodiversity and habitats, increased liveability and the opportunity for alternative water supply options. Engagement with community members is paramount in developing a common understanding of effective ways to address flooding problems while achieving secondary benefits.

Specifically, the parties will:

1. Be transparent in all interactions and share information with the intent of establishing a shared understanding of the factors influencing the problem.
2. Embed a common community engagement language and process that is constructive and meaningful for community members.
3. Be considerate of each organisation's respective circumstances, including but not limited to, community interests, commercial imperatives and strategic contexts.
4. Collaborate to identify evidence-based and innovative solutions with a best-for-regional catchment community benefit.
5. Ensure opportunities to build community preparedness are explored and actively pursued.

Review Period

It is agreed that this MOU will be current for the duration of the Elster Creek Catchment Flood Management Plan 2019-2024. The MOU may be reviewed at an earlier date but will otherwise be reviewed at the conclusion of this plan.

Commencement date: September, 2019

Signed on behalf of:

Melbourne Water

Signed on behalf of:

Kingston City Council

Signed on behalf of:

Bayside City Council

Signed on behalf of:

City of Port Phillip

Signed on behalf of:

Glen Eira City Council

Agenda Item No: 8.4

MENTONE LEVEL CROSSING REMOVAL - HERITAGE VICTORIA PERMIT APPLICATION SUBMISSION

Contact Officer: Tara Bell, Team Leader City Transformation

Purpose of Report

This report seeks council's endorsement of the attached submission to Heritage Victoria regarding the Heritage Victoria Permit application submitted by the Level Crossing Removal Project for works associated with the Balcombe Road Level Crossing Removal in Mentone.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That Council:

1. Endorse the attached submission to Heritage Victoria in relation the Heritage Victoria Permit application submitted by the Level Crossing Removal Project for works associated with the Balcombe Road Level Crossing Removal in Mentone.
2. Formally lodge the submission with the Executive Director, Heritage Victoria.

1. Executive Summary

Works associated with the Mentone Level Crossing Removal are currently underway. To date works have not required permissions associated with the State heritage listing of the Mentone Railway Station and Gardens.

To enable works associated with the removal of the level crossing significant disturbance to the state heritage listed railway station and gardens is required. As such the Southern Program Alliance have sought permission from Heritage Victoria to:

“Undertake works to remove the Balcombe Road railway crossing, involving the temporary removal, restoration and reinstatement of the railway station buildings and station gardens, the demolition of the platforms and tracks and excavation works and the construction of a new paved plaza between the reinstated station buildings”

Whilst policy seeks to minimise the disturbance to the registered area, officers recognise the intergenerational community benefits of the significant transport investment. Recognising that the construction impacts of the project are somewhat unavoidable, it is considered that the application to temporarily relocate, refurbish and then reinstate the station buildings, protect the significant trees and reinstate the gardens is an acceptable solution.

On this basis, officers support the application in principle subject to resolution of the matters detailed in the attached submission (Appendix 2). In summary the submission seeks changes to the permit conditions to provide for:

- Greater clarity on the standard of conservation and refurbishment for handover of the heritage buildings, noting that this should be undertaken to Council's satisfaction in the event that Council is to own and maintain the assets in future.
- For permit drafting to minimise the need for further permissions for future re-use (eg. toilets, grease traps, DDA compliance) noting the costs and delays associated with future Heritage Victoria Permit applications.
- Building and landscape outcomes to be prepared in consultation with and to the satisfaction of Kingston where Kingston will manage / maintain at handover.
- To ensure protection of buildings and significant trees during relocation and reinstatement.
- To ensure Heritage Victoria are aware of the preferred outcomes in the Mentone Station and Gardens Urban Design Framework.
- Infrastructure finishes to be in keeping with the heritage and landscape character of Mentone (eg. screens around trench) noting the adopted position of Council as expressed through the Mentone Station and Gardens Urban Design Framework Plan 2017.
- Clarity on extent of changes allowable behind Como Parade shops noting limited detail has been provided in relation the future use or design of this space.

2. Background

The Mentone Railway Station and Gardens were included on the Victorian Heritage Register in 2006, recognising their state level historical and architectural significance. The registration includes five trees within the gardens, upside and downside platform buildings and heritage station gardens.

The removal of the level crossing at Balcombe Road is a rail under road solution and requires substantial works within the registered heritage precinct. A permit has been sought from Heritage Victoria to:

“Undertake works to remove the Balcombe Road railway crossing, involving the temporary removal, restoration and reinstatement of the railway station buildings and station gardens, the demolition of the platforms and tracks and excavation works and the construction of a new paved plaza between the reinstated station buildings”

Since the award of the contract, the Southern Program Alliance has engaged with council officers in preparing designs that build on the released plan, including the garden bridge between the heritage buildings and the reinstatement of the station gardens. This work has culminated Council's investment in the expanded deck, increasing the offer of open space within the heritage precinct and the development of the concept plan shown within the Heritage Victoria application documentation (Appendix 1). The full package of submitted documentation can be viewed on the Heritage Victoria website at <https://www.heritage.vic.gov.au>.

The Program Alliance has also engaged with key community stakeholders on the design, specifically the Friends of Mentone Station and Gardens who have also engaged an artist to prepare an artwork to be placed within the precinct.

2.1 Council Plan Alignment

Goal 3 - Our connected, inclusive, healthy and learning community
Direction 3.5 - Learning and development

Objective 3.5.2 of the Council Plan seeks to preserve and celebrate our valuable heritage.

3. Discussion

Whilst policy seeks to minimise the disturbance to the registered area, officers recognise the intergenerational community benefits of the significant transport investment. Recognising that the construction impacts of the project are somewhat unavoidable, it is considered that the application to temporarily relocate, refurbish and then reinstate the station buildings, protect the significant trees and reinstate the gardens is an acceptable solution.

Furthermore, the Project Alliance have explored opportunities to improve the function of the open space within the precinct since the announcement of the expanded decks with both Council and key community groups.

On this basis, officers support the application in principle subject to resolution of the matters detailed in the attached submission (Appendix 2). In summary the submission seeks changes to the permit conditions to provide for:



- Greater clarity on the standard of conservation and refurbishment for handover of the heritage buildings, noting that this should be undertaken to Council's satisfaction in the event that Council is to own and maintain the assets in future.
- For permit drafting to minimise the need for further permissions for future re-use (eg. toilets, grease traps, DDA compliance) noting the costs and delays associated with future Heritage Victoria Permit applications.
- Building and landscape outcomes to be prepared in consultation with and to the satisfaction of Kingston where Kingston will manage / maintain at handover.
- To ensure protection of buildings and significant trees during relocation and reinstatement.
- To ensure Heritage Victoria are aware of the preferred outcomes in the Mentone Station and Gardens Urban Design Framework.
- Infrastructure finishes to be in keeping with the heritage and landscape character of Mentone (eg. screens around trench), noting the adopted position of Council as expressed through the Mentone Station and Gardens Urban Design Framework Plan 2017.
- Clarity on extent of changes allowable behind Como Parade shops noting limited detail has been provided in relation the future use or design of this space.

4. Conclusion

It is recommended that Council endorse the attached submission and continue to work with the Southern Program Alliance on the detailed design of the precinct to facilitate a new and renewed open space that celebrates its heritage significance and provides for the recreation and enjoyment of the community.

Appendices

Appendix 1 - Heritage Victoria Concept Plan - Mentone Station (Ref 19/200050)  

Appendix 2 - DRAFT Submission to Heritage Victoria (Ref 19/199898)  

Author/s: Tara Bell, Team Leader City Transformation
Reviewed and Approved By: Paul Marsden, Acting General Manager Planning and Development

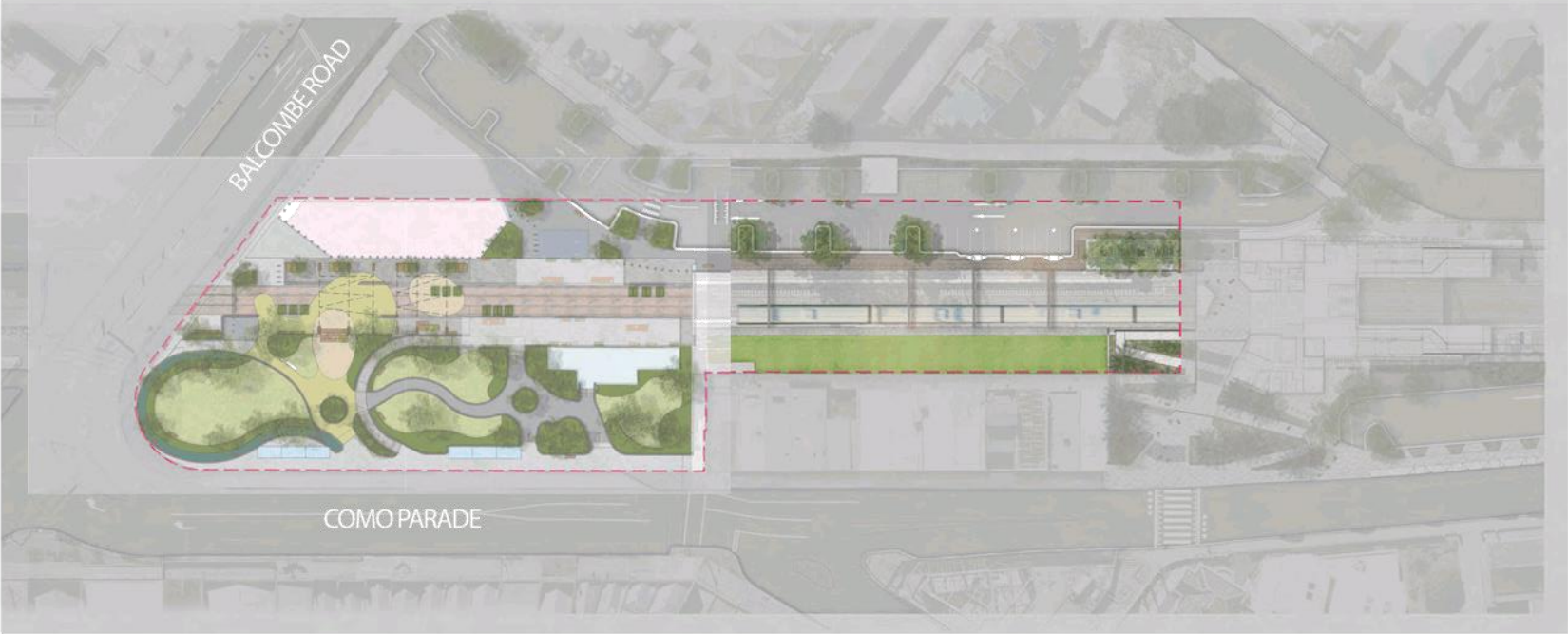
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MENTONE LEVEL CROSSING REMOVAL - HERITAGE VICTORIA PERMIT APPLICATION SUBMISSION

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CONCEPT PLAN

MENTONE - HERITAGE AREA



----- Extent of registration

SCALE 1:800

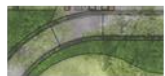
MENTONE GARDENS - CONCEPT PLAN



KEY:



Asphalt light duty pavement



Bluestone paved ramps



Bluestone paved stairs with tactile indicators and handrails



Charcoal coloured concrete pavement with sawcuts to match KCC standard



Brick pavement integrating recycled bricks on heritage deck



100-150mm basalt floater edge integrating recycled basalt stone from site



Basalt floater clad retaining wall with basalt floater coping integrating recycled basalt stone from site



Seat



Indicative location of horse trough



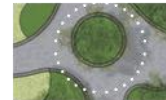
Lawn



Reinstated garden beds



Reinstated hedge



Existing heritage listed trees - to be retained and protected

Note: Location of sculpture commissioned by Friends Group to be confirmed

SCALE 1:400

26 August 2019



Steven Avery
Executive Director
Heritage Victoria
PO Box 500
Melbourne VIC 8002

Dear Steven

Re: Permit application P31335 – VHR H2099 Mentone Railway Station and Gardens, Balcombe Road Mentone

I write in relation to the permit application for the works to the Mentone Railway Station and Gardens associated with the level crossing removal works.

In principle, Council does not object to the proposal put forward to Heritage Victoria and recognises the need to balance the construction implications of a major transport project with the heritage significance of the station and gardens. Further Council acknowledges the continuing discussions between the Southern Program Alliance and Kingston Officers through the detailed design process.

It is understood that the Southern Program Alliance (SPA) seeks to address final details in relation to demolition, reinstatement, construction, conservation and landscaping via discharge of permit conditions. Whilst the application's accompanying documents provide a high-level overview of the project, the particulars are critical as they will inform ongoing maintenance and management following the project's conclusion.

As council will have an ongoing responsibility within the precinct, a more detailed understanding of the works is required. As such, it is requested the further information be provided by the permit applicant, prior to the granting of a permit or by way of permit condition.

Specifically, Council seeks the following:

1. Prior to permit issue, detailed information should be provided describing the standard to which the conservation and refurbishment of the station buildings will be undertaken prior to final handover. These works should be undertaken to the satisfaction of the party responsible for ongoing management and maintenance of the buildings.
2. Recognising the scale and significance of work associated with the application, it is considered an opportune moment to address all essential works required to facilitate the adaptive reuse of the retired station buildings. The provision of essential services as part of the project works will minimise the disturbance to the building following its final reinstatement and allow for prompt occupation and activation of the precinct post project completion.

community inspired leadership

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

In addition to the nominated services, the permit should consider reinstatements that provide for:

- Toilets
 - DDA compliance into and within the building
 - Grease trap interceptor
 - HVAC system
3. Permit conditions should facilitate ongoing collaboration between LXP / SPA and Kingston City Council to progress to a mutually agreeable urban design and landscape outcome that fulfils the objectives of all parties. Preferably, conditions should be worded for plans to be developed in consultation with and to the satisfaction of Kingston City Council, particularly where KCC will be responsible for ongoing management and maintenance.

Ongoing consultation with key community stakeholders including the Friends of Mentone Station and Gardens is also highly encouraged including further development of their proposed artwork, design objectives within the station gardens and location of historic pieces within the precinct.

4. Detailing of landscaping, structures and rail infrastructure such as trench barriers and screening should be designed to respond to the heritage character of Mentone. In December 2017, Council adopted the Mentone Station and Gardens Urban Design Framework, outlining key outcomes sought to respond to the unique heritage context of the precinct. This included bespoke design elements, landscaping outcomes and expectations for future built forms. A copy of this document has been included for your information.
5. Current plans include limited detail regarding potential outcomes on the land generally located between the rail trench and the rear of the Como Parade West shops. Further detail should be provided as part of this application to understand any management requirements and avoid design changes that may require further permissions from Heritage Victoria.
6. To ensure the health and structure of the five significant trees to be retained within the station gardens it is requested that tree protection zones and conditions are shown on plans including layout plans, demolition and relocation plans and landscaping documents. It is critical that all contractors are aware of the tree protection requirements to avoid impacts to the trees during the works period.

Thank you for the opportunity to comment on the permit application. Should you have any further queries about this submission, please contact Paul Marsden, Manager City Strategy on 9581 4789 or email paul.marsden@kingston.vic.gov.au.

Regards

Georgina Oxley
MAYOR, CITY OF KINGSTON

9. Community Sustainability Reports

Ordinary Meeting of Council

26 August 2019

Agenda Item No: 9.1

2019 YOUTH AWARDS NOMINATIONS

Contact Officer: Zorica Djuric, Team Leader Youth & Family Services

Purpose

To provide Council with the details of nominations received for the 2019 Youth Awards and enable Council to select a winner for both award categories. Award winners will then be announced at a special purpose event to be arranged in September 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.

RECOMMENDATION

That Council award the 2019 *Young Citizen of the Year* to _____ and *Young Community Group of the Year* to _____.

Background

The 2019 Youth Awards are presented in two categories: *Young Citizen of the Year* and *Young Community Group of the Year*.

A public call for nominations was made during March to May 2019 with a closing date for nominations of Friday 31st of May. A total of nine nominations were received for the *Young Citizen of the Year* category and one nomination received for the *Young Community Group of the Year*.

To be eligible for an award, nominated individuals must live, work or study in the City of Kingston. Nominees should have made a noteworthy contribution and / or given outstanding service to the local community over several years. Nominees for both categories must be 25 years of age or younger on Tuesday 31 May 2019.

Individuals cannot self-nominate and can only be nominated in one category. Community Groups must be not for profit organisations operating within the City of Kingston. Previous award winners are ineligible to win an award in the same category.

In choosing the recipients of the Youth Awards, nominees are to be assessed regarding:

- significance and impact of contributions made;
- demonstrated level of commitment to the betterment of the Kingston community;
- degree of difficulty of the achievement and sacrifices made;
- nature and length of activity or service;
- future goals and likely impact on the Kingston community;
- previous awards and recognition received;

- demonstrated excellence in their field;
- individuals: whether his or her contribution was in the course of employment, voluntary or both;
- personal attributes of the nominee such as being an inspirational/positive role model for their peers, showing vision, leadership, innovation and creativity;
- personal, academic and professional achievements; and
- community groups must demonstrate that they meet a community need or priority.

Councillors are requested to select an award recipient for both categories.

Please see Appendix One for a summary of the 2019 Youth Awards Nominations.

Issues for Discussion

Policy and Resource Implications

The Youth Awards' support Council's current action plan of delivering youth activities, events and programs to support the wellbeing, development and recognition of young people in the municipality. The Awards provide an opportunity to celebrate the outstanding achievements of young people within our community.

Engagement

The Youth Awards was widely promoted through a diverse range of mediums which included:


- Online platforms including Kingston Youth Services website, social media channels and Council's Facebook page;
- Paid advertising on social media platforms to gain greater scope of audience reach;
- Providing information to all schools in Kingston via leadership and wellbeing contacts and talking at school wellbeing network meetings.
- Providing information to over 200 subscribers to Kingston Youth Services newsletter. Subscribers come from a diverse reach including parents, school, scouting clubs, sporting clubs and youth organisations; and
- Promoting through existing youth networks and local public spaces with promotional posters and newsletters.

Commencing the week of 26 August 2019 all nominees will be showcased on social media channels.

Conclusion

This briefing outlines the nine individual nominations and one community group received for the 2019 Youth Awards. Council is required to consider all nominations in accordance with the selection criteria; and is only required to present Awards in the categories where it deems the nomination worthy.

Appendices

Appendix 1 - Youth Awards 2019 Nomination Summary for Council August 2019 (Ref 19/195218) 

Author/s: Zorica Djuric, Team Leader Youth & Family Services
Reviewed and Approved By: Mark Patterson, Manager Family Youth and Children's Services
Mauro Bolin, General Manager Community Sustainability

9.1

2019 YOUTH AWARDS NOMINATIONS

1	Youth Awards 2019 Nomination Summary for Council August 2019	99
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City of Kingston Youth Awards 2019
NOMINATION SUMMARY

8 individual nominations received

YOUNG CITIZEN OF THE YEAR	
NOMINEE	NOMINATOR
Asha Hinton	Alina Tooley
Beau Arnfield	Tanya Marques*
Gemma Wildermuth	Kate Logan-Scales*
Georgie Tierney	Sharon Forsyth
Maddison Carroll	Tanya Marques*
Oliver Robertson	Ash Thornton
Sammar Bassal	Rebecca Jacgung*
Sarah Kokkinos	Levi Hauwert

*Council Officer – Youth Services

1 community group nomination received

YOUNG COMMUNITY GROUP OF THE YEAR	
NOMINEE	NOMINATOR
Spair Pair	Tanya Marques*



YOUNG CITIZEN OF THE YEAR

Nominee: Asha Hinton Nominator: Alina Tooley

Asha has demonstrated excellence across three fields, AFL Boundary Umpiring, Gymnastics teaching, and in her Bachelor of Education in which she is currently in her final year. Asha is currently 22 years old and a Mentone resident.

Asha commenced boundary umpiring as a teenager at the age of 16 and represents a third generation of umpiring for her family. Please see a newspaper article (additional attachment). Asha has made a significant contribution to her community and its members. Following her junior umpiring career, Asha moved to umpire at the Victorian Amateurs Football Association. She regularly umpires for the VAFA within her local community. Asha also teaches gymnastics at Hihett Youth Club. Asha has also applied her studies in early childhood education to assist many local families with babysitting their children.

Some of Asha's official achievements include:

- In 2012 Asha was awarded the Golden Whistle Award for the Southern Metro Junior Football League. This award has been going for more than 25 years and is recognised as a very prestigious award in the umpiring community and many recipients have gone on to umpire at a higher level, i.e. VFL and AFL.
- In 2013 Asha was awarded The VAFA Best First Year Umpire award.
- In 2019, Asha was appointed as a boundary umpire coach for the VAFA in recognition of her skills, commitment and her dedication to teaching.

Asha was nominated for her umpire awards as she has been able to demonstrate:

- That she is an accredited umpire;
- A clear desire to pursue a career in umpiring;
- Attending training on a regular basis; and
- Being in the formative stage of their umpiring career.

Asha is an inspiration to many young local female umpires, and regularly takes on mentoring roles. Asha is also an inspiration to many of the families whose children she has babysat and many of the children look up to Asha.

Additional Attachments provided by Nominator:

- <https://aflua.com.au/third-generation/>
- Image of Asha with her father Wayne – **HPE Ref: 19/164062**

Nominee: Beau Arnfield	Nominator: Tanya Marques*
<p><i>Please note Beau has also been nominated as the Young Community Group of the Year as he is the co-founder of Spair Pair</i></p> <p>Beau has consistently excelled at everything he has turned his attention to. Since completing VCE, Beau has accumulated accomplishment after accomplishment. From school honors and awards, to acknowledgement in the social enterprise space to achievements within his law degree. Beau has excelled and presents himself as a great role model for other young people. Beau is 22 and a resident and business owner in Parkdale.</p> <p>Beau is the co-founder of social enterprise Spair Pair - where every pair of socks purchased provides a pair to the homeless. Beau found a need in the community while he was volunteering at a soup kitchen with his family. He then used the skills and knowledge he acquired throughout his schooling years to build and develop a concept which then later formed into a sustainable social enterprise business. Not only is Spair Pair helping tackle the challenge communities are facing of homelessness, he also collaborates with other social enterprises to provide greater impact where possible.</p> <p>Some of Beau's achievements to date include:</p> <ul style="list-style-type: none"> • Cheltenham Secondary College - Middle School Captain • Cheltenham Secondary College - College Captain • Cheltenham Secondary College - College Leadership Award • D.I.Y Star - Bunnings • B-Excellent Customer Service Excellency Award 2015, 2016, 2018 - Bunnings • Honorary Member of the Golden Key International Honour Society • Deakin University Bowater Business Challenge: Runner-Up • Runner-Up in International Entrepreneurial Business Competition • Law Student of the Year 2019 - Law Institute of Victoria <p>Beau has inspired other young people to not only work hard and achieve great results at school and further education. He also inspires other young people to volunteer and to see opportunities to give back to the community wherever possible. Beau has always seen the resources accessible to him as a means to give back and help others.</p> <p><u>Additional Attachments provided by Nominator:</u></p> <ul style="list-style-type: none"> • https://spairpair.com.au/ • Instagram Account – spairpairau • SBS Facebook Mention - https://www.facebook.com/SBSAustralia/videos/spare-pair-is-helping-provide-homeless-people-with-undergarments/588548468254109/ 	

Nominee: Gemma Wildermuth	Nominator: Kate Logan-Scales*
<p>Excellence is the notion that somebody stands out for their achievements, surpassing others for what they have accomplished. Gemma Wildermuth wouldn't say what she was doing was deemed as excellent, rather to her, she would think it were necessary. At the age of 11, Gemma had already decided that she wanted to be the type of person who made a difference to her community. Gemma was aware, even at a young age, that she had the privilege of being in a supportive family and was afforded the opportunity to have continued access to love and support, not just from her family, but wider caring organisations.</p> <p>Her heart went out to the refugee crisis, and the young people who, after experiencing horrific trauma, were also missing out on the love and support that she was so readily receiving. It was at this point that Gemma wanted to do something. She feared at the time she was too young. Instead she shifted her focus towards Robotics and participated in the First Lego League (FLL). It was here that she embraced the leagues core values of: teamwork, inclusion, innovation, impact, discovery and fun. This experience widened Gemma's focus from refugees to all young people.</p> <p>Gemma decided that she wanted to share her values with her peers so that she and they could grow into engaged, tolerant and productive members of society. Since then Gemma has founded Melb YouthFest and Kids with a Kause, as well as participating in various state, national and international robotics competitions. We can talk about excellence as a checklist based on the achievements of this young person, which of course Gemma has, but what stands out mostly with Gemma is not what she has accomplished but rather who she is, and who she is really is the true essence of excellent.</p> <p>At the age of 14 Gemma believed she was capable of being able to create positive change in her community, Gemma founded the Melb YouthFest and Kids With A Kause, as a way to connect young people with services around the South East Melbourne area. Gemma hosted Melb YouthFest on the 7th of April 2019 at Cornish College. She brought all the entertainment, expos, stalls, bands and food together to create a day where young people could be introduced to different aspects of the South East Melbourne community. Gemma's decision to combine culture with entertainment was underpinned by her values of teamwork, inclusion, innovation, impact, discovery and fun. The day, attended by various local clubs, groups and businesses, was a success, and saw a steady attendance of young people and families enjoying what was on offer.</p> <p>Gemma is 14 and has family residing and working in Kingston. Gemma attends Cornish College. What has impressed the nominator most is that Gemma has already developed great self-awareness, modesty and know how. What was most impressive was that she not only had a desire to change her community, but she was actively doing something about it.</p> <p>Some of Gemma's achievements to date include:</p> <ul style="list-style-type: none"> • Founder and Junior President of Kids With A Kause and Melb YouthFest. • Organizing and hosting Melbourne YouthFest • National and International competition with First Lego League – Robotics Team. • Raising money for Yellow Bricks Robotics <p><u>Additional Attachments provided by Nominator:</u></p> <ul style="list-style-type: none"> • Gemma's Website - https://www.melbyouthfest.com/ 	

Nominee: Georgie Tierney

Nominator: Sharon Forsyth

Georgie is 18 years old currently completing her VCE and an Aspendale resident. She has dedicated several years to coaching netball and has demonstrated that she is passionate about coaching younger girls. Georgie commenced training the CCC Bolts (Cheltenham) netball team in February 2016 as an Assistant Coach in the Autumn Season. By July (Spring Season) she had taken full responsibility of the team and they have continued to grow underneath her coaching, leadership and positive mentoring. Currently there are 9 players in the team CCC Bolts – Girls Team (Cheltenham) and they are excelling as a team.

Georgie's coaching expertise ensured that the girls reached A grade in Under 11's in 2018 (not every team reaches this standard), whilst narrowly missing the Grand Final they placed third at the end of the Spring Season. In 2019 the girls have entered Under 13's and are currently "Top of the ladder" at the end of the Autumn season in Grade B2. At the time of the nomination (end of May 2019) the team had completed the season and were about to enter finals (Semi-final 1 June 2019) as top of the leader board.

Some of Georgie's achievements to date include:

- Georgie has used skills taught to her and passed these skills on to the netball team. She has a holistic approach and has been able to guide and mentor the girls and be a very encouraging role model as well as by interacting in their everyday lives.
- Georgie is an extremely positive influence on the girls (on average 12 years old). The nominator informs that are extremely lucky to have her as a coach.
- As described above Georgie has developed the Under 11's team and as a result strengthened the outcomes for the team when commencing as Under 13's

Georgie has enabled the clubs' girls to excel in the sport that they love, kept them fit and active and improved their mental health wellbeing by playing weekly netball. Parents in the netball team work and are unable to commit to weekly training (as much as they would like to). Without Georgie stepping up and giving of her valuable time the club would not be able to have the successful Under 13's team that they have today.

Georgie is described as someone who has organised her time and schedule to ensure that she is able to accommodate and give her all. She has never let her team down and sacrifices her personal time (time to spend socially with her friends) to be an awesome netball coach. Her coaching skills have meant that the netball team has excelled under her coaching, guidance and mentoring. She attends all weekly training sessions as well as game day on Saturdays.

Additional Attachments provided by Nominator:

- Image of Georgie with her Netball Team – **HPE Ref: 19/175046**
- <http://www.chelt.com.au/ccc-bolts-netball-club.html>

Nominee: Maddison Carroll	Nominator: Tanya Marques*
<p>Maddison is 19 and attended Cheltenham Secondary College in 2018. She is currently in first year of her University degree. Maddison has shown a passion for helping her community by spreading positive messages around self-acceptance, self-esteem and strategies on how to cope with bullying. Maddison has shown a commitment to being a good role model for those who look up to her not only within her school community but also parts of community that she is involved in.</p> <p>Maddison has developed a resource (zine) called Molly. This resource focuses on promoting positive images around self-acceptance, self-esteem as well as provide strategies and tools for self-care and what to do when experiencing bullying. This resource is currently free of charge and Maddison has worked with Kingston Youth Services to distribute this resource to schools and local organisations within the City of Kingston. Maddison has strong links and networks within the City of Kingston.</p> <p>Maddison has developed this resource on her own and completed the research, consulted with many young people about what resource they would find beneficial and how the resource would look. Maddison has shown she has a deep passion for helping her community and a commitment to using the resources at her disposal to benefit those around her. She has made a commitment to being a good role model and has set an example of resilience and the benefits of seeking support to those around her.</p> <p>Some of Madison's achievements to date include:</p> <ul style="list-style-type: none"> • The resource developed in a zine called 'Molly' • This resource has been distributed to all secondary schools in Kingston, local youth organisations with approximately 1000 copies being distributed so far. <p><u>Additional Attachments provided by Nominator:</u></p> <ul style="list-style-type: none"> • Molly Zine – HPE Ref: 19/175338 • Instagram Account – mollythezine • Kingston Your City June/July 2019 Edition – page 2 - https://issuu.com/kingstonaustralia/docs/kyc_june-july_online_version • Short Video of Maddison about Molly zine - https://www.youtube.com/watch?v=TkinHmDJ20 	

Nominee: Oliver Robertson	Nominator: Ash Thornton
<p>Oliver, 20 and was a resident of Mordialloc. Oliver volunteers across Kingston. Oliver is a youth advocate and the peer volunteer at headspace Bentleigh. He meets all of his responsibilities and goes beyond this to improve the centre, the wider community and pave the way for other young people to make a difference. He leads by dedicating his time, listening to others and always advocating for lived experience of all young people, not just his own. He makes space for people and always thinks of others.</p> <p>Oliver has facilitated group sessions for headspace LGBTIQA+ youth support groups as a lived experience young person. He has also organised a Gender Diverse and Trans clothes swap for young people in the community alongside headspace's youth advisory committee. He is an advocate for Trans young people in the community and young people facing mental health challenges. Oliver sits on the headspace Bentleigh Youth Advisory Committee. As part of this role he has attended community events, represented on a youth panel for Trans rights in healthcare, completed Peer Support Training, facilitated meetings and always makes space for others to speak and share their own story.</p> <p>Oliver has an ability to listen to others, to share his own experiences with tremendous courage and connects with others making him a leader in this space. In only one year volunteering at headspace, the nominator informs that they are impressed with the impact he has made at headspace, at community events and in their Pride group space. Oliver de-stigmatises mental health and paves the way for other voices to be heard in this work.</p> <p>Some of Oliver's achievements to date include:</p> <ul style="list-style-type: none"> • Youth Advisory Committee member with 74 hours contributed in 9 months. • Oliver has attended and chaired headspace's Youth Advisory Committee meetings • Youth Panel representative for Trans people in Healthcare (collaboration with Rainbow Network) • Qualified Peer Support volunteer at headspace • Contributed to headspace's Discovery College co-productions and represented as a panel member for the topic <i>What is a Diagnosis?</i> Course. • Attends and has facilitated Prism (Pride group for headspace) • Oliver has represented headspace Bentleigh at events (corporate, community and centre based) • Oliver organised a Trans and Gender Diverse clothes swap with headspace Youth Advisory Committee in 2019. • Advocates for Trans issues in the local community and raises awareness. • Oliver represents and talks to services about mental health and issues affecting young people • Oliver has overcome significant personal challenges and maintained professionalism. <p>Oliver is a positive role model for other young people volunteering at or accessing headspace's Pride group. He is someone people feel they can trust. Oliver has made lasting connections with others, supports others to understand the diversity in the LGBTIQA+ community and the complexity in mental health issues. Oliver purposefully shares his own experience, and this inspires others to reflect on their own experiences and to share their learnings and insights.</p> <p>The nominator wanted to further add this inspirational story: <i>"A young person I was supporting went through a significant crisis last year and they kept sharing about their friend who was supporting them, how this friend understood them, linked them with more support and gave them hope. This friend turned out to be Oliver. Seeing Oliver support others in group, in volunteering and interacting with friends it is clear he is a role model on appropriate behaviour, communication, professionalism, relationships and for people to open up about their own struggles where they otherwise wouldn't have the means".</i></p>	

Nominee: Sammar Bassal

Nominator: Rebecca (Bec) Jacung*

Sammar is 23 and volunteers in Kingston. Sammar is a member of 3 committee groups at Kingston Youth Services and is currently committed to completing a 6-month internship with Kingston Youth Services. FReeZA Fuse Productions, Universal Magazine and The Content Creators. In each group she has thrived and stepped into a leadership position naturally. When Sammar first came to Kingston Youth Services she was very shy and reserved. It's been amazing to see her thrive in this environment where she has been allowed to grow as a creative individual and increase her confidence. Sammar always says yes to helping others and providing advice.

Sammar is a keen graphic designer and has frequently assisted Kingston Youth Services with internal graphics as well as assisting another young person on a magazine which they have designed. Sammar was the successful candidate for the Content Creators Coordinator position. Sammar now coordinates and facilitates the Content Creators program and leads a group of 5 people. Sammar provides advice to young people about design and marketing.

When Sammar is not at Kingston Youth Services, she spends her time volunteering with the City of Greater Dandenong, by assisting at events and various other Council based initiatives. Sammar also provides graphic design and marketing assistance in preparation for various Anime conventions. Sammar is also a member of Monash University's Islam society. During the month of Ramadan Sammar provided baked goods to the club and contributed to club activities.

Some of Sammar's achievements to date include:

- Volunteer with Kingston Youth Services FReeZA Fuse Productions - Graphic Designer
- Volunteer with Kingston Youth Services - Universal Magazine – Graphic Designer
- Kingston Youth Services Content Coordinator - The Content Creators.
- City of Greater Dandenong Volunteer
- Volunteer with Anime Convention
- 2018 Young Citizen of the Year nomination

Sammar is an inspiration to other young people within the City of Kingston as she has thrived during her time at Kingston Youth Services. She has proved that consistency and perseverance can boost confidence and create a leader.

Additional Attachments provided by Nominator:

- https://issuu.com/universal_kingston/docs/2018_universal_ed35_nostalgia_final - In this Edition Sammar has designed pages 8; 10; 17; 26; 28; 32 and 38.

Nominee: Sarah Kokkinos

Nominator: Levi Hauwert

Sarah is 22, a resident and business owner in Mentone. Sarah runs and operates a large, second-hand female fashion market based in Mentone (@HunterMarkets). She brings together girls from all around Melbourne to the City of Kingston, to come together to network and support recycled fashion. She has successfully created an environment that makes shopping second-hand easy, affordable and accessible to young girls.

The whole idea behind Hunter Markets was to create a safe space for young girls aged 15-25 to come together and express themselves through fashion, even better because its sustainable fashion. Sarah's market is all about good vibes, networking and ethical shopping. It's not just a market, but an exciting and fun experience. She is an advocate for recycling fashion and knows the impact that textile waste has on the globe. She utilises her large following platforms on social media to express her views and encourages other young girls to do the same.

Some of Sarah's achievements to date include:

- Welcoming 1,000+ girls to her markets every 4-6 weeks
- Sarah recently hosted her first all-female business network meeting at her venue – My Go To Gal

Sarah inspires others as she has worked hard to build this concept and keep her concept in her local community. She is a female entrepreneur that encourages other young girls to think outside the square and express their true identities. Hunter Markets has a running collaboration with a not-for-profit organisation called "Fitted for Work" which is a Melbourne based organisation. They dress homeless and disadvantaged woman for job interviews and for work. Fitted for Work rely on the donations Sarah brings on a regular basis. To date she has provided the organisation with high quality clothing and generous donations following every market she hosts.

Additional Attachments provided by Nominator:

- Image of Sarah – **HPE Ref: 19/178096**
- Instagram account – huntermarkets
- <https://www.theurbanlist.com/melbourne/a-list/hunter-markets-melbourne>
- <http://www.creativespaces.net.au/find-a-space/10-balcombe>

YOUNG COMMUNITY GROUP OF THE YEAR

Nominee: Spair Pair

Nominator: Tanya Marques*

Beau, resident of Parkdale and Josh Firmin are in their early 20s. Spair Pair have seen a need in their community and have proactively developed a social enterprise business that aims to address the need and fill the gap. Spair Pair runs a business where every pair of socks purchased provides a pair to the homeless. They have also run social impact conferences raising awareness of challenges communities face and the opportunities for young people to get involved. They positively promote volunteering among young people and collaborated with other social enterprise initiatives to provide greater impact wherever possible. Currently Beau and Josh lead a Social Impact Program in Kingston and run programs at Cheltenham Secondary College to assist students to remain engaged and motivated.

All of their products and processes conform to their three pillars of quality: Ethical, Sustainable and Homemade. Spair Pair have active partnerships with Christmas on the Streets, Groom to Go and Melbourne Soup where they collaborate to bring together targeted events. Spair Pair contribute locally via supporting the homeless or disadvantaged at Matts Place in Chelsea.

Some of Spair Pair's achievements to date include:

- Spair Pair Social Enterprise Business founded in 2018, headquarters located in Parkdale.
- Participated in the Vinney's CEO Sleep Out in 2018 and 2019.
- Have developed a schools education program and currently piloting this program at Cheltenham Secondary College
- Spair Pair will present at a TedxYouth Talk at the end of August.

Spair Pair have inspired other young people to volunteer and proactively search for ways in which to give back and help others less fortunate in their communities. Spair Pair have also challenged local businesses to take on opportunities to do what they can to help where they can. In 2018 Spair Pair launched a successful pre-ordering campaign, allowing the organisation to already help 500 people in need within their first two months. *"It is our goal to allow people to see how easy it is to create meaningful change"*

Additional Attachments provided by Nominator:

- Website - <https://spairpair.com.au/>
- LinkedIn Profile – Spair Pair
- <https://spairpair.com.au/>
- Instagram Account – spairpairau
- Facebook page – Spair Pair
- SBS Facebook Mention - <https://www.facebook.com/SBSAustralia/videos/spare-pair-is-helping-provide-homeless-people-with-undergarments/588548468254109/>

Ordinary Meeting of Council

26 August 2019

Agenda Item No: 9.2

REFURBISHMENT OF FORMER MASONIC LODGE - AWARD OF CONTRACT

**Contact Officer: Fiona Baxter, Acting Team Leader - Capital Projects
Syed Shah, Capital Projects Officer**

Purpose of Report

The purpose of this report is to seek Council approval to award Contract 19/68 – Refurbishment of former Masonic Lodge project to the recommended tenderer from the tender submissions received.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That Council:

1. Receive the information and note the outcome of the tender assessment process for Contract 19/68 – Refurbishment of the former Mordialloc Masonic Lodge, as set out in the confidential appendices attached to this report.
2. Award Contract 19/68 – for the refurbishment of the former Mordialloc Masonic Lodge for the final adjusted fixed lump sum price of \$1,995,622.00 (exclusive of GST) to Bowden Corporation Pty Ltd.
3. Approve the allocation of a separate contingency allocation, as set out in the attached confidential appendix and delegate authority to the CEO, or nominee, to expend this allowance to ensure the successful completion of the project.
4. Bring forward \$650K to the 2019/20 Capital Budget from the 2020/21 Building Facilities National Allocation Budget.

1. Executive Summary

Tenders have been sought for the refurbishment of the former Masonic Lodge via open tender procedure. This report is seeking Council's approval to award Contract 19/68 – Refurbishment of the former Masonic Lodge to Bowden Corporation Pty Ltd. for an adjusted lump sum price of \$1,995,622.00 (excl. gst). The work is required in order to bring the facility to an appropriate standard /condition to accommodate Council's Youth Services Team and support associated service delivery. The report outlines the tenders received and the outcome of the tender evaluation process followed to arrive at the recommendations proposed in the report.

It is noted that the prices offered by all tenderers exceed the available budget. The original project budget was developed based upon 'stage 1 works' identified in a range of design options and an associated cost plan which was prepared in 2014. Stage 1 works were estimated to cost \$1.8M in 2014. An updated cost plan, obtained in July 2018, (prior to the submission of the planning permit application) estimated the project cost to be approximately \$1.78M. However, as noted, all tender submissions exceed this amount.

The age of the Masonic Lodge building, and its heritage status, carry inherent risks as a result of latent conditions and it is considered that this has been likely to be reflected in the pricing submissions. When the building was open to potential tenderers for inspection, in advance of lodging tender submissions, at least six (6) builders attended (some accompanied by associated trades people, who undertook thorough inspections of the facility) and subsequently chose not to submit a price. This suggests that the complexity of the heritage works, combined with the associated risk of latent conditions, made the job too risky / difficult to accurately price which was presumably a deterrent to certain builders.

In addition, soil testing carried out at the site following the 2018 cost plan, confirmed the presence of contaminated soil (within the car park / driveway area) which will require offsite disposal. Soil disposal costs, together with costs associated with managing lead paint at the building have increased submitted pricing.

The complex and risky nature of the restoration, latent conditions and the passing of time, assist with explaining the reasons for the increased project cost. The proposed means of addressing the funding gap is outlined at section 4.3 of this report.

2. Background

In accordance with the resolution of Council of 23rd October 2017, officers have now completed consultation and detailed design in relation to the refurbishment of the former Mordialloc Masonic Lodge and have sought tenders via an open tender procedure for the construction of the proposed new facility.

Tenders have been received and evaluated and officers are now seeking approval to award Con 19/68 to the contractor considered by the Tender Evaluation Panel to offer best value to Council. Contractors who have submitted tenders have undergone a series of assessments in relation to insurances, experience, organisational capacity, financial status, OHS systems compliance & referee checks.

3. Discussion

3.1 Council Plan Alignment

Goal 1 - Our well-planned, liveable city supported by infrastructure to meet future needs
Direction 1.2 - Effectively influence the urban and architectural design of the City

The proposed refurbishment of the former Mordialloc Masonic Lodge is in response to Council's decision to relocate the Youth Services Team from their current leased premises at Southland. It is noted that the lease in relation to the premises at Southland ends in September 2020.

3.2 Consultation/Internal Review

A lengthy process of consultation has previously been undertaken to assist Council with determining the most appropriate long-term use for the site.

The project was also subject to a planning permit application. One objection was received. This related primarily to traffic / parking in the area. No appeal was lodged, and Council subsequently resolved to issue the relevant planning permit.

Officers from the Community Buildings Department have worked closely with officers from the Youth Services Team, to help guide the internal design and layout of the proposed new facility.

Subject to approval by Council, officers will provide further information to the public on the project and its implementation programme.

3.3 Operation and Strategic Issues

3.3.1 Tender evaluation

Tenders closed at 2.00pm on 25 July 2019, at which point seven (7) tender submissions were received from the following contractors:

<i>Tenders Submission Received at Close of Tender Period (in alphabetical order)</i>
2Construct Pty. Ltd.
Bowden Corporation Pty. Ltd.
Ducon Maintenance Pty. Ltd.
FIMMA Constructions Pty. Ltd.
Rodine Australia Pty. Ltd.
Stosius and Staff Constructions Pty. Ltd.
United Commercial Projects Pty. Ltd.

<i>Tender Offers Received at Close of Tender Period (excl. GST) (in lowest to highest order)</i>
\$1,995,622.00
\$2,194,557.00
\$2,358,838.00
\$2,466,721.00
\$2,498,469.00
\$2,591,455.00
\$2,714,902.00

The Tender Evaluation Panel (TEP) comprised the following officers along with technical advisors:

- Mark Patterson - Manager Family, Youth and Children's Services
- Zorica Djuric – Team Leader, Youth and Family Services
- Fiona Baxter – A/Team Leader, Capital Projects, Community Buildings
- Syed Shah – Capital Projects Manager, Community Buildings
- Adrian Rivalland – Hede Architects (Technical Advisor)
- Peter Andrew Barrett– Heritage Advisor (Technical Advisor)

The evaluation criteria used to evaluate all tenders under Con 19/68 (listed in order of importance) were as follows:-

- (i) PASS/FAIL Criteria
 - Compliance with OHS, Environmental and Insurance requirements
 - Financial Capacity
 - Previous experience working on heritage buildings

- (ii) Weighted Scored Criteria
 - Price / Financial Benefit to Council
 - Methodology
 - Specific Methodology for works with Heritage Listed Project Building
 - Construction Program
 - Resources
 - Experience

Following close of tenders, and based on the application of the above criteria, the TEP undertook interviews with one short listed tender to identify any errors and/or omissions made within their initial tender submissions. In addition, the TEP also worked with the short-listed tender to consider the range of tender options and to agree a final adjusted lump sum tender price, based on the agreed final scope of works.

As a result of the above assessment process, details of which are included in the attached confidential appendices, and noting that all tender submissions exceeded the available budget, the following final adjusted lump prices for the only short-listed contractor is outlined below, as follows:

<i>Final Adjusted Tender Lump Sum – inclusive of all nominated tender options to be accepted and the correction of any stated errors/omissions by tenderers (excl. GST) (in lowest to highest order)</i>
\$1,995,622.00

Based on the revised fixed lump sum offers detailed in this report and the attached confidential evaluation matrix, it is recommended that Council agree to award Contract 19/68 Refurbishment of the former Masonic Lodge for the revised fixed lump sum price of \$1,995,622.00 (excl. GST) to Bowden Corporation Pty Ltd., on the basis that they provide Council with the best overall value.

A confidential tender evaluation matrix is attached to this report for Councillor information (please see Appendix 1).

In addition, Council is also asked to approve the allocation of a separate project contingency allowance, as identified in the attached confidential appendix, and to delegate authority to the CEO (or nominee) to expend this allowance to expedite the successful implementation of the project.

3.3.2 Programme of Works

Subject to Council approval, works associated with the refurbishment of the former Masonic Lodge are expected to commence on site during August 2019 and is anticipated to be completed by April 2020.

**City of Kingston
Ordinary Meeting of Council**

Agenda

26 August 2019

Following completion of works, the Youth Services Team will relocate across from the current premises at Southland in advance of the lease expiration in September 2020.

4. Conclusion

4.1 Environmental Implications

Relevant site investigations, including a soil assessment, have been undertaken at the outset of the design process for this project.

In addition, the design of the proposed new building has been developed in accordance with Council's adopted Environmental Sustainable Design Policy 2018, which guides the environmental design standards for such Council buildings.

4.2 Social Implications

Council's Youth Services Team plays a critical role in provision of support and information across a range of areas, to youth across Kingston. The former Masonic Lodge is centrally located within the municipality and can be conveniently accessed using public transport. The location of the facility, within the Mordialloc Activity Centre, should ensure that provision of relevant support and information can be easily accessed by those in need. A newly refurbished, fit for purpose facility will help to effectively underpin quality service provision into the future.

4.3 Resource Implications

All tender submissions exceeded the available remaining project budget of \$1,612,000.

Accordingly, additional funding is required to ensure the viability of this project. A proposed funding arrangement is outlined below. This arrangement proposes bringing forward \$650K of funds from the Building Facilities Notional Allocation budget in 20/21 and managing cashflow across the 19/20 financial year across the capital programme.

It is also worth noting that current annual rental of the Youth Services facility at Southland is approximately \$90K. This rental will no longer be payable once the Youth Services Team moves across to the Council owned Masonic Lodge facility in Mordialloc.

Current financial allocations:

Refurbishment of the former Masonic lodge	FY18/19	FY 19/20	FY/20/21	TOTAL
C0271 - Masonic Hall	\$162,699	\$1,612,301		\$1,775,000
C0303 - Building Renewal - Notional Allocation			\$3,230,781	\$3,230,781
		\$1,612,301	\$3,230,781	\$5,005,781

Proposed allocations:

Refurbishment of the former Masonic lodge	FY18/19	FY 19/20	FY/20/21	TOTAL
C0271 - Masonic Hall	\$162,699	\$2,262,301		\$2,425,000
C0303 - Building Renewal - Notional Allocation			\$2,580,781	\$2,580,781
		\$2,262,301	\$2,580,781	5,005,781

4.4 Legal / Risk Implications

Failure to provide appropriate community infrastructure is likely to have reputational risks for Council and will impact on the needs of youth across the municipality who require quality, targeted support services.

It is also noted once again, that the lease on the Youth Services Team's existing premises at Southland will end in September 2020. Time is of the essence in terms of delivering the refurbishment of the former Masonic Lodge to ensure it is fit for occupation in advance of this date.

There are risks associated with building related interventions in aged heritage buildings and therefore this may impact on the final budget for the project should unforeseen circumstances arise.

Appendices

Appendix 1 - Tender Evaluation Matrix (Ref 19/192196) - Confidential

Appendix 2 - Tender Breakdown (Ref 19/192213) - Confidential

Author/s: Fiona Baxter, Acting Team Leader - Capital Projects
Syed Shah, Capital Projects Officer

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

10. City Assets and Environment Reports

Ordinary Meeting of Council

26 August 2019

Agenda Item No: 10.1

OUTDOOR VELODROME, EDITHVALE RECREATION RESERVE

Contact Officer: Daniel Ferguson, Project Consultant

Purpose of Report

This report provides an update on the condition and requirement for renewal works on the outdoor velodrome at Edithvale Recreation Reserve.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That Council:

1. Endorse Option 3 – Crack Sealing, at an estimated cost of \$85-100,000 funded from the 2019/20 Road Infrastructure Renewal program budget, as the preferred immediate works option;
2. Develop an Asset Management Plan, inclusive of maintenance schedule and life cycle analysis, to assess the future viability of the velodrome; and
3. Investigate the development of a criterium circuit at an alternative site, such as the Delta Site, as a long-term response to the demand for competition cycling in Kingston.

1. Executive Summary

The Edithvale Velodrome (the Velodrome) is located within Edithvale Recreation Reserve and has a grass athletics track, athletics field event areas and a soccer field within its interior. Adjacent to the Velodrome are an additional two soccer fields, baseball field, and the Edithvale Hub Family and Children's Centre within the reserve.

Recognising the deteriorating condition of the Velodrome's track surface, officers commissioned a sports engineering consultant to review the track's current condition and compliance with relevant standards and prepare a condition assessment that recommends future works.

The Condition Assessment (Appendix 1) found that the track's pavement is showing significant signs of high wear and deterioration and in some areas appears to be not 'fit for purpose' as well as identifying several areas where the track is non-compliant with sporting standards. It is believed that the pavement cracking that exists is likely due to the subgrade moisture differential movement between construction and present, and erosion of adjacent embankments due to surrounding developments over time i.e. Edithvale Family and Children's Centre.

Based on the above, the Condition Assessment recommends two options for consideration:

- Option 1: full reconstruction at an estimated cost of \$1,784,004. It is assumed that a fully reconstructed velodrome would remain serviceable for a 20-year period.
- Option 2: short-term remediation works at an estimated cost of \$906,561. Includes intensive track milling and resurfacing, and improved drainage. It is assumed this would maintain the Velodrome to a serviceable standard for a further 2-3 years.

Officers have identified a further works option for consideration (recommended option):

- Option 3: crack sealing at an estimated cost of between \$85-100,000. Similar to works commonly undertaken on roads to maintain a flat, crack-free surface. It is assumed these works would keep the Velodrome to a serviceable standard for 1.5-2 years and continue to require maintenance works into the future.

Following Councillor feedback at the Strategic CIS on 15 April 2019, Officers:

- Completed a risk assessment for the Edithvale Velodrome;
- Undertook physical counts of facility users during certain time periods to better understand the non club-based use of the Velodrome;
- Consulted with Cycling Victoria regarding facility priorities; and
- Consulted with tenant clubs regarding the current condition of the facility and demand for ongoing use of the site.

The Risk Assessment (Attachment 3) found that one risk category ('public image') was rated as a medium risk, while the remaining two ('health & safety' and 'financial') were rated low risk. As a result of Council's existing controls and the implementation of risk treatments identified (including establishment of track inspection schedules and a review of existing signage), all three categories would be classified as Low risk.

Whilst cycling use of the Velodrome for its original purpose (training and competition venue) is low, anecdotal evidence suggests that it supports recreational cycling and acts as a venue for children to learn to cycle. To better understand the recreational use of the velodrome, officers engaged a traffic survey company to undertake physical counts of users of the velodrome over 42 hours (3.5 days) between 11/4/19-15/4/19. 102 users were counted during this time, indicating a higher level of use than anticipated.

Cycling Victoria, the peak body for Cycling in the State, has indicated that whilst cycling participation is growing, this is more so for recreational and criterium circuit cycling. Velodromes supports a track cycling discipline that is highly competitive and seen at the highest competitive levels of the sport i.e. Olympic games. Contemporary velodrome facilities are typically built indoors so that weather conditions do not impact on use.

Officers met with representatives of the Southern Masters and Chelsea Peninsula Cycling Clubs on 22 May 2019, who suggested that given the option of investment in an outdoor velodrome or a criterium circuit, they would support investment in a criterium circuit as a preference – a position supported by Cycling Victoria. However, they would require the use of a velodrome or other alternative training venue in the meantime until a criterium circuit became available. This is a key consideration in the long-term future of the Velodrome, considering its requirement for redevelopment and significant financial investment. Large financial investment may be better suited to support the proposed development of a criterium circuit at the Delta Site as an example, while renewal works are undertaken to keep the velodrome operational in the short term.

As such, it is recommended that Council endorse Option 3 – Crack sealing at an estimated cost of \$85-100,000 to enable the velodrome to continue to be utilised as a training and recreational cycling venue, whilst long-term investigations into the future viability of the velodrome and provision of a criterium circuit within Kingston is undertaken.

2. Background

Edithvale Recreation Reserve is a 7ha park located in Edithvale Rd, Edithvale home to Chelsea Football Club (soccer), Chelsea Baseball Club, Chelsea Little Athletics Centre, Chelsea and Peninsula Cycling Club (CPCC) and Southern Masters Cycling Club.

The Velodrome is located within Edithvale Recreation Reserve and has a grass athletics track, athletics field event areas and a soccer field within its interior. Adjacent to the Velodrome are an additional two soccer fields, baseball field, and a Family and Children's Centre within the reserve.

Recognising the deteriorating condition of the Velodrome's track surface, officers commissioned a sports engineering consultant to review the track's current condition and compliance with relevant standards and prepare a condition assessment that recommends future works and is the basis of this report.

Figure 1 – Site Map



There is one cycling club in Kingston, the Chelsea and Peninsula Cycling Club (CPCC) – who has been in existence for over 50 years. Based at the Velodrome; they have a reported 12 members.

The CPCC is closely aligned with the Southern Masters Cycling Club (SMCC) which is one of Melbourne's largest road racing clubs with 425 members (all over the age of 35), and whilst not based at the Velodrome (Casey Fields is considered its 'home'), it does undertake training at the Velodrome on Tuesday evenings and Saturday afternoons. CPCC and SMCC will commonly share volunteers and undertake club training together.

Both clubs are involved in a regional combine racing system. Almost every week or weekend of the year there is a club race combine held by one of the clubs involved (St Kilda, Carnegie Caulfield and Blackburn). They can be track, criterium, road or time trial races.

Cycling Victoria have 132 registered active members in Kingston, of which 47 are members of Carnegie Caulfield, 27 of St Kilda and 24 of Southern Masters – the remainder are members of other clubs scattered throughout Victoria. The 3195 (Aspendale, Aspendale Gardens, Braeside, Mordialloc, Parkdale, Waterways) and 3192 (Cheltenham) have the highest membership numbers in Kingston (30 and 28 respectively).

Additionally, Cycling Victoria's State Facilities Strategy notes the following:

- One in every seven Victorians rides a bicycle, this equates to 840,000 Victorians.
- Cycling participation is very strong across all age cohorts. It is the third most popular participation activity for Victorians aged 15 – 17 years and 35 – 64 years.
- Cycling participation rates have continued to increase from 2006-2015, up from 6.4% to 8.8%.
- Bicycle sales outstrip car sales by 1.4:1. Over 1.4M bicycles were sold in Australia in 2013; sales have continued to grow by 4% per annum since 2009.
- Membership of Victorian cycling clubs is increasing at a rate of 12.6% per annum.
- Cycling has consistently been one of the top four activities in Victoria since 2008.

Whilst club-based cycling is only a small component of the overall organised participation in the sport, the use of the Velodrome by Kingston residents, and other groups such as tri-athletes is known to occur. Recreational cyclists and cyclists riding for fitness identify the Velodrome as a safer option for use rather than the roads.

To better understand the recreational use of the velodrome, Officers engaged a traffic survey company to undertake physical counts of users of the velodrome for a total of 42 hours (3.5 days) between 11/4/19-15/4/19.

The key findings of the counts include:

- 102 total users; 48 Adult and 53 Child
- 50 used a BMX, 33 a Mountain Bike and 19 a road bike
- 68 were in general workout gear, while 34 wore full lycra with clip-in shoes
- The track averaged 2.4 users per hour of surveyed time
- The average time spent at the track was just under 17.5 minutes per user
- 58 dog walkers used the track; 32 on-lead and 26 off-lead (the track is defined as on-lead area) averaging 1.4 users per hour of surveyed time

3. Discussion

3.1 Council Plan Alignment

Goal 2 - Our sustainable green environment with accessible open spaces
Direction 2.5 - Provide for a variety of sport and recreation opportunities across Kingston through the Sport and Leisure Strategy

The strategic assessment of the ongoing maintenance and provision of cycling facilities in Kingston ensures we continue to provide infrastructure that supports the community's needs now and into the future.

3.2 Consultation/Internal Review

An external consultant was engaged to provide independent advice on the tracks condition.

Officers have been in contact with Cycling Victoria to understand their preferred facility development strategy and changing trends in cycling participation.

Officers have met with representatives of the tenant cycling clubs to understand current track usage and future facility requirements.

3.3 Operation and Strategic Issues

3.3.1 Condition Assessment (Appendix 1)

SPORTENG undertook an inspection of the facility on the 8th November 2018, as outlined below:

Assessment	Findings																				
<i>Visual inspection;</i> inclusive of track surface, perimeter fence, drainage infrastructure and associated external elements (i.e. bins, pathways, trees etc.)	<ol style="list-style-type: none"> 1. The acrylic surface pavement is significantly worn in areas. 2. The velodrome pavement appears to consist of a flexible pavement: asphalt wearing course overlying crushed rock base. 3. Interior edge of the track does not drain sufficiently, causing localised ponding of stormwater to affect subgrade moisture level, cracking and staining of track along interior edge. 4. Grated drainage pits are overgrown and blocked in some cases. 5. External fence has settled significantly in areas, along the southern bank in particular 6. There are significant areas of cracking appearing across the track pavement, especially at the outer edge of the track and the inside edge of the track. Refer to Figure 2 for extent of cracking. 7. The cracking in the pavement is most likely due to the changing moisture conditions of underlying subgrade due to: <ol style="list-style-type: none"> a. Surrounding vegetation (past and/or present) roots drawing water from the track subgrade b. Prolonged ponding of stormwater at the inside edge of the velodrome c. Excavation around track for building works d. Settlement/erosion of adjacent embankments e. General wear and tear near the vehicle entrance gate f. Settlement of subgrade has caused settlement of exterior fence and outer edge of track. 																				
<i>Compliance assessment;</i> measurements at 12N° locations for surface evenness and track gradient (slope), and measurement of the track using a georeferenced satellite image against Union Cycliste Internationale (UCI) standards (UCI is the world's governing body for cycling)	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Parameter</th> <th style="text-align: left;">Compliant?</th> </tr> </thead> <tbody> <tr> <td>Track geometry</td> <td>Yes</td> </tr> <tr> <td>Superelevation</td> <td>Yes, transition is gradual</td> </tr> <tr> <td>Banking</td> <td>Dependent on level of use. Gradient appears to meet industry standards</td> </tr> <tr> <td>Length</td> <td>Yes (494.247m*)</td> </tr> <tr> <td>Width</td> <td>Yes (8.63m*)</td> </tr> <tr> <td>Blue band</td> <td>Paint is faded significantly. Material homogenous across track where not worn down</td> </tr> <tr> <td>Safety zone</td> <td>No safety zone obvious</td> </tr> <tr> <td>Safety fence</td> <td>Yes</td> </tr> <tr> <td>Profile</td> <td>No, significant cracking in areas of the track cause undulations along the track both perpendicular and parallel to the track direction.</td> </tr> </tbody> </table>	Parameter	Compliant?	Track geometry	Yes	Superelevation	Yes, transition is gradual	Banking	Dependent on level of use. Gradient appears to meet industry standards	Length	Yes (494.247m*)	Width	Yes (8.63m*)	Blue band	Paint is faded significantly. Material homogenous across track where not worn down	Safety zone	No safety zone obvious	Safety fence	Yes	Profile	No, significant cracking in areas of the track cause undulations along the track both perpendicular and parallel to the track direction.
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Profile	No, significant cracking in areas of the track cause undulations along the track both perpendicular and parallel to the track direction.																				
<i>Historical investigation;</i> site history and determination of potential impact from development adjacent to the velodrome	<ol style="list-style-type: none"> 1. There is a significant difference in the level of vegetation surrounding the site in 2012 and 2018. 2. The changes that have occurred in recent years that have likely impacted the condition of the pavement subgrade include: <ol style="list-style-type: none"> a. Changing vegetation (growth, removal of trees) b. Erosion of adjacent embankments c. Construction works at 3 separate locations around the track. 																				

Overall the Condition Assessment found that the track's pavement is showing significant signs of high wear and deterioration and in some areas appears to not be fit for purpose. The Condition Assessment also identified areas where the track is non-compliant. It is believed that the pavement cracking that exists is likely due to the subgrade moisture differential between construction and present and erosion of adjacent embankments due to surrounding developments over time (Edithvale Family and Children's Centre etc.).

Based on the above, the Condition Assessment recommends that the Velodrome be reconstructed at an estimated cost of \$1,784,004. Further options are explored in Section 3.4.

3.3.2 Demand for Sport Cycling in Kingston (Appendix 2)

The Velodrome is the only existing cycling specific facility in Kingston.

There are no industry recognised benchmarks for the provision of velodrome facilities, however, based on the findings of current participation and sport trends, Council's Sport and Recreation Strategy acknowledges the growth in criterium cycling and recommends that Council "investigate the need, feasibility and potential sites for a Regional criterium course". The investigation should be carried out in partnership with the State Government and Cycling Victoria, and also determine the future role of the Velodrome."

There are only two regional level off road criterium circuits and no state level off road criterium circuit in Melbourne. With the impending loss of the on road criterium circuit used by St Kilda Cycling Club (the biggest cycling club in Australia) due to development in Fisherman's Bend and an unknown future of Sandown racecourse for cycling activities, Cycling Victoria believe a new and more accessible off-road facility to service the inner and middle southeast area of Melbourne is required.

Cycling Victoria's State Facilities Strategy (2016-2026) has identified that the City of Kingston has the largest number of cycling club members in Victoria and the municipality is a preferred location for a new regional criterium circuit to service the large and increasing number of on-road cyclists.

Criterium racing has taken some of the market away from track racing and in line with this change in user preference, Cycling Victoria does not see the provision of velodromes as a strategic priority for development.

Cycling Victoria also state that cycling participants within the metropolitan Melbourne area will travel on average up to 15km to a BMX facility, 15kms to a velodrome and 20km to an off road criterium circuit.

Although the average distance currently travelled by users is a direct by-product of current facility provision, utilising these figures it could be argued that:

- BMX is relatively well catered for with nearby facilities in Seaford, Oakleigh, Dandenong and Langwarrin;
- an adequate number of velodromes are currently provided for with facilities in Kingston and the southern metro region; and
- an additional criterium facility is required as Sandown Racecourse is not publicly accessible, and the Casey Fields facility is around 24 km away.

The findings above suggest there is a need to maintain a velodrome in the short term (i.e. maintenance/ redevelopment works at the Velodrome) and investigate the development of a criterium circuit (with a smaller velodrome length loop built into the design) within Kingston or its immediate surrounds (i.e. proposed criterium circuit at the 'Delta' site).

3.3.3 Asset Management and Future Site Considerations

In 2000, the Velodrome surface was significantly upgraded, with funding from Council, State Government and the CPCC. Reactive maintenance has been undertaken since to repair cracks in the asphalt surface, with the most recent works occurring in mid-2013, similar to the scope of works proposed in 'Option 3 – Crack Sealing'.

However, the track surface has significantly deteriorated in recent years due to the erosion of embankments and changes to the subgrade as a result of nearby works (such as the Edithvale Family and Children's Centre development in 2015 and stormwater harvesting project in 2018). These issues will continue to be prevalent into the future.

It is proposed to develop an Asset Management Plan for the velodrome to ensure proper monitoring and maintenance is scheduled and provide a life cycle analysis so that its future viability can be assessed.

Other opportunities for use of the Velodrome could be given consideration by Council. These include:

- Potential use to support the LXRA works along the Frankston Train line;
- Upgrade of the athletics track i.e. conversion of the turf track into a synthetic track (potentially create a regional facility); and
- Future site for the provision of other recreation facilities i.e. stadium and/or aquatic facilities.

Given the Velodrome is reaching the 'end of its functional life', there is merit for Council to consider all viable options regarding its future use.

3.4 Options

3.4.1 Option 1- Full Reconstruction

The Condition Assessment recommends that should Council wish to retain the Velodrome in its current location, it be fully reconstructed at an estimated cost of \$1,784,004.

It is assumed that a fully reconstructed velodrome would remain serviceable for a period of 20 years, however the proposed acrylic surface finish will likely require recoating twice in this time frame.

3.4.2 Option 2 – Short-term Remediation Works

The Condition Assessment provides an option to undertake short-term remediation works at a cost of \$906,561.

These works will not address the underlying subgrade issues which are likely the cause of the pavement failure, however, they will fix the drainage issues and would eliminate any existing cracks in the surface and provide a smooth track suitable for cycling training and competition.

The undertaking of these repair works would result in an estimated, additional 2-3 years of use out of the surface before cracks begin to appear in the surface again and further maintenance works and/or full redevelopment is required.

3.4.3 Option 3 – Crack Sealing (recommended)

Officers have explored the option of undertaking basic track maintenance works, similar to that of typical road crack sealing at an estimated cost of \$85,000-\$100,000.

This will not address the underlying subgrade and drainage issues which are likely the cause of the pavement failure, however will patch (which may include some

resurfacing) affected pavement areas and provide a relatively smooth track suitable for cycling training and recreational use.

Dependent on climatic impact (extreme heat or wet conditions), the surface may last 1.5 - 2 years before underlying cracks migrate/reflect through the surface. The expected reoccurrence of cracking is unknown, however similar repairs were undertaken at the Velodrome mid 2013 with significant repairs now required.

3.4.4 Option 4 – Close the Velodrome

Overall the Condition Assessment found that the Velodrome track’s pavement is showing significant signs of high wear and deterioration and in some areas appears to not be fit for purpose. The Condition Assessment also identified several areas where the track is non-compliant.

While the existing usage of the track for training purposes may not require it to be fully compliant to all standards, the deteriorated surface is of particular concern and is likely to worsen with on-going use.

Should no action be undertaken on site, Council may be at risk of providing a surface that is not fit for club training use, and general public access/use.

4. Conclusion

It is recommended that Council endorse Option 3 – Crack sealing at an estimated cost of \$85-100,000 to enable the velodrome to continue to be utilised as a training and recreational cycling venue, whilst long-term investigations into the future viability of the velodrome and provision of a criterium circuit within Kingston is undertaken.

4.1 Environmental Implications

Environmentally sensitive and sustainable practice will be considered as part of any works to occur at the Velodrome.

4.2 Social Implications

Well planned, high quality community facilities are likely to encourage use by residents contributing towards social, health and wellbeing benefits.

4.3 Resource Implications

The comparative costs of the three options are:

Option	Cost	Life expectancy
Option 1 - Full reconstruction	\$1,784,004	20 years
Option 2 - Short-term remediation	\$906,561	2-3 years
Option 3 - Crack sealing	\$85-100,000	1.5-2 years
Option 4 - Close the Velodrome	\$250,000 for site decommissioning	n/a. Significant organisational risk

There is no funding allocated within Council’s 2018/19 or 2019/20 Budget or Strategic Resource Plan for works at the Velodrome, however it is confirmed that there is available funding in the Road Infrastructure Renewal program to fund Option 3 – Crack sealing.

Traditionally, the installation and/or renewal of sports surfaces that have specific design standards (i.e. cycling, athletics) have attracted external grant funding from the State government. While such funding streams may be viable options to seek assistance in funding Option 1 and 2, an application for maintenance works set out as Option 3 (recommended) would not be appropriate.

4.4 Legal / Risk Implications

Given its current condition, officers undertook a risk assessment of the Velodrome (Appendix 3). The assessment identified the risk of a cycling incident resulting in personal injury occurring at the site to have the following risk ratings:

Risk Category	Inherent Risk Rating (risk if uncontrolled)	Residual Risk Rating (risk with controls)	Future Risk Rating (if implement actions)
Health and Safety	2D Low	2D Low	2D Low
Public Image	3D Medium	2D Low	2D Low
Financial	1D Low	1D Low	1D Low







The assessment found that one risk category was rated as a medium risk, while the remaining two were rated low risk.

The assessment identified three risk treatments that will be implemented:

1. Report to Councillors on options for the repair/renewal of the Velodrome (this report)
2. Development of options for proactive track inspection schedule (proposed Asset Management Plan)
3. Review of current safety signage in place

As a result of Council's existing controls and the implementation of the above identified risk treatments, all three categories would be classified as Low risk.

Appendices

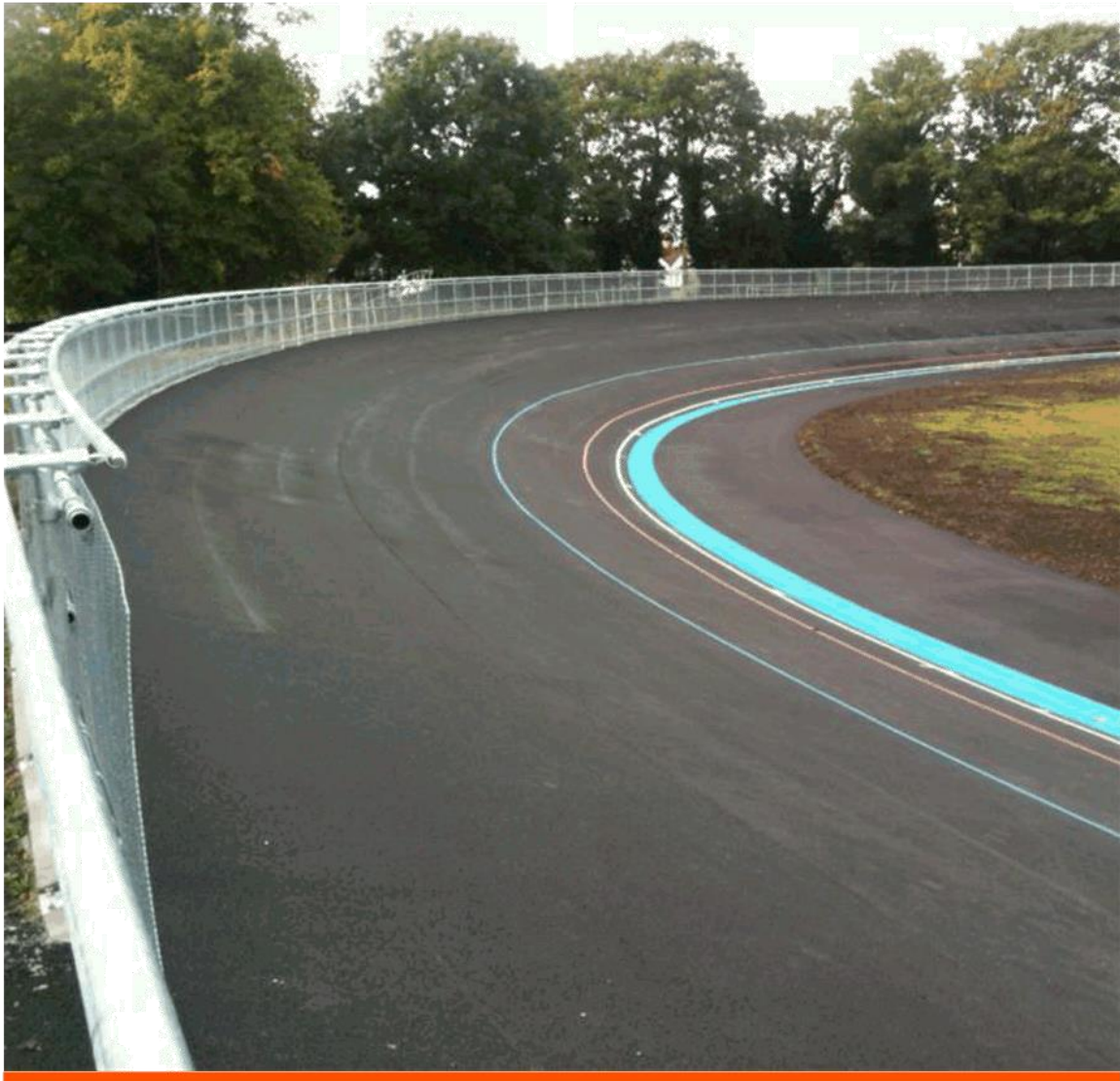
- Appendix 1 - Edithvale Velodrome - Condition Assessment Report (Ref 19/31362)  
- Appendix 2 - Edithvale Velodrome - Sport Cycling in Kingston (Ref 19/31363)  
- Appendix 3 - Risk Assessment - Edithvale Velodrome (Ref 19/115114)  

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 Daniel Freer, General Manager City Assets and Environment

10.1

OUTDOOR VELODROME, EDITHVALE RECREATION RESERVE

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EDITHVALE RECREATION RESERVE VEOLDROME

CONDITION ASSESSMENT

Issue 1 | 08/02/2019 | Ref: 10340-00

This report takes into account the particular instructions and requirements of our client. It is not intended for and should not be relied upon by any third party and no responsibility is undertaken to any third party.

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Appendices

Appendix A - Site Photos and Notes

Appendix B - Cost Estimate

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1. Introduction

1.1 General

SPORTENG have been commissioned by The City of Kingston to undertake a visual condition assessment of the velodrome at the Edithvale Recreation Ground.

In addition to the condition assessment, SPORTENG assessed compliance with the relevant Union Cycliste Internationale (UCI) standards (UCI is the world's governing body for cycling).

1.2 Existing Site Overview

The velodrome is located within the Edithvale Recreation Ground, Edithvale, Victoria. The velodrome consists of the following:

- Cycling velodrome track
- Interior natural turf area including Soccer pitch and athletics track and field areas.



Figure 1: Edithvale cycling track satellite image.

2. Assessment Overview

2.1 General

SPORTENG undertook an inspection of the facility on the 8th November 2018, which consisted of the following:

- Visual inspection
- Compliance assessment
- Historical investigation

2.2 Visual Inspection

Visual inspection of the track consisted of observation of the following elements:

- Track surface
- Perimeter fence
- Drainage infrastructure
- Associated external elements (i.e. bins, pathways, trees etc.)

2.3 Compliance Assessment

The compliance assessment consisted of the following:

- Measurements at 12N° locations
 - Surface evenness using a 3m straight edge
 - Track gradient (slope) using a digital spirit level
- Measurement of the track using a georeferenced Nearmap satellite image. Dimensions of the track are shown in Figure 4.

The following table outlines the requirements set out by the UCI for an homologated court.

Table 1 - UCI assessment criteria

Parameter	Requirement for
Track geometry	<ul style="list-style-type: none"> ○ Two curves connected by two parallel lines
Superelevation development	<ul style="list-style-type: none"> ○ "Gradual" transition into slope superelevation
Banking	<ul style="list-style-type: none"> ○ Determined by taking into account radius of curves and maximum speeds achieved in various disciplines
Length	<ul style="list-style-type: none"> ○ Between 133m and 500m inclusive* ○ Must be evenly multipliable into 500m (ie completion of a whole number of full or half laps totals 1km) <p>*length of track measured 20cm above inner edge of track</p>

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Width	<ul style="list-style-type: none"> o Must be constant throughout its length o Minimum 5m (7m for category 1 and 2)
Blue band	<ul style="list-style-type: none"> o 10% width of the track along inside edge of track o Surface must have the same properties as the track
Safety zone	<ul style="list-style-type: none"> o Combination of safety zone and blue band (see above) must be $\geq 4\text{m}$ for tracks $\geq 250\text{m}$, and $\geq 2.5\text{m}$ for tracks $\leq 250\text{m}$
Safety fence	<ul style="list-style-type: none"> o Not required on inside- no height difference between safety zone and track centre o External edge of the track must be surrounded by a fence at least 90cm in height.
Profile	<ul style="list-style-type: none"> o A cross section must present a straight line at all points o From any point on the track 3m must be guaranteed obstacle free.

2.4 Historical Investigation

SPORTENG conducted a high-level assessment of the site history, investigating historical aerial photos to determine potential impact from development adjacent to the velodrome.

3. Assessment

3.1 Visual Inspection

Based on the visual inspection the following observations were made:

1. The acrylic surface pavement is significantly worn in areas.
2. The velodrome pavement appears to consist of a flexible pavement: asphalt wearing course overlying crushed rock base.
3. Interior edge of the track does not drain sufficiently, causing localised ponding of stormwater to affect subgrade moisture level, cracking and staining of track along interior edge.
4. Grated drainage pits are overgrown and blocked in some cases.
5. External fence has settled significantly in areas, along the southern bank in particular
6. There are significant areas of cracking appearing across the track pavement, especially at the outer edge of the track and the inside edge of the track. Refer to Figure 2 for extent of cracking.
7. The cracking in the pavement is most likely due to the changing moisture conditions of underlying subgrade due to:
 - Surrounding vegetation (past and/or present) roots drawing water from the track subgrade
 - Prolonged ponding of stormwater at the inside edge of the velodrome
 - Excavation around track for building works
 - Settlement/erosion of adjacent embankments
 - General wear and tear near the vehicle entrance gate
 - Settlement of subgrade has caused settlement of exterior fence and outer edge of track.

Refer to Appendix A for photos and notes from the inspection.

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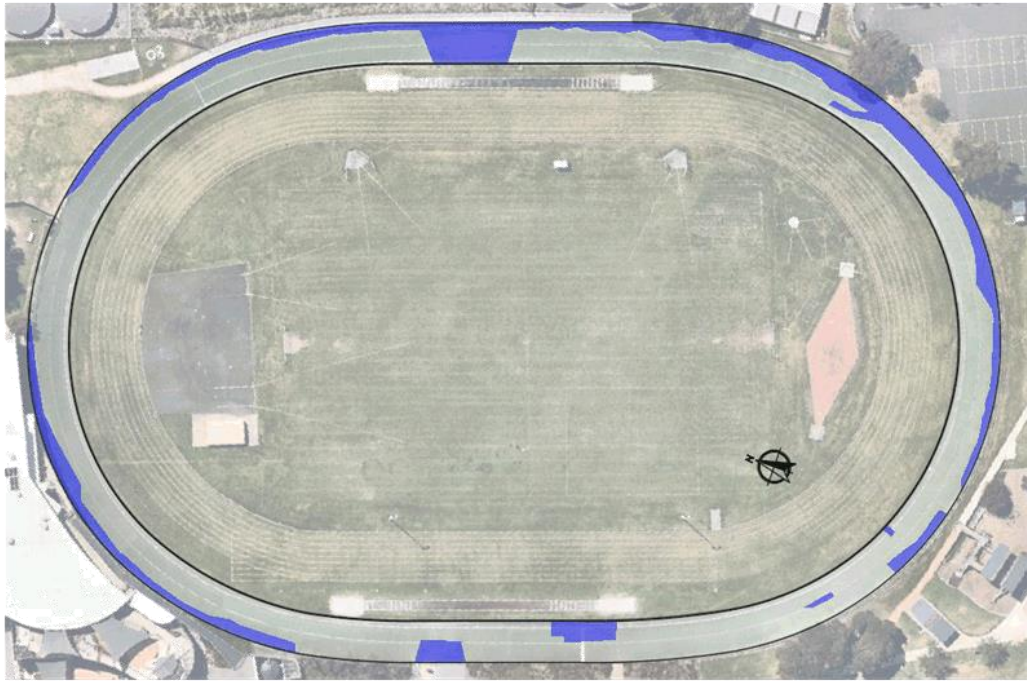


Figure 2: Blue areas indicate areas of significant cracking and/or previous repairs or patching

3.2 Compliance Assessment

The following table indicates the inspected track's compliance with UCI requirements.

Table 2 - Compliance assessment overview

Parameter	Compliant?
Track geometry	Yes
Superelevation development	Yes, transition is gradual
Banking	Dependent on level of use. Gradient appears to meet industry standards (refer to Figure 3)
Length	Yes (494.247m*)
Width	Yes (8.63m*)
Blue band	Paint is faded significantly. Material homogenous across track where not worn down
Safety zone	No safety zone obvious
Safety fence	Yes
Profile	No, significant cracking in areas of the track cause undulations along the track both perpendicular and parallel to the track direction.

* All dimensions are approximate as they were measured using a satellite image. Dimensions should be verified by a licensed surveyor using accurate a calibrated equipment.

Edithvale Velodrome Assessment Report

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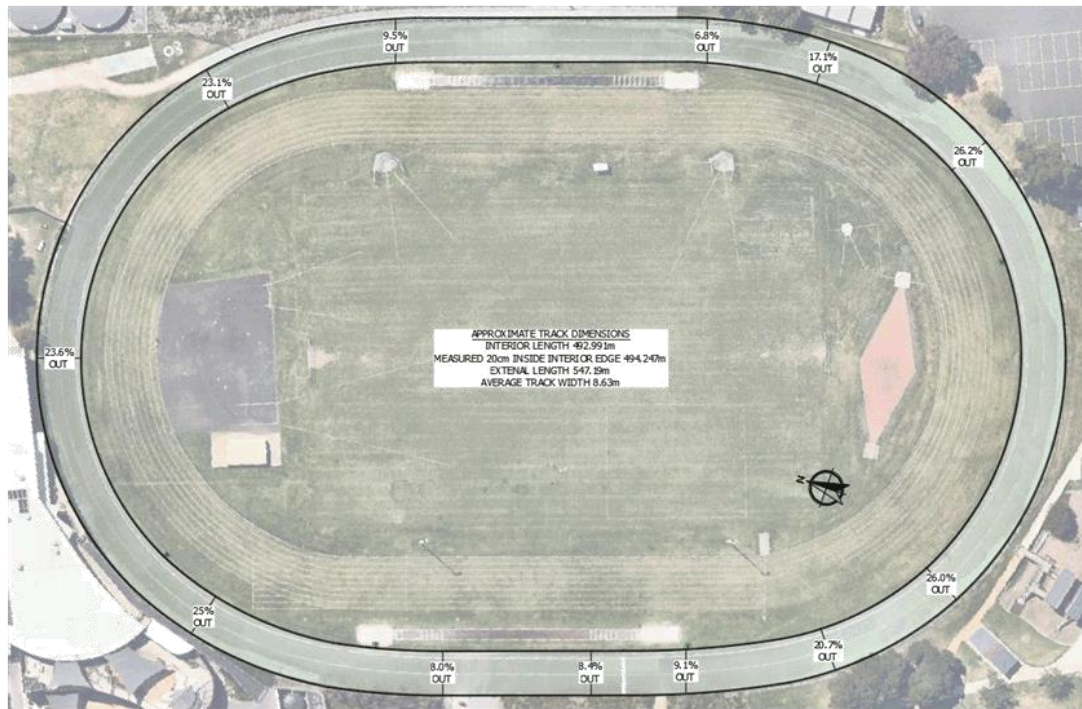


Figure 3 - Track gradients and approximate dimensions with slope testing locations

3.3 Historical investigation

- Based on the investigation of the historical aerial photos:
- There is a significant difference in the level of vegetation surrounding the site in 2012 and 2018.
- The changes that have occurred in recent years that have likely impacted the condition of the pavement subgrade include:
 - Changing vegetation (growth, removal of trees)
 - Erosion of adjacent embankments
 - Construction works at 3 separate locations around the track.



Figure 4: 2012 Nearmap capture of the site



Figure 5: 2018 Nearmap capture of the site

4. Recommendations

4.1 General

Based on the condition of the velodrome track, the pavement is showing significant signs of high wear and deterioration and in some areas appears to not be fit for purpose. The assessment also identified several areas where the track is non-compliant.

Without conducting a geotechnical assessment, it cannot be definitively confirmed, however, the pavement cracking is likely due to the subgrade moisture differential between construction and present and erosion of adjacent embankments.

Based on the above it is recommended that the velodrome be reconstructed.

Council have indicated that they would like to consider short-term remediation works as a decision on the long-term future of the facility is unknown. The short-term remediation works will aim to address the lack of drainage across the site and create a uniform track surface.

The following sections provide an overview of the scope of works and development cost estimates for both long-term and short-term remediation works.

4.2 Scope of works

4.2.1 Long-Term Remediation

The following works are recommended for the long-term reconstruction works:

1. Complete geotechnical assessment
2. Remove and dispose off-site existing full depth pavement (assumed 250mm)
3. Break out and dispose off-site existing track drainage infrastructure
4. Excavate to subgrade levels
5. Subgrade remediation works (capping layer if required)
6. Install stormwater drainage network
7. Install perimeter concrete edge strips around track perimeter
8. Install variable depth concrete spoon drain
9. Install root barriers around track perimeter where trees may affect subgrade moisture levels around track
10. Install crushed rock pavement base
11. Pave asphalt wearing course
12. Apply acrylic surface (including line marking)
13. Obtain homologated status from UCI.

4.2.2 Short-Term Remediation

The following works are recommended for the short-term reconstruction works (note: The short-term remediation works will not address the underlying subgrade issues which are likely the cause of the pavement failure, however, will fix the drainage issues and patch affected pavement areas):

1. Mill asphalt surface (minimum 30mm) and dispose off-site
2. Repair underlying pavement as required
3. Break out and dispose off-site existing track drainage infrastructure
4. Install stormwater drainage network
5. Install variable depth concrete spoon drain to infield
6. Install root barriers around track perimeter (where possible) where trees may affect subgrade moisture levels around track
7. Pave asphalt wearing course
8. Apply acrylic surface (including line marking)

4.3 Cost Estimate for track remediation works

4.3.1 Long-Term Remediation

The following provides high level cost estimate for the long-term remedial works. Refer to Appendix B for details.

Description of works	Cost
Construction preliminaries	\$97,000
Demolition and excavations	\$277,772
In ground services	\$35,000
Pavement and associated elements	\$918,674
Miscellaneous	\$76,282
Sub Total	\$1,404,728
Contingencies	\$280,946
Consultancy advice	\$98,331
TOTAL COST	\$1,784,004

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4.3.2 Short-Term Remediation

The following provides high level cost estimate for the short-term remedial works. Refer to Appendix B for details.

Description of works	Cost
Construction preliminaries	\$44,500
Demolition and excavations	\$56,817
In ground services	\$35,000
Pavement and associated elements	\$556,011
Miscellaneous	\$21,500
Sub Total	\$713,828
Contingencies	\$142,766
Consultancy advice	\$49,968
TOTAL COST	\$906,561

Marrara Tennis Centre Assessment

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Appendix A - Site Photos and Notes

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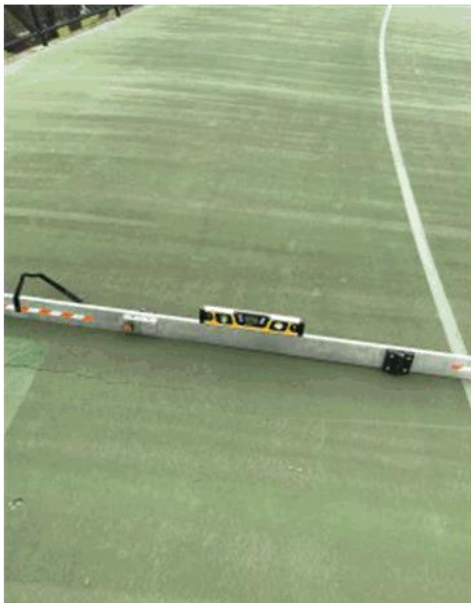




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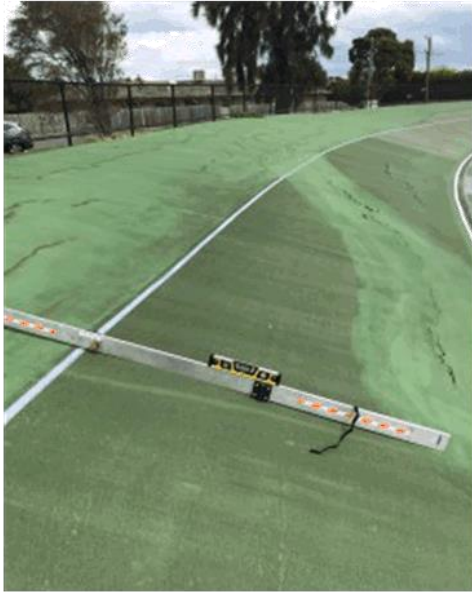
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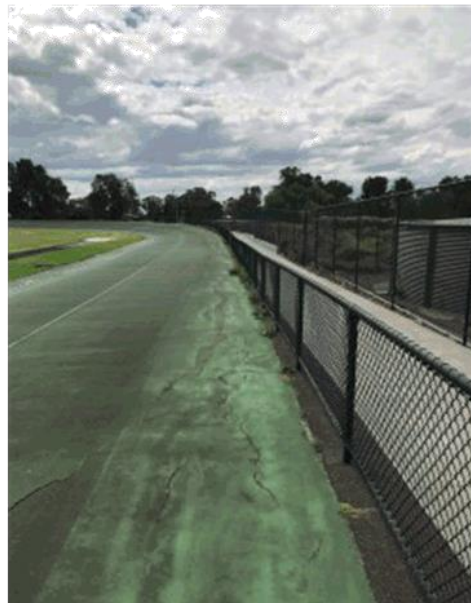
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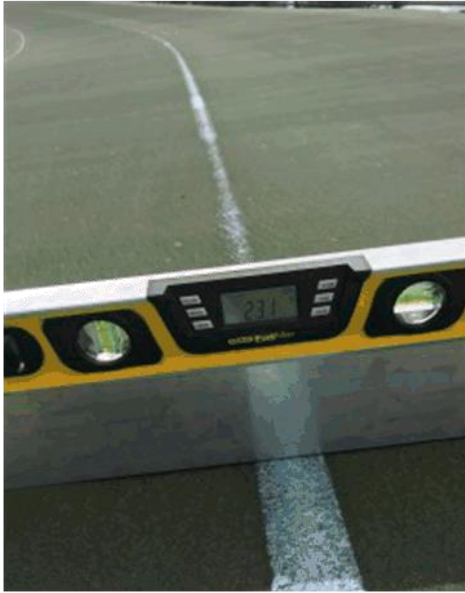


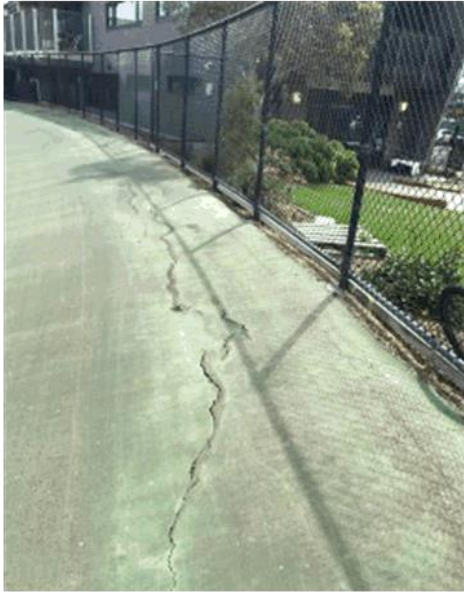






















Marrara Tennis Centre Assessment

8/02/2019

Appendix B - Cost Estimate

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Edithvale Velodrome**Rectification Works****SPORTENG™**

Cost Estimate

Reconstruction

8/02/2019

Item	Description	Amount (\$)
1.0	CONSTRUCTION PRELIMINARIES	\$ 97,000
2.0	DEMOLITION AND EXCAVATION	\$ 277,772
3.0	IN GROUND SERVICES	\$ 35,000
4.0	PAVEMENT AND ASSOCIATED ELEMENTS	\$ 918,674
5.0	MISCELLANEOUS	\$ 76,282
	Total	\$ 1,404,728
	Contingencies (20%)	\$ 280,946
	Consultancy Advice (7%)	\$ 98,331
	Total Cost including contingencies + consultancy advice	\$ 1,784,005

QUALIFICATIONS AND ASSUMPTIONS

1. These cost estimates are based on:
 - Standard civil rates supplied by *Rawlinsons Australian Construction Handbook*, 36th Ed. 2018
 - Cost estimates from proprietary product suppliers (e.g. synthetic surface, etc.)
 - Previous related projects
2. The development cost estimates are based on quantities derived from the above and generally accepted industry rates for civil engineering works and in some cases proprietary pricing information for specific item
3. All costs exclude GST
4. The cost estimate excludes:
 - Escalation to completion
 - Interest costs
 - Holding fees
 - Legal fees
 - Soil contamination
 - Flora/fauna or heritage conservation
5. Rates will be subject to variation depending on a range of factors including timing, competition in the local market place, labour and material costs.
6. No stormwater retention or treatment is required.
7. All existing site soils are not contaminated
9. Cost for track surface are the 'sandwich system'
10. Surface areas are approximate and based on a standard athletics track

Item	Description	Unit	Quantity	Rate	Amount (\$)
1.0	<u>CONSTRUCTION PRELIMINARIES</u>				
1.1	Site Establishment including construction of site access	Item	1	10,000.00 \$	10,000
1.2	Provision for Traffic	Item	1	5,000.00 \$	5,000
1.3	Survey, set out and monitoring of the works by a licensed surveyor	Item	1	7,500.00 \$	7,500
1.4	Provision of Quality Plan, OH&S Plan and Environmental Management Plan	Item	1	10,000.00 \$	10,000
1.5	Provision of "Work-as-Executed" drawings	Item	1	12,500.00 \$	12,500
1.6	Project Sign	Item	1	2,000.00 \$	2,000
1.7	Other preliminaries including supervision, insurances, dis-establishment, etc	Item	1	50,000.00 \$	50,000
				Subtotal \$	97,000.00
Item	Description	Unit	Quantity	Rate	Amount (\$)
2.0	<u>DEMOLITION AND EXCAVATION</u>				
2.1	Demolition				
2.1.2	Mill back and dispose off-site existing asphalt layer	m ²	6,313	9.00 \$	56,817
2.1.3	Remove and dispose crushed rock base layer (average 200mm)	m ²	6,313	35.00 \$	220,955
2.2	Excavation				
2.2.1	Excavate organic material, topsoil and sandy silt (generally 150mm below surface level) and dispose off site	m ³	316	35.00 \$	11,069
2.2.2	Cut to subgrade levels and dispose off excess material off-site (assume additional 100mm)	m ³	211	25.00 \$	5,271
2.2.4	Prepare subgrade (final trim) +/-20mm	m ²	8,421	2.70 \$	22,738
				Subtotal \$	277,772
Item	Description	Unit	Quantity	Rate	Amount (\$)
3.0	<u>IN GROUND SERVICES</u>				
3.1	Stormwater Drainage				
3.1.1	Track stormwater drainage network Pit and pipe network, including trenching, excavation and backfill Connect to existing drainage network	Item	1	35,000.00 \$	35,000
				Subtotal \$	35,000

Item	Description	Unit	Quantity	Rate	Amount
4.0	PAVEMENT AND ASSOCIATED ELEMENTS				
4.1	Velodrome Track				
4.1.1	250mm thick class 2 crushed rock base	m ²	8,421	45.00 \$	378,960
4.1.2	Prime	m ²	8,421	5.00 \$	42,107
4.1.3	30mm asphalt 7mm dense graded	m ²	8,421	35.00 \$	294,747
4.1.4	Acrylic surface system	m ²	8,421	20.00 \$	168,427
4.2	Concrete Works				
4.2.1	200mm wide concrete edge strip	m	110	84.00 \$	9,203
4.2.2	600mm wide variable depth concrete spoon drain	m	280	90.00 \$	25,230
4.3	Rootzone barrier	m	233	55.00 \$	12,834
				Subtotal \$	918,674
Item	Description	Unit	Quantity	Rate	Amount
5.0	MISCELLANEOUS				
5.1	Linemarking				
5.1.1	Linemarking in accordance with UCI requirements	Item	1	10,000.00 \$	10,000
5.1.2	Linemarking plan	Item	1	1,500.00 \$	1,500
5.2	Fencing				
5.2.1	1.1m high black powder coated cyclone mesh fence	m	548	100.00 \$	54,782
5.3	Landscape				
5.3.1	Remediation to infield and levels adjacent to track	Item	1	10,000.00	10,000
				Subtotal \$	76,282

Edithvale Velodrome
Rectification Works - Short Term

SPORTENG™

Cost Estimate

Reconstruction

8/02/2019

Item	Description	Amount (\$)
1.0	CONSTRUCTION PRELIMINARIES	\$ 44,500
2.0	DEMOLITION AND EXCAVATION	\$ 56,817
3.0	IN GROUND SERVICES	\$ 35,000
4.0	PAVEMENT AND ASSOCIATED ELEMENTS	\$ 556,011
5.0	MISCELLANEOUS	\$ 21,500
	Total	\$ 713,828
	Contingencies (20%)	\$ 142,766
	Consultancy Advice (7%)	\$ 49,968
	Total Cost including contingencies + consultancy advice	\$ 906,561

QUALIFICATIONS AND ASSUMPTIONS

1. These cost estimates are based on:
 - Standard civil rates supplied by *Rawlinsons Australian Construction Handbook*, 36th Ed. 2018
 - Cost estimates from proprietary product suppliers (e.g. synthetic surface, etc.)
 - Previous related projects
2. The development cost estimates are based on quantities derived from the above and generally accepted industry rates for civil engineering works and in some cases proprietary pricing information for specific item
3. All costs exclude GST
4. The cost estimate excludes:
 - Escalation to completion
 - Interest costs
 - Holding fees
 - Legal fees
 - Soil contamination
 - Flora/fauna or heritage conservation
5. Rates will be subject to variation depending on a range of factors including timing, competition in the local market place, labour and material costs.
6. No stormwater retention or treatment is required.
7. All existing site soils are not contaminated
9. Cost for track surface are the 'sandwich system'
10. Surface areas are approximate and based on a standard athletics track

Item	Description	Unit	Quantity	Rate	Amount (\$)
1.0	<u>CONSTRUCTION PRELIMINARIES</u>				
1.1	Site Establishment including construction of site access	Item	1	5,000.00 \$	5,000
1.2	Provision for Traffic	Item	1	2,500.00 \$	2,500
1.3	Survey, set out and monitoring of the works by a licensed surveyor	Item	1	5,000.00 \$	5,000
1.4	Provision of Quality Plan, OH&S Plan and Environmental Management Plan	Item	1	5,000.00 \$	5,000
1.5	Provision of "Work-as-Executed" drawings	Item	1	5,000.00 \$	5,000
1.6	Project Sign	Item	1	2,000.00 \$	2,000
1.7	Other preliminaries including supervision, insurances, dis-establishment, etc	Item	1	20,000.00 \$	20,000
				Subtotal \$	44,500.00
Item	Description	Unit	Quantity	Rate	Amount (\$)
2.0	<u>DEMOLITION AND EXCAVATION</u>				
2.1	Demolition				
2.1.2	Mill back and dispose off-site existing asphalt layer	m ²	6,313	9.00 \$	56,817
				Subtotal \$	56,817
Item	Description	Unit	Quantity	Rate	Amount (\$)
3.0	<u>IN GROUND SERVICES</u>				
3.1	<u>Stormwater Drainage</u>				
3.1.1	Track stormwater drainage network Pit and pipe network, including trenching, excavation and backfill Connect to existing drainage network	Item	1	35,000.00 \$	35,000
				Subtotal \$	35,000

Item	Description	Unit	Quantity	Rate	Amount
4.0	PAVEMENT AND ASSOCIATED ELEMENTS				
4.1	Velodrome Track				
4.1.1	Base repair works (PS)	Item	1	20,000.00 \$	20,000
4.1.2	Prime	m ²	8,421	5.00 \$	42,107
4.1.3	30mm asphalt 7mm dense graded	m ²	8,421	35.00 \$	294,747
4.1.4	Acrylic surface system	m ²	8,421	20.00 \$	168,427
4.2	Concrete Works				
4.2.1	600mm wide variable depth concrete spoon drain	m	280	90.00 \$	25,230
4.3	Rootzone barrier	m	100	55.00 \$	5,500
				Subtotal \$	556,011
Item	Description	Unit	Quantity	Rate	Amount
5.0	MISCELLANEOUS				
5.1	Linemarking				
5.1.1	Linemarking in accordance with UCI requirements	Item	1	10,000.00 \$	10,000
5.1.2	Linemarking plan	Item	1	1,500.00 \$	1,500
5.2	Landscape				
5.2.1	Remediation to infield and levels adjacent to track	Item	1	10,000.00	10,000
				Subtotal \$	21,500



What is sport cycling?

The sport of cycling in Victoria is governed by three organisations, BMX Victoria (BMXV), Cycling Victoria (CV) and Mountain Bike Australia (MTBA).

Sport cycling generally comprises the following five disciplines:

- **Road cycling**; conducted on-road and/or a dedicated off-road criterium track (0.8-3km length)
- **Track cycling**; use indoor or outdoor velodromes (250m-500m length) for the conduct of time trials and pursuit style racing
- **BMX** (Bicycle Moto Cross); freestyle (use of skate parks, half pipes and jumps for performing tricks) and track racing (300m-400m length)
- **Mountain bike**; typically downhill and cross-country time trial events
- **Cyclo-cross**; combines a number of elements from cross country mountain biking and criterium racing. Races are conducted over a number of laps of a circuit. The circuit combines a number of different elements such as short steep ascents, obstacles where the cyclist carries the bicycle, bitumen track, grass track and mud.

Who is participating?

There is one cycling club in Kingston, the Chelsea and Peninsula Cycling Club (CPCC) – who has been in existence for over 50 years. Based at the Edithvale Velodrome, they have a reported membership of 12 members.

The CPCC is closely aligned with the Southern Masters Cycling Club (SMCC) which is one of Melbourne's largest road racing clubs with 425 members (all over the age of 35), and whilst not based at the Edithvale Velodrome (Casey Fields is considered its 'home'), it does undertake training at the Edithvale Velodrome on Tuesday evenings and Saturday afternoons. CPCC and SMCC will commonly share volunteers and undertake club training together.

Both clubs are involved in a regional combine racing system. Almost every week or weekend of the year there is a club race combine held by one of the clubs involved (St Kilda, Carnegie Caulfield and Blackburn). They can be track, criterium, road or time trial races.

Cycling Victoria also note that there are 132 registered active members in Kingston, of which 47 are members of Carnegie Caulfield CC, 27 of St Kilda CC and 24 of Southern Masters CC – the remainder are members of other clubs throughout Victoria. The 3195 (Aspendale, Aspendale Gardens, Braeside, Mordialloc, Parkdale, Waterways) and 3192 (Cheltenham) postcodes have the highest member numbers in Kingston (30 and 28 respectively).

However, club-based cycling is only a small component of the overall organised participation in the sport. Cycling Victoria's State Facilities Strategy notes the following:

- One in every seven Victorians rides a bicycle, this equates to 840,000 Victorians.
- Bicycle sales outstrip car sales by 1.4:1.
- Cycling has consistently been one of the top four activities in Victoria since 2008

This highlights the potential of a large number of 'recreational cyclists' who are not necessarily members of a club, but will utilise publicly accessible facilities for training purposes.

How is it provided for?

The Edithvale Velodrome is the only existing cycling specific facility in Kingston. Outdoor velodromes like the one at Edithvale are typically: Located in recreation areas or adjacent to other sporting facilities; Owned and operated by local governments; A valuable skills and training resource for local communities and cycling clubs; and used as an introductory base and a talent feeder into high performance programs based at indoor velodromes.

There are no industry recognised benchmarks for the provision of velodrome facilities, however, based on the findings of current participation and sport trends, Council's Sport and Recreation Strategy recommends that the velodrome be retained and will be capable of absorbing any increased demand due to population growth.

Any increase in demand is expected to come largely from cyclists using the facility for road cycling training and fitness benefits, rather than any significant spike in demand for track racing. Recreational cyclists and cyclists riding for fitness identify the velodrome as a safer option for use rather than the roads.

Criterion racing has taken some of the market away from track racing and in line with this change in user preference, Cycling Victoria does not see the provision of velodromes as a strategic priority for development.

Where are nearby facilities?

A summary of existing facilities in south-east metropolitan Melbourne can be found below:

Facility	LGA	Suburb	Type	CV status	Distance (km)*
Frankston BMX Club	Frankston	Seaford	BMX (dirt)	Municipal	7.8
Parkfield Reserve	Dandenong	Noble Park	Velodrome (outdoor)	n/a	14.5
Sandown Race Course	Dandenong	Springvale	Criterion (off road)	Regional	15.3
Stan Riley Reserve	Monash	Oakleigh	BMX (dirt)	Local	16.5
Hemmings Park	Dandenong	Dandenong	BMX (dirt)	State	17.4
Lloyd Park	Frankston	Langwarrin	BMX (dirt)	n/a	17.7
Packer Park	Glen Eira	Carnegie	Velodrome (outdoor)	Regional	20
Casey Fields	Casey	Cranbourne	Criterion (off road)	Regional	24
Casey Fields	Casey	Cranbourne	BMX (dirt)	State	24
Box Hill Skate and BMX Park	Whitehorse	Box Hill	BMX (dirt)	n/a	27.3
Hill 'n' Dale	Boroondara	Glen Iris	BMX (dirt)	n/a	27.4
HA Smith	Boroondara	Hawthorn	Velodrome (outdoor)	Municipal	28.6
Junction Skate and BMX Park	Boroondara	Hawthorn East	BMX (concrete)	n/a	28.7
Knox Park	Knox	Knoxfield	BMX (dirt)	Municipal	29.9
East Burwood Reserve	Whitehorse	East Burwood	Velodrome (outdoor)	Municipal	34.2
Heatherdale Reserve	Whitehorse	Mitcham	BMX (dirt)	n/a	36
Metec Driving Centre	Knox	Kilsyth	Criterion (off road)	Regional	42.2
Hisense Arena	Melbourne	Melbourne	Velodrome (indoor)	State	48.3
Teardrop Circuit	Yarra	Kew	Criterion (on road)	n/a	51.2
JJ Holland Park	Melbourne	South Kensington	BMX (dirt)	n/a	58.1

*calculated based on shortest route from Edithvale Velodrome

The City of Casey have an additional eight (8) BMX (dirt) facilities not noted in the list above.

The City of Greater Dandenong recently voted in favour of a Parkfield Reserve Master Plan that decommissions the existing outdoor velodrome in favour of expanding soccer and cricket operations (larger field etc.). Council have suggested they will review demand for cycling needs (criterion/BMX/velodrome) at a different site.

Why consider facility development?

There are only two regional level off road criterium circuits and no state level off road criterium circuit in Melbourne. With the impending loss of the on road criterium circuit used by St Kilda Cycling Club (the biggest cycling club in Australia) due to development in Fishermans Bend and an unknown future of Sandown racecourse for cycling activities, Cycling Victoria believe a new and more accessible off-road facility to service the inner and middle southeast area of Melbourne is required.

Cycling Victoria's State Facilities Strategy (2016-2026) has identified that the City of Kingston has the largest number of cycling club members in Victoria and the municipality is a preferred location for a new regional criterium circuit to service the large and increasing number of on-road cyclists.

Cycling Victoria also state that cycling participants within the metropolitan Melbourne area will travel on average up to 15km to a BMX facility, 15kms to a velodrome and 20km to an off road criterium circuit.

Although the average distance currently travelled by users is a direct by-product of current facility provision, utilising these figures it could be argued that:

- BMX is relatively well catered for with facilities in Seaford, Oakleigh, Dandenong and Langwarrin;
- an adequate number of velodromes are currently provided for with existing facilities in Kingston and Dandenong (although the Dandenong facility will be decommissioned in the near future); and
- an additional criterium facility is required as Sandown Racecourse is not publically accessible and the Casey Fields facility is around 24 km away.



Risk Assessment

Assessment Title	Edithvale Velodrome Resurfacing
Date of Risk Assessment	Tuesday, 11 June 2019
Risk Assessment HPE CM Reference	
Risk Assessment Owner	Bridget Draper – Manager Active Kingston
Assessment Conducted by	Daniel Ferguson – Project Consultant, Skip Fulton – Risk and Safety Management Officer

Ref	Risk	Risk Owner (Department)	Establish the Context			Effectiveness of Controls			Assessment		Risk Treatment	Analysis
			Council Plan Objective	Risk Category	Inherent Risk Rating	Cause	Current Control(s)	Effectiveness of Controls	Residual Risk Rating	Treat / Accept	Agree Actions	Future Risk Rating
1	Cycling incident at Edithvale Velodrome resulting in personal injury	Active Kingston	2.5, 3.4, 4.5, 5.3, 5.4	Health & Safety Public Image Financial	2D Low 3D Medium 1D Low	<ul style="list-style-type: none"> Human Error (cyclist) Equipment Failure (bike) Collision with public person / animal Collision with sports club person / equipment Track condition 	<ul style="list-style-type: none"> Fenced environment with gates Signage as dog on-leash area Established and knowledge sports club staff/volunteers Scheduling by Council to separate cycling club activities from other sports club activities Sports club first aiders / first aid equipment Dedicated Council Sport and Recreation Response Officer to manage feedback Fence on outside of track limiting run-off. 	Marginal	2D Low 2D Low 1D Low	Treat	<ul style="list-style-type: none"> Report to Councillors on options for the repair/renewal of the Velodrome (Bridget Draper & Daniel Freer, by end of July 2019) Development of options for an Edithvale Velodrome track inspection schedule (Bridget Draper, by end of July 2019) Review current safety signage in place at Edithvale Velodrome (Bridget Draper, by end of July 2019) 	2D Low 2D Low 1D Low

Ordinary Meeting of Council

26 August 2019

Agenda Item No: 10.2

RESPONSE TO NOTICE OF MOTION NO. 29/2019 - WASTE AND DEBRIS - MORDIALLOC CREEK

Contact Officer: Rachelle Quattrocchi, Manager Infrastructure

Purpose of Report

This report responds to 'Notice of Motion No. 29/2019 – Waste and Debris Mordialloc Creek' and provides an overview of existing strategies and improvement opportunities.

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 write to Tim Richardson MP to seek written clarification on Victorian State Government's roles and responsibilities specifically related to the management and reduction of pollutants within State controlled creeks and waterways.
2. That Council Officers:
 - (i) Liaise with government departments to advocate for the implementation of measures that will reduce the volume of pollutants, such as litter and silt, flowing into Mordialloc Creek, as outlined under option 1;
 - (ii) Write to Melbourne Water to seek their commitment and time frame to construct a wetland along Mordialloc Creek on the east side of Boundary Road as outlined under option 2;
 - (iii) Investigate the benefits of establishing a central system where the community could report pollution along Mordialloc Creek so that this information could be collected, collated and sent to the responsible authority to take appropriate action as outlined under option 3; and
 - (iv) Undertake a review of a range of improvements to capture and reduce the volume of pollutants, as part of the next version of the Kingston Integrated Water Cycle Strategy, as outlined under option 4.

1. Executive Summary

This report has been prepared in response of Notice of Motion No. 29/2019 as noted in the minutes of the 27 May Ordinary Council Meeting as follows:

That a meeting be organised for interested Councillors, Melbourne Water, Council officers and members of Mordialloc creek community to discuss concerns over how Kingston is contributing to the waste and debris being collected through our drainage systems and washed out into Mordialloc Creek and Port Phillip Bay. The meeting should take place within 3 weeks from today.

That officers prepare a report to be included in the July cycle on the debris and rubbish collected through Kingston's drainage and how we can stop it from reaching our waterways and bay.

A meeting was held on Monday 1 July 2019, with interested Councillors, Melbourne Water, Council officers and members of the Mordialloc Creek community to better understand the concerns raised.

The management of Mordialloc Creek occurs within a framework of federal, state, regional and local strategies and policies.

The responsibilities for reducing pollutants and silt from flowing into the creek and Port Phillip Bay are shared between agencies including the Department of Energy, Land Water & Planning (DELWP), Melbourne Water, Environment Protection Authority Victoria (EPA), City of Kingston, Council's within the upper reaches of the catchment, industry and the community.

This report summarises the various government strategies that aim to manage this issue, and discusses a range of improvement opportunities that focus on:

- Advocating to DELWP and Melbourne Water to prioritise capital improvement projects, including the construction of proposed wetlands along Mordialloc Creek on the east side of Boundary Road.
- Seeking more information from State Government on roles and responsibilities.
- Advocating to Melbourne Water, in partnership with Council, to prepare a Silt Management Plan to document silt loads and monitoring protocols for critical sections of the Mordialloc Settlement Creek.
- Investigating the benefits of establishing a central system where the community could report pollution along Mordialloc Creek to achieve an improved level of maintenance.
- As part of the next version of Kingston Integrated Water Cycle Strategy, due to commence in 2019/2020, review the benefits of a range of improvements that Council could implement including: additional litter traps, confirming priority projects, and enhancing education / enforcement programs to improve community and developer practices.

2. Background

At the 27 May Ordinary Council Meeting, Council requested a meeting with Melbourne Water, Councillor Officers and members of the Mordialloc Creek community to discuss concerns with waste and debris within Mordialloc Creek.

A meeting was held on Monday 1 July 2019 interested Councillors, Melbourne Water, Council officers and members of the Mordialloc creek community. This meeting could not be held within the timeframe identified in the Notice of Motion due to agency availability.

The meeting discussion focussed on the following issues:

- Melbourne Water's preventative and reactive maintenance program in emptying litter barriers, floating booms & nets along Mordialloc Creek & Mordialloc Settlement Creek including removal of silt piles.
- Melbourne Water prioritisation to plan, fund and implement the proposed wetlands along Mordialloc Creek on the east side of Boundary Road.
- Preventative maintenance by the City of Kingston to prevent litter & silt flowing into Mordialloc Creek & Mordialloc Settlement Creek, with a focus on education or enforcement.

- Pollution monitoring programs for Mordialloc Creek and the foreshore by Melbourne Water and the City of Kingston.
- Investigate what is happening on the land to identify the primary sources of litter and pollution.

Following the meeting, Melbourne Water have advised that:

- Melbourne Water are aware that some of the litter nets on the Mordialloc Settlement Creek are missing. Replacement nets are currently being fabricated by a sub-contractor and will be installed when they have been completed.
- A desilting program is in place, and the silt traps are scheduled to be emptied this financial year.

2.1 Catchment Overview

Mordialloc Creek is located within the Dandenong catchment with the upper reaches of the waterways extending north through Dandenong, Wheelers Hill and into The Yarra Ranges.

The Dandenong catchment is shown on the map within [appendix 1](#).

Within the City Kingston, the main waterways that contributes towards larger pollutants, such as litter, waste and silt, flowing into Mordialloc Creek is the Mordialloc Settlement Creek. This waterway is managed by Melbourne Water and extends north running parallel to Boundary Road and passes beside market gardens, landfill areas, Namatjira Park and into the City of Monash.

The catchment for this waterway area is shown on the map within [appendix 2](#).

2.2 State & Local Government Strategies / Plans

Management of Port Phillip Bay, and key waterways such as Mordialloc Creek, occurs within a framework of federal, state, regional and local strategies, plans and policies.

The state's Environment Protection Act 1970 and the federal Environment Protection and Biodiversity Conservation Act 1999 provide overarching legislation that defines core conservation and management principles.

State environment protection policies (SEPPs) are subordinate instruments to the Act and are an important component of the regulatory framework in Victoria.

An overview of the supporting strategies and plans are listed below, with further information outlined within [appendix 3](#):

- Port Phillip Bay Environmental Management Plan (DELWP, 2017–2027)
- Port Phillip Bay Environmental Management Plan: Delivery Plan (DELWP, 2017)
- Integrated Water Management Forums – Dandenong Catchment & The Dandenong Strategic Directions Statement (DELWP, 2018)
- Healthy Waterways Strategy (Melbourne Water, 2018)
- Integrated Water Cycle Strategy (City of Kingston, 2011)

A key action from the 'Dandenong Strategic Directions Statement' is to engage a specialist consultant to develop a catchment wide Integrated Water Management Plan. This will enable a water balance for the catchment to be undertaken, as well as modelling the impact of actions to allow for more robust impact analysis of future works.

The Plan is due for completion in 2021, with the City of Kingston having a representative on the tender assessment panel.

2.3 Current & Future Projects & Activities

Current projects, programs and actions that contribute to the monitoring and improvement of water quality within Mordialloc Creek and/or Port Phillip Bay include:

- Melbourne Water is planning to construct wetlands along Mordialloc Creek on the east side of Boundary Road, near the Mordialloc Settlement Creek outlet.
- Council has introduced an in-lieu contribution scheme as an alternative mechanism for developers to satisfy their stormwater quality obligations. The scheme will be used to help fund 31 future prioritised stormwater treatment and reuse systems around the municipality to reduce pollutant loads flowing into waterways and the bay.
- Council is involved with 'Tangaroa Blue - Operation Clean Sweep' that is focused on plastics manufacturers and pellet spillage, with an active program in some of Kingston's industrial areas.
- 'Beach Patrol' is an organised network of volunteers and community beach cleaning groups who actively monitor and collect litter along the foreshore and waterways. They have recently launched an App for monitoring collection results.

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

Council officers are to collate information in support of the response to the Notice of Motion, this will include consultation with Melbourne Water, Department Environment, Land, Water & Planning (DELWP), Parks Victoria, and the Environment Protection Agency.

3.3 Improvement Opportunities

Option 1 – Advocate for State Government led Improvement Projects

- (i) **Prioritised Projects**
DELWP is responsible for coordinating the Integrated Water Management Forum for the Dandenong Catchment. This ongoing process provides Kingston with the opportunity to nominate projects for prioritisation against those nominated by the 11 other Councils and organisations within this catchment.

Limited funding is available in 2019/20 to deliver nominated projects with only \$4.5M available across the state, and priority funding towards 'shovel ready' projects.
- (ii) **Silt Management Plan**
Melbourne Water have led the process to prepare joint 'Kingston Flood Management Plans' (FMP) in 2010 and 2016, with the next version scheduled to commence in 2020.

The current FMP included an action (completed in 2017) to prepare a detailed Silt Management Plan for the 7km length of the Centre Swamp Drain between Aspendale and Bonbeach.

As part of the next Flood Management Plan review, Council officers could request an action to prepare a similar joint Silt Management Plan to document silt loads and monitoring protocols for critical sections of the Mordialloc Settlement Creek.

- (iii) **Naturalising Mordialloc Settlement Creek**
As part of the next Flood Management Plan review, Council officers could request an action to prepare a joint Master plan for the future renewal of the entire length of the Mordialloc Settlement Creek within the City of Kingston.

Melbourne Water have implemented a small number of creek improvement projects as part of their 'Reimagine my Creek Program'. Council officers will continue preliminary discussions on improvement projects that could include some upstream sections of Mordialloc Settlement Creek.

Option 2 – Mordialloc Creek Wetlands

Melbourne Water are planning to construct a wetland along Mordialloc Creek on the east side of Boundary Road, however the timeframe is unclear.

More information could be sought on the proposed implementation program and any financial, technical or resource constraints.

Option 3 – Community Monitoring and Reporting

Members of the community take a keen interest in the health of Mordialloc Creek and sometimes experience difficulties with reporting pollution problems in an effective manner.

This could be improved by establishing a central system, potentially managed by Council, where information could be collected, collated and sent to the responsible authority to take appropriate action.

Option 4 – Council Programs

Council's inaugural Kingston Integrated Water Cycle Strategy, 2012 (IWCS) established objectives, targets and actions to reduce potable water consumption and improve the quality of stormwater flowing into the Bay and waterways.

The next version of the IWCS process is scheduled to commence the investigation and development in 2019/2020 and be completed by the end of 2021.

The scope of this strategy could be expanded to include the following topics:

- (i) Review the cost benefits of Council installing and maintaining various litter & silt collection systems to protect the Bay & Waterways and establish appropriate targets. E.g Gross pollutant trap management program.
- (ii) Review priority projects for advocating to State and Federal governments, identify partnering opportunities, and review grant application arrangements to maximise cost effective funding sources.
- (iii) Review ways to enhance education and enforcement programs to improve community and developer practices, including the management of dumped rubbish on land abutting Mordialloc Creek.

- (iv) Review Council's operational programs and resource constraints to establish objectives and identify cost effective improvement opportunities. E.g Drain and litter trap cleaning, street sweeping and associated litter and silt removal programs.

4. Conclusion

4.1 Environmental Implications

The environmental impacts of sedimentation and litter pollution impacts on flooding, erosion, habitat and water quality of waterways and port Phillip Bay.

4.2 Social Implications

The build-up of sediment and pollution has an adverse effect on land and water environments, impacting on the natural environment, livability, and community recreation.

4.3 Resource Implications


Actioning the 'Improvement Opportunities' documented under section 3.3 would require Council officers to invest some time, however this could be absorbed within existing budgets.


Following reviews, any significant changes to operational practices or works programs would be subject to further approvals.


4.4 Legal / Risk Implications

Nil

Appendices

Appendix 1 - Dandenong Catchment Map - Attachment to NOM 29/2019 Response (Ref 19/186357)  [↓](#)

Appendix 2 - Mordialloc Settlement Creek Catchment Map - Attachment to NOM 29/2019 Response (Ref 19/186374)  [↓](#)

Appendix 3 - Overview of State & Local Government Strategies & Plans - Attachment to NOM 29/2019 Response (Ref 19/187831)  [↓](#)

Author/s: Rachele Quattrocchi, Manager Infrastructure
Reviewed and Approved By: Bridget Draper, Acting General Manager City Assets & Environment

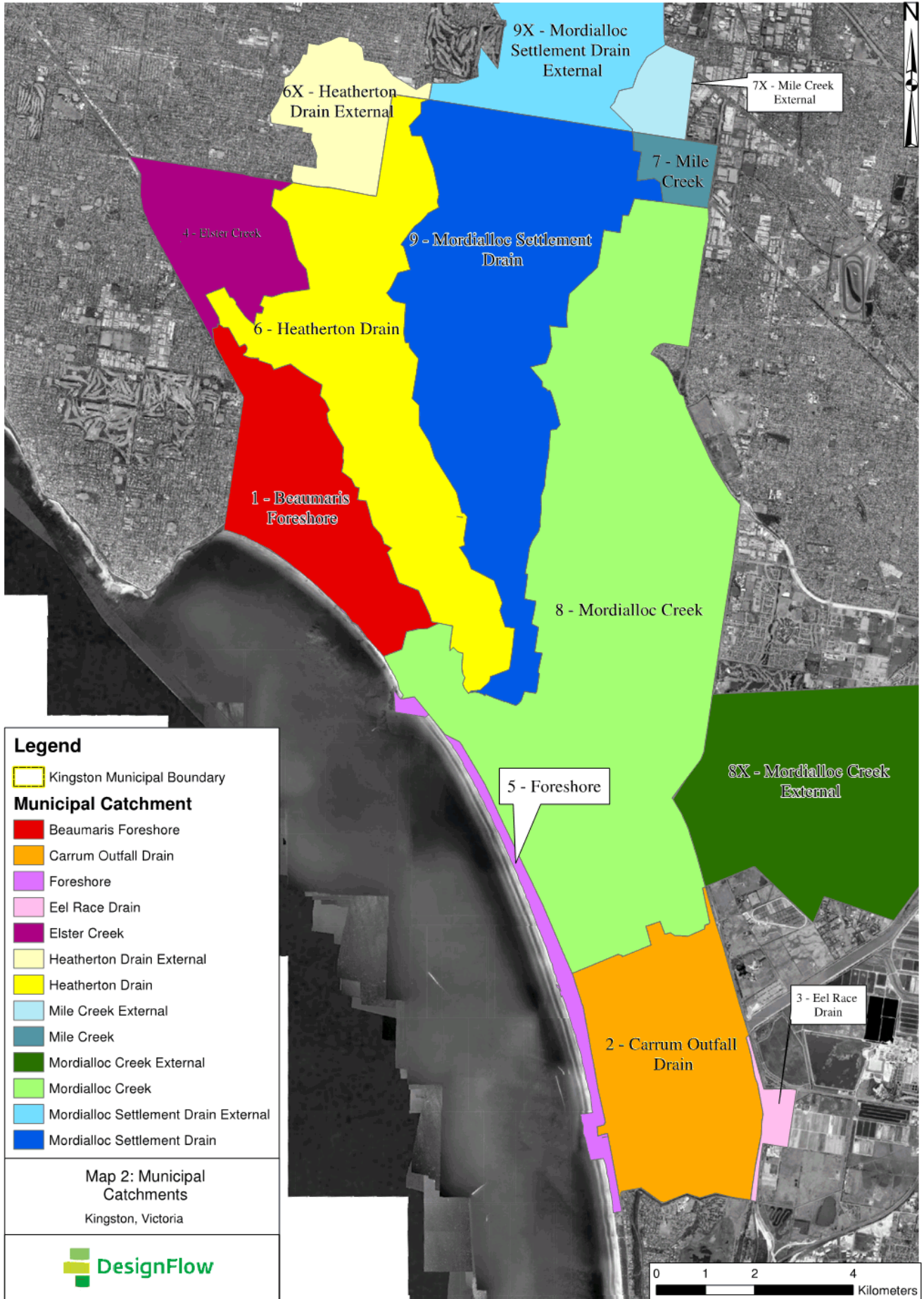
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RESPONSE TO NOTICE OF MOTION NO. 29/2019 - WASTE AND DEBRIS - MORDIALLOC CREEK

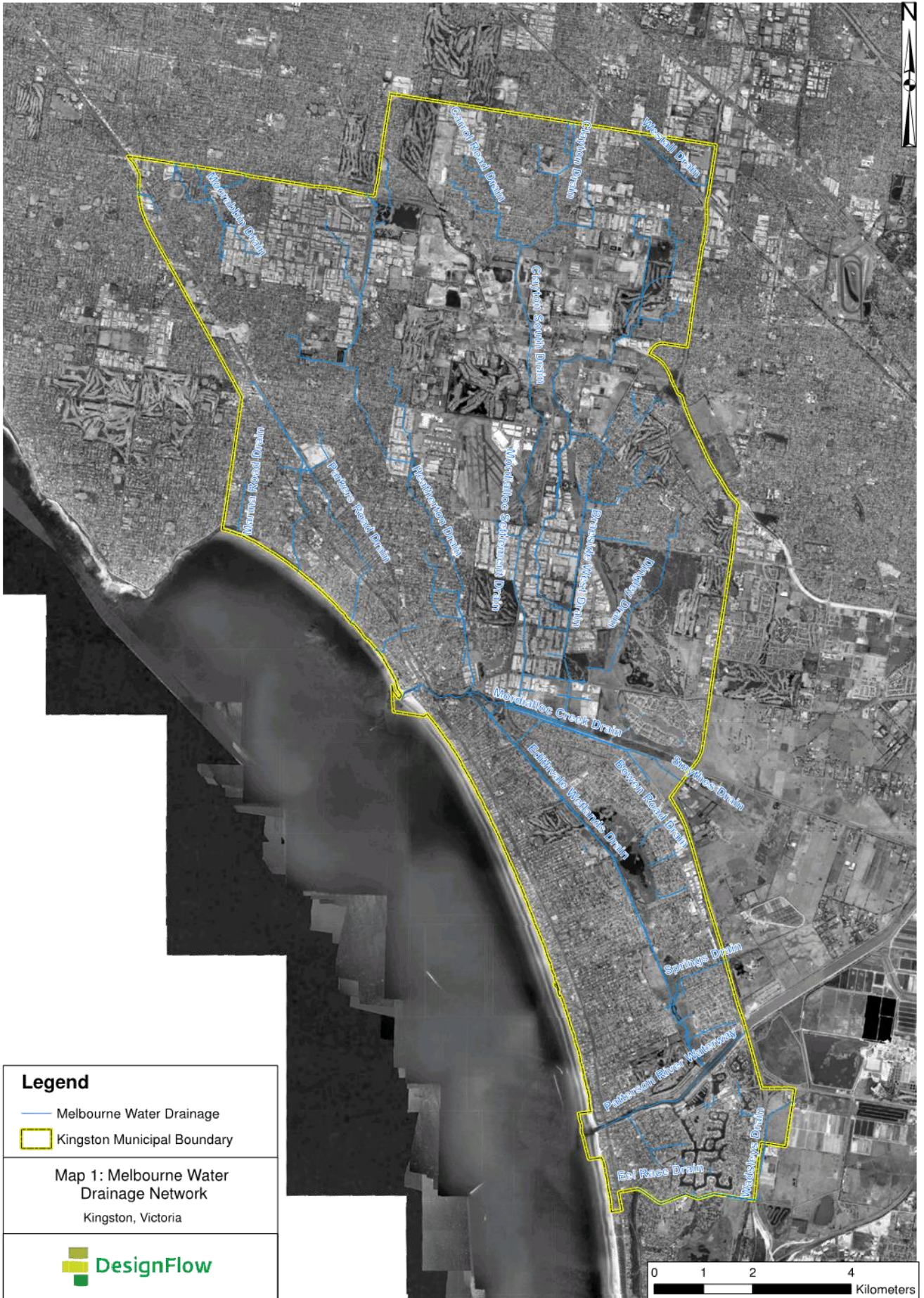
1	Dandenong Catchment Map - Attachment to NOM 29/2019 Response	183
2	Mordialloc Settlement Creek Catchment Map - Attachment to NOM 29/2019 Response	185
3	Overview of State & Local Government Strategies & Plans - Attachment to NOM 29/2019 Response	187



Figure 1 Sub-catchments and waterway assets including a sub-set of wetlands in the Dandenong catchment region.



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RESPONSE TO NOTICE OF MOTION NO. 29/2019 - WASTE AND DEBRIS - MORDIALLOC CREEK**Attachment 3 – Overview of State & Local Government Strategies / Plans**

No.	Title	Description
1	The State Environment Protection Policy (Waters), also referred to as SEPP (Waters) https://www.epa.vic.gov.au/about-us/legislation/water-legislation/water-related-policies	This policy provides a framework for the protection and management of water quality in Victoria, covering surface waters, estuarine and marine waters and groundwaters across the State. Planning applications are required to satisfy the Best Management Practice specified targets for pollutant removal from stormwater runoff.
2	Port Phillip Bay Environmental Management Plan (DELWP, 2017–2027)	This Plan aims to ‘recognise the environmental, social and economic values of Port Phillip Bay, and builds on current programs and investment to protect the Bay’s health’.
3	Port Phillip Bay Environmental Management Plan: Delivery Plan (DELWP, 2017) https://www.marineandcoasts.vic.gov.au/coastal-programs/port-phillip-bay	This supporting document provides detail about the outcomes, timelines, monitoring and reviews scheduled to be completed between 2017/18 and 2021/2022. Relevant actions include: <ul style="list-style-type: none"> • Establish a baseline estimate of the volume of litter entering the Bay and support clean-up activities. • Support capability and capacity building programs that target litter prevention, including reduction of microplastics. • Identify and prioritise litter sources and pathways and take actions to prevent litter entering the Bay. • Effectively maintain existing stormwater infrastructure and programs to mitigate loads to the Bay, or secure via equivalent means. • Ensure all urban and rural land use effectively controls impacts from stormwater and runoff, and that controls are in place to manage increases in loads.

4	<p>Integrated Water Management Forums – Dandenong Catchment & The Dandenong Strategic Directions Statement (DELWP, 2018)</p> <p>https://www.water.vic.gov.au/_data/assets/pdf_file/0017/412442/Dandenong_SDS_web_UPDATED-FEB-2019.pdf</p>	<p>The water industry, supported by the Victorian Government, established forums for the five major Melbourne catchments in partnership with Melbourne Water, VPA, Bunurong Land Council, Local Government and water retailers.</p>
5	<p>Healthy Waterways Strategy (Melbourne Water, 2018)</p> <p>https://www.melbournewater.com.au/about-us/publications-and-policies/healthy-waterways-strategy</p>	<p>This is a 'shared strategy across Melbourne Water, state and local government, water corporations and the community. Collaborative partners have voiced their desire to achieve long-term protection and enhancement of the region's waterways'.</p> <p>The Strategy sets out a vision and goals for the five primary catchment which includes the Dandenong Catchment that feeds into Mordialloc Creek.</p> <p>Melbourne Water have also prepared a more specific plan for the Dandenong Catchment in collaboration with interested community members and organisations.</p>
6	<p>Kingston Integrated Water Cycle Strategy (City of Kingston, 2012)</p> <p>https://www.kingston.vic.gov.au/Property-and-Development/Stormwater/Water-Management</p>	<p>This local Strategy recognises that all elements of the water cycle are linked, and for the first time, considers the issues and opportunities associated with mains water, stormwater, wastewater and groundwater in the one document.</p> <p>The Strategy outlines the issues, the vision and the steps required to achieve the goal of becoming a water sensitive city by 2040. It specifically articulates a vision that "important natural and constructed landscapes such as Port Phillip Bay, Braeside Park, the Edithvale wetlands, Mordialloc Creek and Patterson River will be enhanced for their ecosystems as well as their social value." (page 7).</p>

Ordinary Meeting of Council

26 August 2019

Agenda Item No: 10.3

RESPONSE TO NOTICE OF MOTION NO. 38/2019 - CR GLEDHILL - TRAFFIC AND PARKING - NEPEAN HIGHWAY, PARKDALE

Contact Officer: David Wang, Traffic and Transport Planning Engineer

Purpose of Report

The purpose of this report is to respond to the Notice of Motion No. 38/2019 – Cr. Gledhill regarding traffic and parking concerns along the service of Nepean Highway, Parkdale, and parking concerns at the eastern ends of Sixth Street, Fifth Street and Fourth Street, Parkdale.

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. Upgrade the intersection of Nepean Highway and Fifth Street, Parkdale to improve the intersection operation in the 2020/2021 capital works budget;
2. Consult with the affected residents on a proposed interim speed hump/cushion in the Nepean Highway service road north of Fifth Street;
3. As an interim measure erect 'no stopping' signs along the Nepean Highway service road near Sixth, Fifth and Fourth Street intersections where parking is prohibited due to the width of the road; and
4. Write to residents living at the eastern ends of Sixth, Fifth and Fourth Streets Parkdale to only park on one side of these streets due to the narrow road width.

1. Executive Summary

This report responds to *Notice of Motion No. 38/2019 - Traffic and Parking Cr. Gledhill - Nepean Highway, Parkdale*, which was endorsed at the Council meeting on 22 July 2019. This Notice of Motion requests that officers review the traffic movements and parking capacity along the Nepean Highway service lane between Sixth and Fourth Street, Parkdale, as well as at the ends of those streets.

This report investigates the current traffic and parking conditions at the location specified in the Notice of Motion. The result of the investigation showed that generally both traffic volume and speed along Nepean Highway service road between Sixth and Fourth Street were low, although there are some concerns with the speed of vehicles entering off Nepean Highway at Fifth Street.

It is noted that the entrance to the service road from the main Nepean Highway carriageway at Fifth Street uses an older-style 'median break'. The newer-style entrance breaks the service road and brings the intersecting road to the main road. It is estimated the cost of upgrade would be in the order of \$200,000, with a high risk of additional cost to relocate the existing Variable Message Sign located in the outer separator (the nature strip between the service road and the main carriageway). As an interim treatment a speed hump / cushion can be provided on the north side of service road to reduce vehicle speeds.

Parking in the service road between Sixth and Fourth Street is generally permitted on one side of the road, with exceptions at the locations near the intersections of Sixth, Fifth and Fourth Streets where the service road narrows and parking should be prohibited.

The width of Fourth, Fifth and Sixth Streets are measured at 6.8m and parking should only occur on one side of the road. Parking demand at the eastern ends of these streets are not high, and majority of the parking is resulted from local residents and their visitors, similar to a typical local street in Kingston.

It is recommended Council:

- Upgrade of Nepean Highway and Fifth Street, Parkdale to improve the intersection operation in the 2020/2021 capital work budget;
- Consult with the affected residents with a proposed interim a speed hump/cushion in the Nepean Highway service road north of Fifth Street;
- As in interim measure erect 'no stopping' signs along the Nepean Highway service road near Sixth, Fifth and Fourth Street intersections where parking is prohibited due to the width of the road; and
- Send out letters to explain to the residents living at the eastern ends of Sixth, Fifth and Fourth Streets to only park on one side of the road due to the narrow roads.

2. Background

Council passed a Notice of Motion No. 38/2019 at the Ordinary Meeting on 22 July 2019 that reads:

1. *That officers review the traffic movements and parking capacity along the Nepean Highway service lane between Sixth and Fourth Streets Parkdale. Further that the same aspects should also be reviewed for the eastern ends of Fourth, Fifth and Sixth Streets.*
2. *A report to be made available to Councillors in the August cycle.*

The Notice of Motion is responding to the community concerns of parking and traffic in the Nepean Highway service road between Sixth Street and Third Street, as well as parking at the eastern ends of Sixth, Fifth and Fourth Street.

3. Discussion

3.1 Council Plan Alignment

Goal 4 - Our free-moving safe, prosperous and dynamic city
Direction 4.4 - Integrated accessible transport and free moving city

The concerns of parking in the Nepean Highway service road between Sixth Street and Third Street have an adverse impact to the traffic flow and safety in the service road.

3.2 Consultation/Internal Review

Affected residents will be consulted based on the decision of this report.

3.3 Operation and Strategic Issues

3.3.1 Traffic in the Nepean Highway Service Road between Sixth Street and Fourth Street

It is noted that the entrance to the service road from the main Nepean Highway carriageway at Fifth Street has an old layout that provides little channelling, which results in multiple vehicle conflict points. The layout can also result in non-local traffic using the service road as a cut-through.

The current VicRoads practice prefers an updated layout that breaks the service road and brings the intersecting road to the main carriageway. This reduces the number of conflict points and encourages low volumes of traffic in the service road. It is estimated that the cost of upgrade would be in the order of \$200,000, with a risk of additional cost that can be resulted from relocating the existing Variable Message Sign located in the outer separator (the nature strip between the service road and the main carriageway).

It is recommended that one speed hump/cushion be considered in the service road north of Fifth Street as an interim treatment. This will reduce vehicle speeds entering the service road. Affected residents will be consulted of the proposal to determine the level of community support.

It is recommended that Council consider the full upgrade of Nepean Highway and Fifth Street, Parkdale to the new-style treatment to improve the intersection operation in the 2020/2021 capital works budget.

3.3.2 Parking in Nepean Highway Service Road between Sixth Street and Fourth Street

The majority of the service road between Sixth Street and Third Street is measured at 6.2m wide, and parking can be provided on one side of the road. However, the width of the service road reduces to 4.7m at the locations below:

- Either side of Sixth Street for a length of 36m of the service road;
- Either side of Fifth Street for a length of 51m; and
- Either side of Fourth Street for a length of 69m.

Parking should be prohibited at the above locations in accordance with the Victorian Road Rules.

There is currently no clear signage along the service road to indicate where parking is prohibited. Drivers who are not familiar with the Road Rules or misjudged the width of the road, can park vehicles where parking is prohibited, thus resulting in safety concerns. As such, no stopping signs are warranted along the service road between Sixth Street and Fourth Street to provide a clear indication to drivers where vehicles must not be parked.

3.3.3 Parking at the eastern ends of Sixth, Fifth and Fourth Street

Sixth, Fifth and Fourth Street are measured at 6.8m wide and parking should be permitted on one side of the road to maintain a 3m roadway according to the Victorian Road Rules for emergency and service vehicle access. This is also consistent with Council's Parking Management Policy.

Based on on-site observation, parking demands at the eastern ends of Sixth, Fifth and Fourth Street is low. Parking restrictions such as no-stopping on one side of the road is not warranted, as the majority of the parking demand results from local residents and their visitors. It is recommended that letters be sent to affected residents to explain that parking can only be supported on one side of the road in these sections.

4. Conclusion

4.1 Environmental Implications

There is minimal level of environmental impact with the proposed parking changes in the service road, and the reduction of parking in the service is unlikely to have a noticeable impact to the street amenity. The proposed speed hump if supported by the residents can reduce vehicles entering at speed into the service road, resulting a positive impact to the local amenity. However, the noise generated from vehicles going over the speed hump may have some adverse impact to local residents, which will be considered as part of the consultation process.

4.2 Social Implications

There is minimal social impact with the proposed treatment, and a reduction of parking in the service road may reduce the opportunities of local residents to park their vehicles in the service road, however residents and their visitors may choose to park in the side streets.

4.3 Resource Implications

The cost of the speed hump and traffic signs is approximately \$7,000 and can be covered within the existing Minor Traffic Management Improvements budget.

The cost of upgrading the intersection of Fifth Street and Nepean Highway is estimated at \$200,000 and should be considered based on the priorities and resource constraints in the 2020/2021 financial year capital work budget.

4.4 Legal / Risk Implications

There is no legal risk, as all parking bans are supported by the Victorian Road Rules and Council's Parking Management Policy. Council will consult with the affected residents on the proposed speed hump in accordance with the Local Government Act requirements.

Author/s: David Wang, Traffic and Transport Planning Engineer
Reviewed and Approved By: Ross Gregory, Manager Traffic and Transport
Daniel Freer, General Manager City Assets and Environment

Ordinary Meeting of Council

26 August 2019

Agenda Item No: 10.4

FORMATION OF A SECTION 223 COMMITTEE PROPOSED DISCONTINUANCE AND SALE OF ROAD GOLDEN LANE

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 submission received in relation to the proposed discontinuance and sale of the road adjoining 8 and 10 Golden Avenue and 6/681 Station St Bonbeach.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

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, the General Manager City Assets and Environment and Manager Property and Arts.
3. That the section 223 Committee convene at 5.00 pm on Monday (DATE TO BE ESTABLISHED), to hear submissions and subsequently report to Council.

1. Executive Summary

Council's Property department received a request on 6 February 2019 from resident at 1/8 Golden Ave Bonbeach to purchase a section of road adjoining their property. The affected land is currently open and gate access used by 1/8 Golden Ave Bonbeach. There are no other residents currently using the laneway.

2. Background

On the 12 February 2019 officers wrote to all adjoining owners to gauge their interest in discontinuing the road. Feedback was received from three residents: two supported the discontinuance and sale and one objected to the discontinuance and sale advising that they wished to establish access to the road.



A public notice regarding the proposed road discontinuance was published in the local newspaper and on Council's website on 8 May 2019. Adjoining property owners were also notified by mail.

The statutory period for receipt of submissions closed on 6 June 2019 and three submissions have been received two in support of the proposed discontinuance and sale, and one submission has been received objecting to the proposed discontinuance and sale.

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 has been undertaken in accordance with the requirements of the Local Government Act.

Adjoining owners

All adjoining owners have been notified of the proposal. Two submissions were received in support. One submission received not supporting the discontinuance and sale. These submissions now must be considered in accordance with section 223 of the Local Government Act

Service Providers

Service authorities have been notified of the proposal.

Internal

This land is on Council's Register of Public Roads and is unconstructed.

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 and Schedule 10 of the Local Government Act, Council is required to give public notice if its intention to sell land and discontinue roads. Any person may make a submission which must be considered in accordance with Section 223 of the Local Government Act 1989. Any submissions received must be considered by Council or a Committee of Council.

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 Crs 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 submissions.

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 discontinue all of the road or part of the road and sell the land by Private treaty.

Appendices

Appendix 1 - Interest Advice - Laneway Aquisition - Adjoining 8 Golden Avenue Bonbeach (Ref 19/107858)  

Appendix 2 - Interest Advice - Laneway Aquisition - Adjoining 8 Golden Avenue Bonbeach (Ref 19/93065)  

Appendix 3 - Golden Lane objection (Ref 19/169992)  

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

10.4

FORMATION OF A SECTION 223 COMMITTEE PROPOSED DISCONTINUANCE AND SALE OF ROAD GOLDEN LANE

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19/107858

Julian Harvey
Manager Property and Arts
Kingston City Council
PO Box 1000
Mentone 3194

CITY OF KINGSTON

31 MAY 2019

- PERMANENT
- 1 - 2 YEARS
- 3 - 10 YEARS
- 11 - 35 YEARS

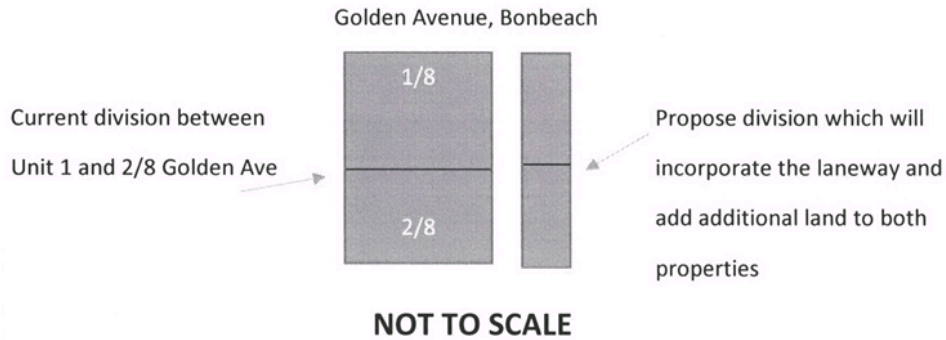
27 May, 2019

Re: Golden Lane, Bonbeach Reference Number: 146/118

Dear Julian,

We are writing to you in reference regarding the discontinuance and sale of the road/laneway abutting 8 and 10 Golden Avenue and 6/381 Station Street, Bonbeach. We are the current owners of Unit 1, 8 Golden Avenue, Bonbeach.

Following on from our discussions with Michelle Hawker, Property Division of the City of Kingston, we would like to confirm our interest in purchasing our portion of the laneway adjacent to our current property line. Our understanding is that the owner of Unit 2, 8 Golden Avenue will be expressing an interest in buying the section of the laneway adjacent to their property. Please refer to the diagram below.



We are currently the only residents abutting the laneway who use the laneway to gain access to our property we wish to maintain this access and therefore are willing to purchase our section of the laneway.

We request to also make an appearance in person to support our submission at a meeting and present evidence of our access and usage to the road abutting Unit 1/8 Golden Avenue.

Regards

Jon and Dianne Parkinson

1/8 Golden Avenue, Bonbeach



Donna Gratwick and Peter Harnishmacher
2/8 Golden Avenue
BONBEACH 3196

10 May 2019

Julian Harvey
Manager Property and Arts
Kingston City Council
PO Box 1000
MENTONE 3194

CITY OF KINGSTON

13 MAY 2019

- PERMANENT
- 1 - 2 YEARS
- 3 - 10 YEARS
- 11 - 35 YEARS

Re: Reference No 146/118 Proposed road discontinuance

Dear Julian

We would like to purchase the southern section of Golden Lane Bonbeach; the part adjoining our property.

We plan to:

- Provide a boundary fence on the northern boundary.
- Replace the broken eastern fence line for our section.
- Return the area to local native vegetation and as a consequence attract native bird life to the area.

We are supportive of our neighbour at 1/8 Golden Avenue purchasing the road side section of Golden Lane up to our boundary.

We believe the developer of 381 Station street units and subsequent purchaser of 6/381 have already benefitted from the purchase of part of Golden Lane and in effect have stopped access for others. Access to their property and garage is from Station street. Having access to the rest of the Golden lane and use it as a pedestrian access is an extreme waste of an area which has long term positive impacts for bird life once the native garden is established.

We can attend in support of our submission if you require additional information, otherwise please accept our application as is.

Thank you

Donna Gratwick [redacted] and Peter Harnishmacher [redacted]



Michelle Hawker

From: Wilson, Chris WO - RAN 1 [REDACTED]
Sent: Thursday, 18 July 2019 8:56 AM
To: Michelle Hawker
Cc: 'Chris Wilson'; 'Alison Wilson'
Subject: HPE CM: RE: Laneway Golden Lane [SEC=UNCLASSIFIED]

Record Number: 19/169859

UNCLASSIFIED

Re: Discontinuance and sale of Golden Lane

Michelle,

Thank you for your correspondence and sorry for the late reply as I have been away from home for some time.

I can confirm that I did not receive the letter from yourself dated 01 May 2019. It was not until I received your email on the 01st of July 2019 that I knew anything about the email or in fact the advertisement. I note that 01 July is well past the date of the 06th of June 2019 when submissions in writing were due. I also note that the copy of the letter received was not signed by yourself.

I do not support the discontinuance of Golden lane for two reasons:

1. Golden Lane was identified to me, by Buxton Real Estate Chelsea, as rear access to the property at 6/381 Station Street Bonbeach of which I purchased under the assumption that I would have rear access to my property.
2. Golden lane is a Gazetted road under the Roads Act of 1993 which gives me permitted right of way to rear access to my property. Right of way is considered the legal easement which provides me access to my property.

Can you please forward this submission to Mr Julian Harvey Manager property and Arts as your letter does not include any contact details for MR Harvey.

If you have any further questions regarding this matter please do not hesitate in calling me on the numbers provided below.

Kind regards,

Chris Wilson



NAVY, TRUSTED TO DEFEND, PROVEN TO DELIVER, RESPECTFUL ALWAYS.

Ordinary Meeting of Council

26 August 2019

Agenda Item No: 10.5

RESPONSE TO NOTICE OF MOTION NO. 5/2018 - CR. STAIKOS - KINGSTON CITY HALL MASTERPLAN - STAGE 2

Contact Officer: Justin Gayner, Team Leader Arts & Cultural Services

Purpose of Report

This report provides Council with an update on the progress of the Stage 2 masterplan for Kingston City Hall and its expected completion date.

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 actions to date and the revised timeline;
2. Receive a preliminary report in October 2019 on indicative costs to enable potential funding opportunities to be explored; and
3. Receive a report at the Ordinary Meeting of Council 9 December 2019, on the Draft Stage 2 Master Plan that details resource, functionality, user and timing implications for consideration.

1. Executive Summary

In response to the Notice of Motion No. 5/2018 – Cr Staikos - Kingston City Hall Masterplan Stage 2

Moved: Cr Gledhill Seconded: Cr West

That Council:

1. *Note this report;*
2. *Authorise Officers to engage a consultant team to undertake a review of the community requirements, business case and structural feasibility of a Kingston City Hall Stage 2 Master Plan, to a total value of \$150k; and*
3. *Receive a further report upon completion of the Master Plan at the meeting of Council on Monday 26 August, outlining resource, functionality, user and timing implications.*

BLOCK RESOLUTION

This report provides a briefing to Councillors on the consultant team that has been engaged to undertake a review of the community requirements, business case and structural feasibility of a Kingston City Hall Stage 2 Masterplan; the initial opportunities and priorities that have been identified by consultants; and makes recommendations to extend the consultation period in order for consultants to accurately determine the outlining resource, functionality, user and timing implications.

2. Background

Kingston City Hall is an important civic function, performance, arts and cultural venue for the south east of Melbourne. The first master plan for the building was developed in 2008, with the planned upgrades now complete. In response to the Notice of Motion No. 5/2018 on 26 November 2018, which called for the development of stage 2 masterplan for the venue, a report was provided to the March 2019 Ordinary Council Meeting outlining the necessary scope and cost for the project. Based on these recommendations, Councillors authorised Officers to commence the project and in April a tender process was begun to assemble a team of consultants.

To ensure Council has oversight of all aspects of the project, it was determined that the community consultation, business case, and structural feasibility should each be carried out by a different consultant under Council's direction, rather than delivered by one consultant. The findings from each of these consultants would then be analysed by Council Officers and incorporated into a draft masterplan by a lead project consultant for Council to review. Based on this approach the following consultants have been engaged (See appendix 1. KCH Master Plan Project Brief).

Appointed Master Plan Consultant Team

Lead Consultants – *Lovell Chen*

Lovell Chen have been appointed to be the Lead Consultants of the project based on their understanding of the project methodology and extensive experience working with similar large scale, heritage buildings which require renewal to maintain their relevance as a venue.

Community Requirement Consultant – *Cochrane Research Solutions*

Cochrane Research Solutions are well placed to carry out the community requirement consultation for the Kingston City Hall Masterplan, having previously undertaken the consultation work surrounding *Living Kingston 2035* and more recently the Kingston Art and Cultural Strategy 2018 - 2022: *Creative Kingston*. They have extensive knowledge and understanding of the City of Kingston as an organisation and municipality and bring strong community networks.

Business Case Consultant – *Michael Mitchener & Assoc.*

Michael Mitchener & Assoc. bring a wide range of experience developing business cases and economic evaluation studies for arts and cultural venues. Most recently they were responsible for assessing the business case for the Hobart Town Hall as well as for the redevelopment of the Palais Theatre in St Kilda. The company's lead consultant, Michael Mitchener has a good knowledge of Kingston, having presented at a number of Kingston Arts' professional development programs over the years and was an arts advisor to Councillors during the period of amalgamation.

Structural Feasibility Consultant – *Irwin Consult*

Working with Council's appointed structural engineer, theatre/ acoustic consultant and building surveyor, Lovell Chen will explore the alteration and adaptation options identified during the community requirements and business case consultation, in addition to issues of access and compliance.

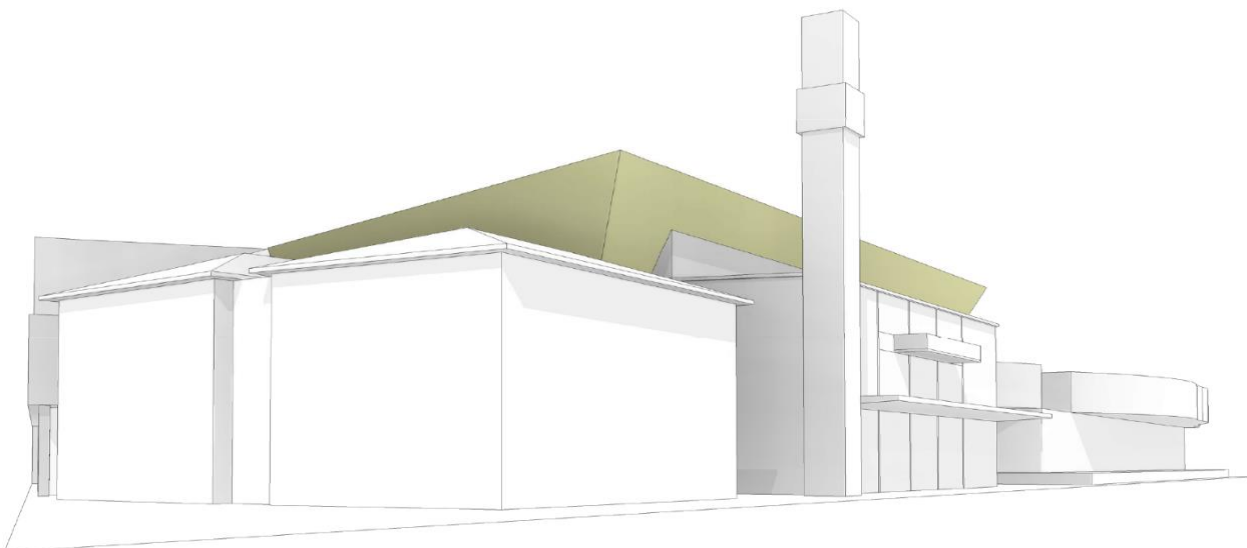
Initial opportunities and priorities identified

During their initial assessment of the venue, Lovell Chen have identified a need to upgrade the amenity of the back-of-house facilities including: green room, commercial kitchen, toilets, dressing rooms and storage to ensure they are fit for purpose irrespective of the extent of upgrade to the front of house.

In addition, to these straightforward compliance and amenity upgrades the following opportunity have so far been identified based on preliminary discussions with current venue hirers and patrons (See appendix 2. Lovell Chen – KCH Masterplan concept).

Altering and adapting the Grand Hall to include an increased capacity to 1200-1500 seats with the inclusion of fixed raked seating.

- Enhancing the current banquette room to create a larger, flexible flat floor space.
- Adjusting the roof level above the Kingston City Hall facade to incorporate a roof terrace and increase the level of natural light into the building.
- Looking at the potential to highlight the Wurlitzer organ and improve access to the instrument's mechanics above the stage.



Kingston City Hall, 3D view from Cnr Nepean Hwy and South Rd
Copyright: This drawing is copyright and remains the property of Lovell Chen

Revised Project Timeline

Due to the time that has been required to source and assemble a suitable team of consultants, the delivery date of the stage 2 masterplan needs to be revised. This will enable the comprehensive consultation process currently underway to be completed and will ensure that all feedback received is properly considered and explored for inclusion in the final stage 2 masterplan document (See appendix 3. Kingston City Hall Master Plan Timeline).

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 Hall is an iconic and significant public asset that has seen a resurgence in community and commercial usage in recent years. To continue to meet the needs of the community and to attract continued commercial uses that offset the cost of operating the venue, it will require further investment and modification to build on its reputation as a destination for live music and performing arts in Melbourne's South East.

3.2 Consultation/Internal Review

The Council's Arts and Cultural Advisory Committee and have received support and a willingness to contribute to the development of a Stage 2 Master Plan. The Committee, as well as specialists within Council, will continue to be engaged as needed. Officers have also explored the masterplan proposal with industry experts to assist in forming a budget for the proposed project.

3.3 Operation and Strategic Issues

3.3.1 Usage

The Hall is currently used by community groups, local schools and private hirers. Usage is split across three separate spaces at the venue; the Grand Hall and lounge bar, Banquet room and Function room, with each attracting a different clientele. Community groups and schools make up most of hire in the Grand Hall and Banquet room, while private hirers and other Council departments heavily utilize the Function Rooms. The Hall features a commercial kitchen which can service the Grand hall and Banquet room, making the hall very appealing to large community or corporate groups looking to provide meals. The venue also maintains a large technical equipment inventory, technical staff roster and ticketing services to be able to provide a complete in-house events package which is heavily utilised by schools and community groups.

The Hall offers heavily subsidised rates for not for profit groups and schools operating within the area (see Appendix 2). Venue hire and technical services fees were initially benchmarked against other facilities of similar scope, and are adjusted each year to reflect CPI uplift. Community groups with incorporated status receive a not-for-profit discount of 80% when hiring a Council space. Schools are offered a subsidised venue hire and technical package.

The Kingston Arts team have been successful in attracting new high-profile acts and artists to the venue in recent years, but are limited by aspects of the hall, such as stage lighting, the condition of the seats and lack of sound treatment. The Grand Hall's flat floor and large raked stage offer the flexibility required to host weddings, dinners and comedy shows as well as school concerts and dance performances. The addition of retractable seating and a mezzanine level could also be beneficial to the community as it would allow a greater versatility and minimise set up and pack down time.

3.3.2 Consultation

Due to the Hall's iconic status, any future use and development of the venue is expected to generate considerable interest from stakeholders and the wider community. Key stakeholders, including the current users of the venue and Council's Arts and Cultural Advisory Committee are anticipated to be actively involved in the consultation process through face-to-face interviews and workshops. The wider community to be given an opportunity to provide feedback through a variety of communication efforts, activities and engagement options to encourage broad participation and generate quality input.

4. Conclusion

4.1 Environmental Implications

The development of a stage 2 master plan for the Hall will ensure targeted investment in upgrades to the building and present an opportunity to reduce the buildings future carbon footprint.

4.2 Social Implications

The Hall is Council's largest cultural venue and plays host to a wide-range of multicultural celebrations, school concerts, business expos and a steady increase of live music events. Any upgrades earmarked for the venue would therefore need to be carefully considered, to ensure the venue can facilitate a wider range of performance types and to attract top tier live music events.

4.3 Resource Implications

The development of the stage 2 master plan for the Hall is being supported by external consultants at an estimated cost of \$150,000 which is provided for in the 2019/20 Capital Budget.



Consultant	Name	Cost (Exe. GST)
Lead Consultant	Lovell Chen	\$40,000.00
Community Consultant	Cochrane Research Solutions	\$28,000.00
Business Case Consultant	Michael Mitchener & Assoc	\$25,600.00
Structural Feasibility	Irwin Consult	\$10,800.00
Sub-consultants provision	TBA	\$45,600.00
Total		\$150,000.00

4.4 Legal / Risk Implications

The Hall is owned and operated by Council, however any changes or modifications recommended would need to be in response to the consultation with the community and key stakeholders proposed in this report.

Appendices

Appendix 1 - KCH Master Plan Project Brief - Lead Consultant (Ref 19/121674)  

Appendix 2 - Lovell Chen - KCH masterplan_structural opportunity concept (Ref 19/182524)  

Appendix 3 - Kingston City Hall MP_Timeline (Ref 19/182552)  

Author/s: Justin Gayner, Team Leader Arts & Cultural Services
Reviewed and Approved By: Julian Harvey, Manager Property and Arts
Bridget Draper, Acting General Manager City Assets & Environment

10.5

RESPONSE TO NOTICE OF MOTION NO. 5/2018 - CR. STAIKOS - KINGSTON CITY HALL MASTERPLAN - STAGE 2

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PROJECT BRIEF FOR LEAD CONSULTANT CON-19/45

Kingston City Hall Master plan (Stage 2)

Date of brief: Thursday 15 May 2019

Deadline for submissions: 2pm Wednesday 29 May 2019



1. BACKGROUND

The Kingston City Hall (the Hall) is Council's largest public building, designed by renowned architects Bates Smart & McCutcheon it opened on May 29, 1963 as the Moorabbin Town Hall. The Hall was established as a landmark for the developing City of Moorabbin being designed to stage dances and large scale civic events. The Kingston City Hall neighbours the Kingston Arts Centre, located on the corner of Nepean Highway and South Road, the two facilities form a cultural precinct at the northern gateway to the municipality. The Hall consists of the main hall, banquet room and meeting rooms; and operates predominantly as a multipurpose venue for commercial and community events for up to 1200 people.

In 2008 Council engaged Suters Prior Cheney Architects, in association with Brecknock Consulting to compile an Arts Facilities Master Planning Report for three Arts and Cultural venues; Kingston Art Centre, Kingston City Hall and the Shirley Burke Theatre. The intention of this report was to review the three nominated buildings to determine condition and capacity to meet community's requirements as cultural facilities, advice on opportunities to enhance these facilities to meet the arts and cultural needs of the municipality better.

In response to the report, a series of significant capital works were undertaken to address safety, structural and physical works. These works included; the replacement of the iconic clock tower, the refurbishment of ground and first-floor foyers, replacement of the HVAC, replacement of the window façade, landscaping of the surrounding forecourt, courtyard area, replacement of the passenger lift and upgrades to sanitary facilities throughout the venue.

The report identified that over time the venue had been constructed, altered and modified to suit a variety of performance and functions, rather than being focused on a specific performance capability. As a result, the venue is not entirely suitable acoustically and structurally for a variety of performing arts. A preliminary acoustic assessment of the Main Hall was undertaken as part of the report which revealed relatively long sound reverberation times limiting the use of the hall for music and voice. The present stage, wings and backstage configuration were also identified as not being suitable to support the presentation of live theatre in the venue.



Project Management - Kingston City Hall Master Plan Consultancy

Since the report, the Hall has provided a variety of community and commercial uses, due in part to the area's population growth and business activity and the demand for increasingly scarce, large scale venues in Melbourne's South East. This led to works to improve the amenity of the Hall, foyer areas and front entry, replacement of heating and ventilation systems, all contributing to increased patronage. The introduction of Council run programs, annual summer 'Pop Up Bar' and 'Live at City Hall' activated Moorabbin Central and reinvigorated the venue's reputation as a destination for live music and performance.

See www.kingstonarts.com.au

CURRENT USAGE

The Hall is currently used by community groups, local schools and private hires. Usage is split across three separate spaces at the venue; the Grand Hall and lounge bar, Banquet room and Function room, with each attracting a different clientele. Community groups and schools make up most of hire in the Grand Hall and Banquet room, while private hirers and other Council departments heavily utilise the Function Rooms. The Hall features a commercial kitchen which can service the Grand Hall and Banquet room, making the building very appealing to large community or corporate groups looking to provide meals. The venue also maintains a sizeable technical equipment inventory, technical staff roster and ticketing services to be able to offer a complete in-house events package which is heavily utilised by schools and community groups.

The Hall offers heavily subsidised rates for not for profit groups and schools operating within the area. Venue hire and technical services fees were initially benchmarked against other facilities of similar scope, and are adjusted each year to reflect CPI uplift. Community groups with incorporated status receive a not-for-profit discount of 80% when hiring a Council space. Schools are offered a subsidised venue hire and technical package.

The Kingston Arts team have been successful in attracting new high-profile acts and artists to the venue in recent years, but are limited by aspects of the hall, such as stage lighting, the condition of the seats and lack of sound treatment. The Grand Hall's flat floor and large raked stage offer the flexibility required to host weddings, dinners and comedy shows as well as school concerts and dance performances.



2. PURPOSE OF PROJECT

- 1) To be the lead consultant of a 3-stage consultancy process which identifies the community requirements, business case and structural feasibility of the venue and;
- 2) Develop a Stage 2 Master Plan for the Kingston City Hall based on the findings from these three stages.

3. DESIRED OUTCOMES

A future-orientated Stage 2 Master plan for the Kingston City Hall which:

- provides a compelling vision for the venue through achievable, impactful upgrades.
- builds on what has already been done under the previous master plan; reviewing successful upgrades; identifying the reasons preventing the delivery of others, and critically assessing what is achievable within the building's structural parameters.
- ensures any planning is informed and supported by relevant political, social, economic, demographic and public and private industry trends.
- carefully considers the venues capacity to facilitate a broader range of performance types and attract top tier live music events.
- secures input from a diverse range of industry experts and stakeholders, including users and non-users of the venue, to identify community needs.
- identifies business growth opportunities; including partnerships, strategic relationships and leveraging opportunities, to support the longevity of the venue as a sustainable, successful event and performing arts precinct.
- assesses necessary resources
- sets a timeline for delivery

4. PROJECT SCOPE

It is envisaged that consultation will take place with:

Internal stakeholders

- Arts and Culture team
- Arts and Cultural Advisory Committee (ACAC) and other relevant Kingston Advisory Committees
- Key Council departments and individuals



External stakeholders

Patrons (not confined to Kingston residents)

- Current and potential patrons

Partners (not limited to)

- Venue hirers
- Sponsors (current and potential)
- Local businesses
- Universities
- Federal, State, Local Government bodies
- Schools
- St Kilda Football Club

Producers (not limited to)

- Practising artists, performers, directors, choreographers
- Live music, festival and events promoters
- Community groups / cultural groups/ performing arts groups
- Victorian Association of Performing Arts Centres (VAPC)
- Australian Performing Arts Network
- Aboriginal Elders, Inter-Council Aboriginal Consultative Committee (ICACC), Local Indigenous Network
- Creative industries

5. PROPOSED APPROACH

In developing stage two of the master plan for the Kingston City Hall, three key stages of consultation must occur to ensure that the facility can meet the cultural needs of current and future communities. The approach proposed is to: 1 - determine the community requirements, 2 - analyse the business case and 3 - undertake design feasibility in response to the identified need and business case. Details of each component are summarised below:



Stage 1: Community Requirements Consultation

To determine the current use, community needs, and anticipated future use the following community engagement will be required:

- A literature review and analysis of existing Kingston Arts data; Council's Arts and Cultural Strategy 2018 -22: Creative Kingston; Council Plan 2017 – 2021; relevant Council department strategies; social, economic, demographic and population forecast data for Kingston; relevant local, state, national and international trends and policies relating to performing arts venues.
- A community consultation process will be undertaken to include workshops, online & paper-based surveys, interviews with focus groups including internal & external stakeholders, community members, current users and those not currently using the facility.
- A written report outlining key findings, themes and trends identified during the consultation process.

Expectations of the lead consultant:

- To advise and provide input into the community and stakeholder consultation process.
- To work closely with the Council's Arts and Cultural Services Team and Stage 1 Consultant to determine which key finding should inform the final master plan document.

Stage 2: Business Case Consultation

The development of an extensive business case will be crucial to ensuring the longevity of the Hall as a sustainable, successful event and performing arts precinct. For this to be achieved it is anticipated the following will be required:

- An investigation of current trends within the live music and performing arts sector by reviewing recent benchmarking undertaken by the Victorian Association of Performing Arts Centres (VAPAC) and Creative Victoria.
- Officers to undertake a thorough assessment of current and future competitors (e.g. commercial, government and private arts venues) through site visits and consultation with industry experts.



Project Management - Kingston City Hall Master Plan Consultancy

- A workshop with internal/ external stakeholders and officers to determine the capacity of the venue to mount large-scale, traditional and popular contemporary performance forms and events (e.g. circus, opera, live music, theatre, digital art and other cultural events).
- An assessment of the venue with key internal/ external stakeholders and officers to identify the optimum configuration of existing and potential spaces, including the capacity to maximise a wider range of events for the community in the venue.

Expectations of the lead consultant:

- To advise and provide input into the community and stakeholder consultation process.
- To work closely with the Council's Arts and Cultural Services Team and Stage 2 Consultant to determine which key finding should inform the final master plan document.

Stage 3: Structural Feasibility Consultation

Once community requirements and business case have been identified the structural feasibility of any updates to the venue will need to be determined. This should include, but may not be limited to:

- Ensuring the protection and preservation of the national heritage listed Wurlitzer theatre organ through consultation with heritage, building surveyors and the Theatre Organ Sociality Australia (TOSA).
- Engaging theatre, acoustic, heritage consultants and building surveyors to:
 - a) Determine the condition and possible restoration of the venues original proscenium;
 - b) Develop suitable options to implement a fit-for-purpose backstage and stage facilities, including the installation of a fly system, new green room and changing rooms;
 - c) Ensure current compliance regulations around arts and cultural venues;



d) Consider the suitability of a mezzanine balcony, tiered and/ or retractable seating, and enhancements to the facade to enhance the presence of the hall;

e) Review the First Stage Master Plan to identify any upgrades and repairs not yet addressed, that should be considered. Including a new goods lift and commercial kitchen.

Expectations of the lead consultant:

- To advise and provide input into the community and stakeholder consultation process.
- To work closely with the Council's Arts and Cultural Services Team and Stage 3 Consultant to determine which key finding should inform the final master plan document.

Stage 4: Analysis of data and key trends

The analysis of the findings from Stage 1, 2 and 3.

Expectations of the lead consultant:

- To provide Council with a clear articulation of the key themes, trends, service gaps and opportunities based on the research undertaken by consultants in Stages 1, 2 and 3.
- To provide Council with a written report that collates and presents the data in a manner that can easily be drawn upon to generate Stage 5: Writing and Design of Masterplan.
- To present a summary of the findings in person to key Council staff

Stage 5: Writing and Design of Strategy

The generation of a draft Kingston City Hall Second Stage Master Plan.

Expectations of the lead consultant:

In close consultation with Council officers, a Master Plan will be drafted and agreed upon before being presented to Council for adoption.



6. PROJECT TIMEFRAMES

It is expected that the project will be completed by August 2019 with the key timeframe for the successful consultant being April - July 2019.

TASK	2019 TIMEFRAME
Appoint Lead Consultant	May
Commence Project	May/June
Stage One – Appoint Community Consultant	May
Stage One – Consultation Completed	June
Stage Two – Appoint Business Case Consultant	May
Stage Two – Consultation Completed	June
Stage Three – Appoint Structural Feasibility Consultant	May
Stage Three – Consultation Completed	June
Stage Four – Strategic Response	June
Stage Five – Writing and Design of Master Plan	July
Presentation to Council Officers	August
Final Strategy to Council for adoption	August

7. RESPONSIBILITIES OF LEAD CONSULTANT

The successful lead consultant will drive and synthesise the 3-stage consultation process and address physical, cost and compliance issues to ensure the project can be achieved within the desired scope.

The expectations of the consultant in each of these Stages are outlined in 5. Proposed Approach



In addition, it is expected that the lead consultant will work closely with Council officers throughout the consultation process and generation of the draft Master Plan.

8. RESPONSIBILITIES OF COUNCIL

The Team Leader Arts and Culture is responsible for managing the project and will:

- Direct and manage the consultant recruitment process
- Support all 3-stages of the consultation
- Secure Council meeting rooms, catering, advertising, translations, equipment hire etc.
- Provide guidance and any relevant information already held by Council available
- Provide input in the writing, design and print of the final document

9. EVALUATION OF SUBMISSIONS

Submissions will be evaluated against the following selection criteria:

- Proven ability to undertake a project of this kind
- Demonstrated experience in overseeing effective and innovative stakeholder consultation processes
- Experience in master planning and amenity upgrade projects for arts, performance and cultural intuitions.
- Written and data presentation skills
- Personnel to be involved in the project, their experience and qualifications
- Fee estimate - Price
- Referee reports
- Ability to meet the timeline
- Organisational capacity and appropriate staff and skill level to provide the services required, including ability to meet timelines
- Relevant experience and performance delivering similar projects.

10. SUBMISSION REQUIREMENTS

Applicants are required to submit a project proposal and fee quotation which includes:

- A response to the brief outlining your approach to this project



Project Management - Kingston City Hall Master Plan Consultancy

- Details of staffing, resources and use of time for the project
- A detailed consultant profile outlining relevant company/personal experience and related projects
- Sample of a recent final report of a similar type of study
- Confirmation of capacity to complete the project within the specified timeframes
- Specification of the hours required and the hourly rate for any additional work outside the original scope.
- Three referee contacts

11. FEE PROPOSAL

Applicants are to provide an all-inclusive cost estimation covering items such as consultant hours, travel, documentation etc.

It is the responsibility of the applicant to propose a practicable working budget.

The fee proposal must include a lump sum for the project based on listed tasks as well as separate costings for all five stages.

The City of Kingston Council reserves the right to:

- Accept or reject any Expression of Interest submitted
- Shortlist any number or no Expression of Interest submitted
- Interview one or more respondents to seek further information

12. CONTRACTUAL ARRANGEMENTS

The Lead Consultant will be engaged by the City of Kingston. See Consultancy General Conditions – Single Assignment attached.

All fees will be paid through Kingston City Council. Payment of the fee will be made in the following way:

30% will be paid upon commissioning of the lead consultant, subject to suitable guarantee

30% will be paid upon completion of an analysis of data and key trends (Stage 4)

40% will be paid upon satisfactory completion of Master Plan (Stage 5)



13. OWNERSHIP, CONFIDENTIALITY OF DATA AND CONFLICT OF INTEREST

13.1 OWNERSHIP

Data and information provided to the consultant are owned by Kingston City Council.

All data and information produced by the consultant shall be the property of Kingston City Council.

13.2 CONFIDENTIALITY OF DATA

In the process of using information, the consultant may have access to sensitive Council information and to business and private information concerning ratepayers and/or staff. All data accessed by the consultant shall at all times be kept confidential and not disclosed to any party without the prior written approval of Kingston City Council.

Any data collected during consultation by the consultant shall be used and disposed of in accordance with the Privacy Act legislation and Council's Privacy Policy.

13.3 CONFLICT OF INTEREST

If at any time, the consultant has any potential or actual conflict of interest, personal or business, in any service, then this interest shall be declared in writing to Kingston City Council for a decision.



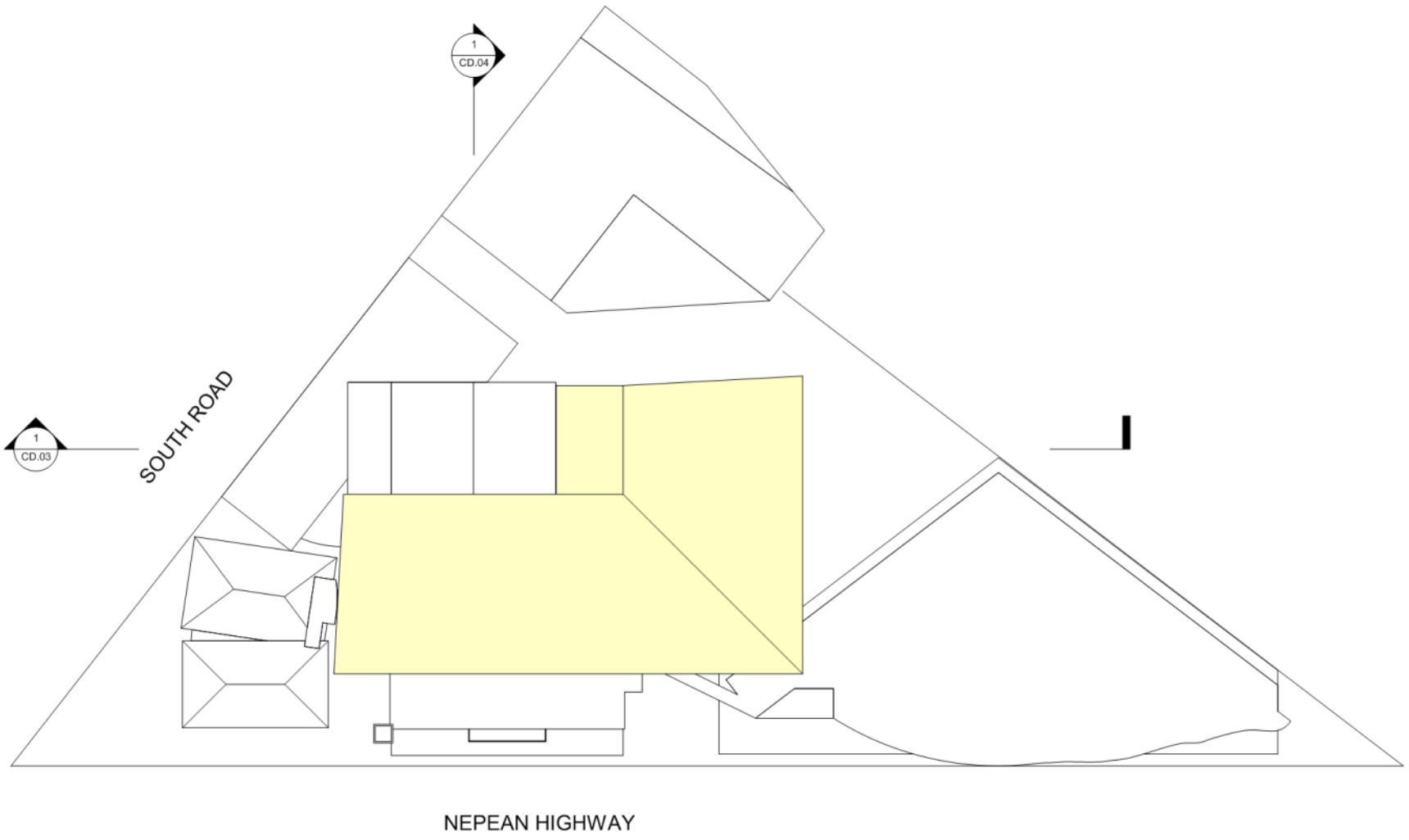
Project Management - Kingston City Hall Master Plan Consultancy

14. CONTACT FOR FURTHER INFORMATION

To ensure fairness in the availability of information, all enquiries must be directed in writing in the first instance to the Tenderlink forum where all questions and answers will be circulated to all parties quoting for this service.

ATTACHMENTS

Consultancy General Conditions – Single Assignment



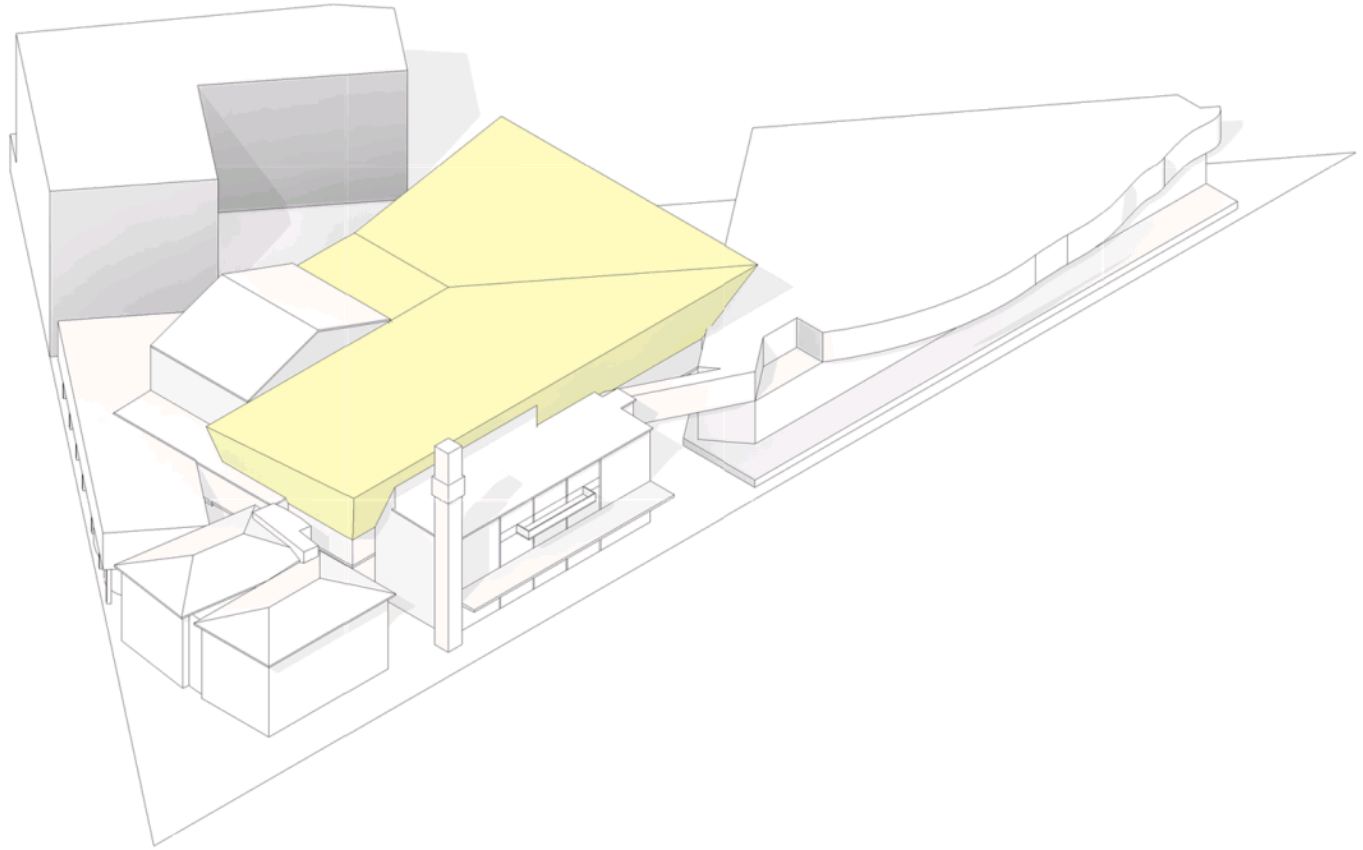
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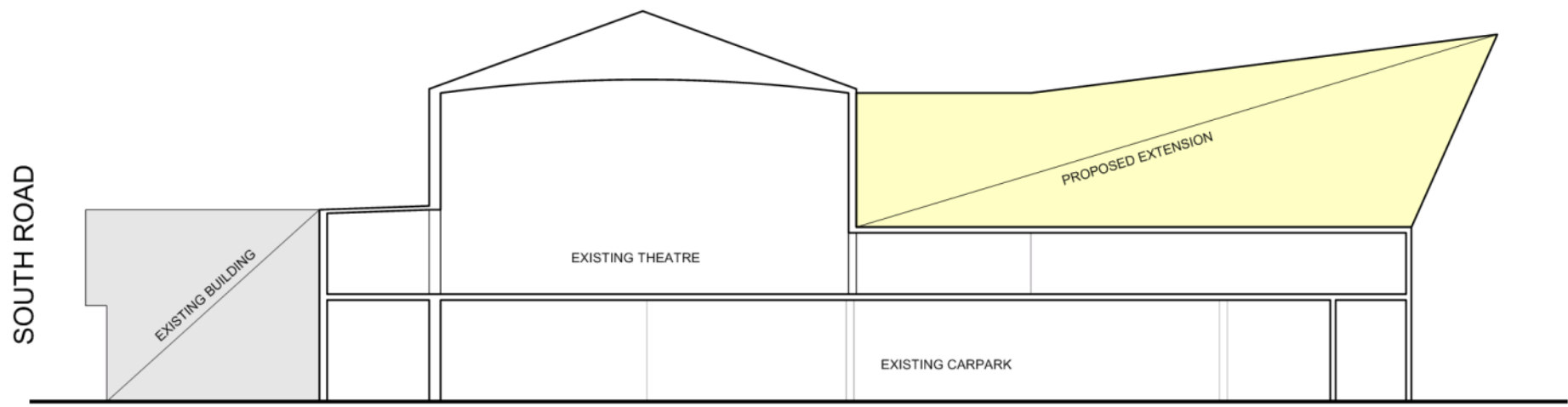


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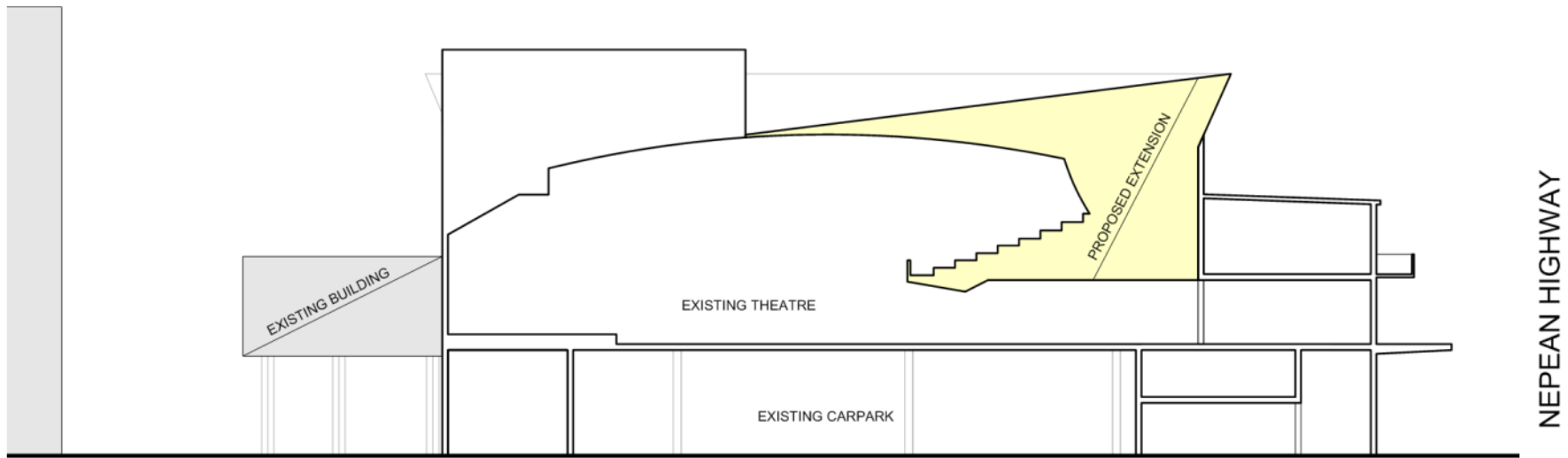


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KINGSTON CITY HALL
**3D VIEW FROM
CORNER OF NEPEAN
HWY AND SOUTH RD**

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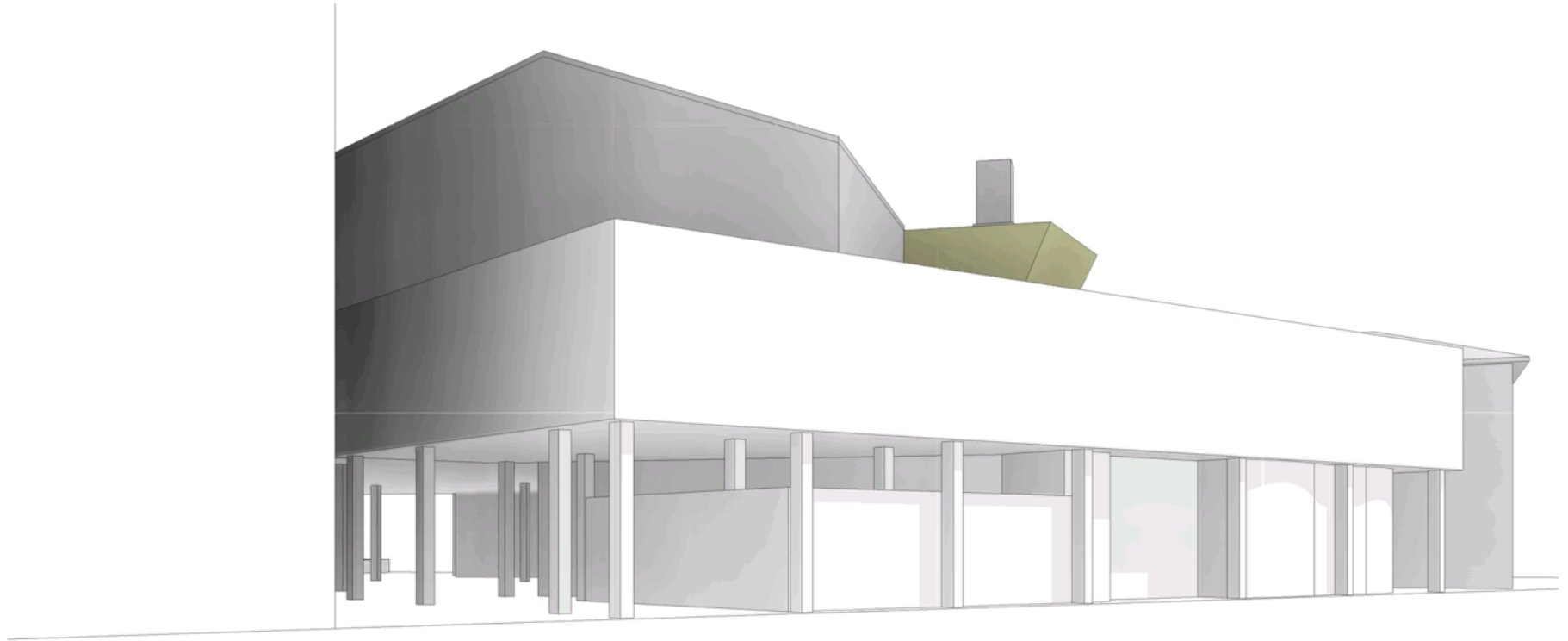


KINGSTON CITY HALL
**3D VIEW FROM NEPEAN
HIGHWAY**

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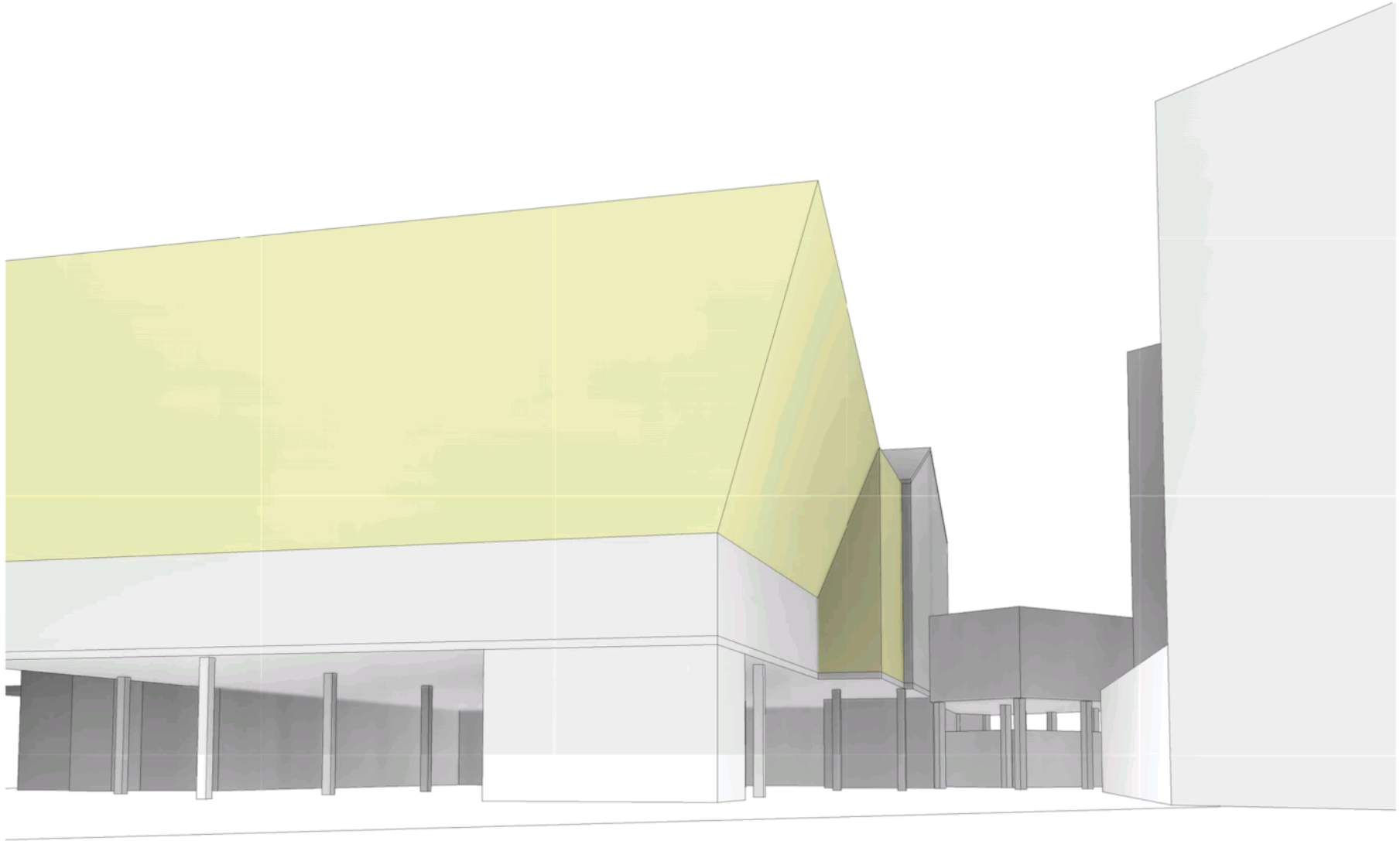


KINGSTON CITY HALL
**3D VIEW FROM SOUTH
ROAD**

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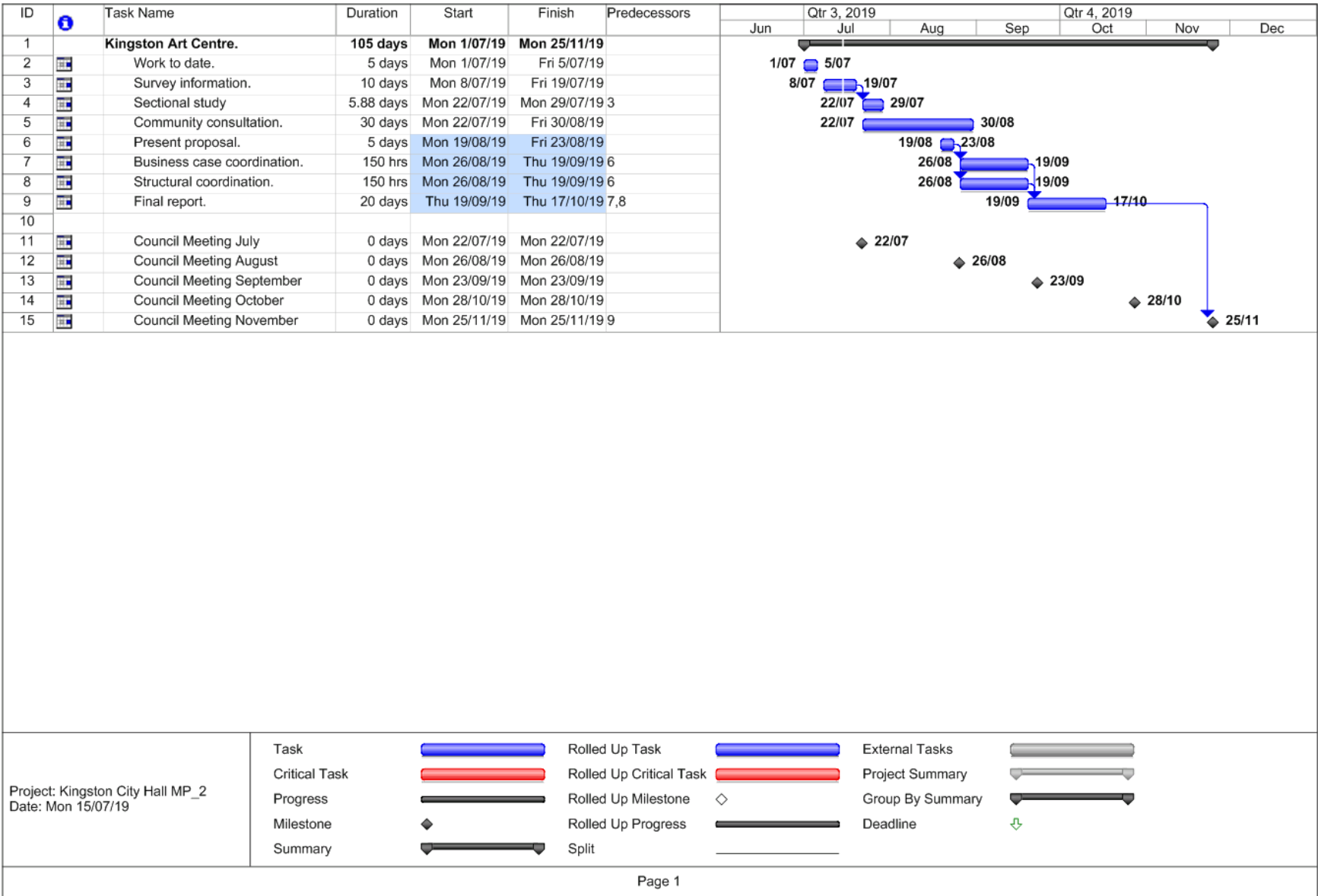


KINGSTON CITY HALL
**3D VIEW FROM
MOORABIN STATION
CONCOURSE**

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Ordinary Meeting of Council

26 August 2019

Agenda Item No: 10.6

RESPONSE TO NOTICE OF MOTION NO. 15/2016 - CR BROWNLEES - PLANNING POLICY (PARKING AND REAR SETBACKS) AND TO NOTICE OF MOTION NO. 20/2018 CR HUA - IMPACT OF MULTI-UNIT DEVELOPMENT ON PARKING

Contact Officer: Alex Reid, Traffic and Transport Engineer

Purpose of Report

This report sets out the results of public consultation relating to the impact of multi-unit developments on parking as requested under two Notice of Motion items; 15/2016 – Planning Policy (Parking and Rear Setbacks) and No 20/2018 – Impact of Multi-Unit Development on Parking. It also provides legal advice from Russell Kennedy (Planning Lawyers) and additional advice from the Department of Environment, Water, Land and Planning (DEWLP) about increasing parking requirements under the Planning Scheme.

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 feedback on results of public consultation regarding an application to the State Government to amend the Planning Scheme.
2. Not proceed with the Planning Scheme Amendment process to manage residential parking and pursue alternative ways to achieve similar outcomes.

1. Executive Summary

Notice of Motion 15/2016 – Planning Policy (Parking and Rear Setbacks) resolved on 22 August 2016, to consider the application of a car parking overlay for strategic areas of Kingston that require at least 1 car parking space for each bedroom in new multi-unit developments. In addition, at the Ordinary Meeting of Council on 25 June 2018, Council resolved Notice of Motion No 20/2018 – Impact of Multi-Unit Developments on Parking.

In response to Motion 15/2016, Traffic and Transport engaged a transport planning consultancy, MR Cagney, to undertake the Kingston Car Parking Study. The first stage of the study was to prepare an Issues and Opportunities Discussion Paper, which focussed on areas around activity centres.

In response to Motion 20/2018 Council officers commissioned MR Cagney to prepare an additional investigation of the impact of multi-development on parking, focussing on areas outside activity centres.

The Issues and Opportunities Paper, along with the Appendix report on the impact of Multi-Unit Developments on Parking, were reported to Council at its ordinary meeting of 24 September 2018. This Paper informed the community engagement process.

This report provides the results of the community consultation (full report in Appendix 1) the key findings of which include:

- Council to ensure that car parking spaces in new developments are more useable and cater for visitor car parking and encourage residents to use these spaces for car parking rather than other uses.
- Community support for Council to commence a Planning Scheme amendment to provide a Car Parking Overlay that increases car parking requirement to one car parking space per bedroom for new developments
- Provide alternatives to driving, especially for accessing railway stations.

It also provides legal advice on the process and requirements for a Planning Scheme amendment (Appendix 2).

2. Background

At its meeting of 22 August 2016 Kingston City Council resolved to:

"1. Receive the officer's report in response to Notice of Motion No 15/2016 [Planning Policy (Parking and Rear setbacks)].

2. Note that in accordance with Council's resolution at its Ordinary Meeting on 22 February 2016, officers have allocated budget and resources in the 2016/17 financial year to review its Neighbourhood Character Study and Housing Strategy following the release of the Managing Residential Development Advisory Committee's report.

3. Instruct officers to include in the formulation of the briefs for the work identified in recommendation 2, a traffic and transport component that considers the application of a car parking overlay for strategic areas of Kingston that require at least one (1) car parking space for each bedroom in new multi-unit developments and the possibility of requiring a 5 metre setback at the rear of new multi-unit developments."

Following the Notice of Motion, Traffic and Transport engaged a transport planning consultancy, MR Cagney, to prepare the Kingston Car Parking Study. This is the traffic and transport component of Council's Neighbourhood Character Study and Housing Strategy. The Issues and Opportunities Discussion Paper is the first deliverable of the overall parking study. This paper focussed on activity centres.

At its meeting of 25 June 2018, Council resolved:

That the officers prepare a report on the impact of multi-unit development on street parking, local traffic and emergency services. Further that the report also includes policy recommendation on:

1. *Improved car parking requirements to be incorporated into future Kingston Planning Scheme;*

2. *Policy for street parking restrictions for those streets that are jammed with unit development;*
3. *That Council advocate to the State Government for changes to the Planning Scheme to ensure Mandatory Parking requirements in areas of most need.*
4. *Other measures that could be put in place to solve these problems.*
5. *That officers request Council's traffic consultant to consider these issues as part of the Parking Study and that a report on the estimated cost of the extra consultancy be reported back to Councillors at a Councillor Information Session.*

Following this Notice of Motion, Traffic and Transport engaged MR Cagney to undertake further research into of the impact of multi-development on parking – focussing on areas outside activity centres.

The Issues and Opportunities Paper, along with the Appendix report on the car parking impacts of multi-unit development in response to Notice of Motion No 20/2018 – Impact of Multi-Unit Developments on Parking, were reported to Council at its ordinary meeting of 24 September 2018. The Paper addressed item 2, 4 and 5 of the Notice of Motion 20/2018.

Council's Parking Management Policy 2016 also sets out the framework to manage parking across the municipality for the benefit of the whole community. It provides guidance for the introduction of new parking restrictions or changes to existing parking for road safety reasons, where parking is in high demand, and where traffic congestion has increased. This policy document is being reviewed further addressing item 2 of Notice of Motion 20/218.

The recommendations of meeting of 24 September 2018, requested Council receive a further report outlining the consultation feedback, analysis and recommendations for further consideration.

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 Kingston Car Parking Study identifies issues and opportunities for parking management in the municipality – particularly in activity centres. Further research undertaken by MR Cagney focus on areas outside activity areas. The consultation that these documents informed seeks to ensure parking management is fair, equitable, and of greatest benefit to the community.

3.2 Consultation/Internal Review

In preparing this report assistance has been provided from the Communications and Community Relations Team about community consultation. Legal advice was received from Andrew Sherman of Russell Kennedy Planning Lawyers on the process and requirements for a Planning Scheme amendment to apply a Car Parking Overlay requiring one car parking space per bedroom for new developments.

3.3 Operation and Strategic Issues

3.3.1 Community Consultation

Council used an online survey on its 'Your Kingston, Your Say' webpage to reach a broad range of the Kingston community. Council designed the survey to test parking options developed as part of the Issues and Opportunities Paper – specifically the survey aimed to:

- Seek input from the community on the types of parking interventions they prefer;
- Determine if the community supports Council applying to the Planning Minister requiring more car parking in new development; and
- Understand what actions Council and community members can take to help address parking issues.

The survey was live for 22 days from 8 November to 30 November 2018. In total 198 people completed the online survey.

The Communications and Community Relations Team also commissioned Capire Consulting Group to undertake a community workshop on 22 November 2018 to allow participants to contribute their knowledge and explore parking issues. Twenty-two Kingston Community members attended the session.

Capire reported on the results of both the on-line survey and the workshops – a copy of the full report is provided in Appendix 1.

Sixty-six percent of participants who completed the on-line survey indicated that parking requirements for new developments are inadequate. They did so for three main reasons:

- Residents would own one car per adult per dwelling, so a one-bedroom apartment would often need two parking spots,
- New developments should have all parking on-site to reduce congestion in surrounding streets (particularly around stations), and
- To accommodate visitor parking.

61% of respondents supported Council's attempt to apply to the State Government to change the Planning Scheme.

At the community workshops, participants identified hot spots around beach parking in summer months, activity centres, shopping precincts, stations, schools and areas experiencing large new residential developments. Participants worked through parking 'case studies' to better understand the conflicting and competing needs of residents, traders and visitors for parking. The third activity involved looking at parking interventions in activity centres and residential areas – for example priced parking, residential permits, and enforcement.

In terms of parking provision in new development, respondents thought Council needed to better understand if new developments are creating parking problems and if the design of residential car parks could be more made more usable. Participants also indicated that Council could take initiatives to provide information and educate people to park on their properties, for example cleaning out garages, or choosing alternatives to driving and providing more commuter parking around stations.

Some limitations of the engagement process were recognised by Capire:

- The information collected for the online survey and the workshops does not necessarily reflect the views of a representative sample of the community.
- The sample size for the workshops was smaller than originally intended. Three ward workshops were advertised, however, due to low interest only one workshop was delivered.

3.3.2 Preparation of Planning Scheme Amendment

Council officers have sought advice from Russell Kennedy (Planning Lawyers) about increasing parking requirements under the Planning Scheme to one car parking space per bedroom for new developments. The advice in summary (set out in detail in Appendix 2) is:

- There is no formal policy or precedent that provides an existing source of support for the increase in residential parking. Further, no examples could be found where a Planning Scheme was altered to increase car parking rates.
- The DEWLP's *Practice Note 57: The Car Parking Overlay* advises: "*The schedule should only be used to decrease the standard number of car parking spaces as identified in Table 1 in Clause 52.06 unless there is an overwhelming strategic reason to increase these rates*". Nonetheless it was advised that the use of a Car Parking Overlay is the best method by which a potential increase in car parking provision could be achieved, an amendment cannot be achieved by local policy changes only.
- The MR Cagney's Issues and Opportunities Paper, Capire's Parking Strategy Consultation Paper, and Ethos Urban's draft Kingston Housing Strategy and Neighbourhood Character Study do not provide the strategic justification necessary to justify a Planning Scheme amendment. Council will therefore need to commission further work to develop the strategic reasoning for an increase in car parking rates. Further survey work is also required to capture a greater number of people's input into the state of car parking in the municipality.
- The Planning Scheme amendment is likely to take about 18 months and the cost of planning consultants and traffic consultants during the preparation phase is likely to be between \$50,000 to \$100,000. If the matter proceeds to a Panel Hearing, with legal representation and experts, those costs would also be about \$100,000.
- The advice notes that there are significant challenges with the Planning Scheme amendment process. Firstly, Council must procure suitably qualified traffic and planning consultants to conduct the strategic work, which may be difficult. Similarly, there is a prospect that these consultants will reach a similar conclusion to the MR Cagney *Issues and Opportunities Paper*. Following this, there is a risk that ministerial support to run a Planning Scheme amendment would not be supported.

Council officers also sought advice from the DELWP about a parking overlay for the City of Kingston requiring one parking space per bedroom for multi-unit developments. The full response from DEWLP is provided below:

'[An] application of the Parking Overlay to apply a rate of one parking space per bedroom for multi-unit developments would be contrary to state policy and would be unlikely to be supported. Clause 52.06 Car Parking and recent changes made as part of Amendment VC148 adequately address car parking considerations, including the incorporation of the Principle Public Transport Network Maps. Planning Practice Note 57: The Parking Overlay also states that: 'The schedule should only be used to decrease the standard number of car parking spaces specified in Table 1 in Clause 52.06, unless there is an overwhelming strategic reason to increase these rates.'

Kingston's draft Housing and Neighbourhood Character Study draft report January 2019 also comments that housing affordability as a growing issue within Kingston. This is making property ownership increasingly unattainable, particularly for smaller households. The report suggests incentives for providing low cost or social housing including a reduction in car parking in new developments.

The current Planning Scheme requires one residential parking space for each one or two-bedroom dwelling. Council officers have also researched census data relating to changing the Planning Scheme to require two-bedroom units to have two parking spaces. The 2016 census data shows two-bedroom dwellings (excluding separate houses) have an average car ownership of 1.22 cars per dwelling. There is little difference between properties that are within or outside activity centres: the rate within activity centres is 1.18 vehicles per dwelling compared to 1.23 for those outside activity centres. On average, Council approves about 210 two-bedrooms multi-unit dwellings a year. Outside activity centres, this number reduces to about 142.

3.4 Options

3.4.1 Proceed with Planning Scheme Amendment

Council's Notices of Motion on residential car parking and the results of the community consultation both support the notion of increasing the car parking rates for new residential development. Advice has been received on the process to conduct this Planning Scheme amendment. Despite the challenges this option is acting on Council's position on this issue.

3.4.2 Abandon the Planning Scheme Amendment

The legal advice from Russell Kennedy lawyers notes that the work to date does not present a 'overwhelming strategic reason to increase [car parking rates].' It goes on to note that there are significant challenges firstly in procuring consultants for this work and that any work conducted may not find suitable justification for increasing car parking rates. Finally, the advice from DEWLP notes that an application for a parking overlay to increase car parking rates for multi-unit developments is unlikely to be supported. The cost has been estimated at about \$200,000 and take approximately 18 months.

Given the above advice it is an option for Council to abandon the Planning Scheme amendment process to manage residential car parking and pursue alternative means to achieve this end. This includes continuing Council's current policy of restricting car parking permits to new multi-unit developments and measures to improve usability of on-site car parking, both of which are also supported by the community. This can be achieved through the review of Council's 2016 Parking Management Policy (currently being undertaken), Council's emerging Integrated Transport Strategy, and through level crossing removal works around stations.

4. Conclusion

4.1 Social Implications

The consultation investigated the impact that car parking has on the local community.

4.2 Resource Implications

Legal Advice from Russell Kennedy shows the cost of Planning Consultants and Traffic Consultants during the preparation phase is likely to be \$50,000 to \$100,000. If the matter proceeds to a Panel Hearing, with legal representation and experts those costs would be a further \$100,000.

4.3 Legal / Risk Implications

Legal Advice from Russell Kennedy suggests there is no policy or precedent which provides an existing source of support for the aspiration to increase residential parking. It is Russell Kennedy Lawyers advice that the three existing reports (mentioned earlier in this report) do not provide sufficient strategic reasoning to increase car parking rates. Therefore, addition consultancy work is recommended to develop the strategic justification for the development of a Car Parking Overlay.

Appendices

Appendix 1 - Capire - Parking Strategy Consultation Paper (Ref 19/37188) 

Appendix 2 - Car Parking Overlay - Legal Advice (Ref 19/37196) - Confidential

Author/s: Alex Reid, Traffic and Transport Engineer
Reviewed and Approved By: Ross Gregory, Manager Traffic and Transport
Bridget Draper, Acting General Manager City Assets & Environment

10.6

RESPONSE TO NOTICE OF MOTION NO. 15/2016 - CR BROWNLEES - PLANNING POLICY (PARKING AND REAR SETBACKS) AND TO NOTICE OF MOTION NO. 20/2018 CR HUA - IMPACT OF MULTI-UNIT DEVELOPMENT ON PARKING

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REPORT



Parking Study

Kingston City Council

DRAFT, V1, 13 December 2018

capire

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Consultation

Unless otherwise stated, all feedback documented by Capire Consulting Group and any person(s) acting on our behalf is written and/or recorded during our program/consultation activities.

Capire staff and associates take great care while transcribing participant feedback but unfortunately cannot guarantee the accuracy of all notes. We are however confident that we capture the full range of ideas, concerns and views expressed during our consultation activities.

Unless otherwise noted, the views expressed in our work represent those of the participants and not necessarily those of our consultants or our clients.

PARKING STUDY, V1, 13 DECEMBER 2018

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PARKING STUDY, V1, 13 DECEMBER 2018

1 Introduction

1.1 Project background

The City of Kingston is a growing middle-ring suburb of Melbourne experiencing increased residential development pressures for higher density. Even with lower car ownership rates and higher public transport patronage (compared to other Melbourne municipalities), parking is an ongoing issue. To accommodate growth and better manage the competing needs of residents, traders, workers and visitors Kingston City Council (Council) is undertaking a review of its strategic parking overlay.

Earlier this year, Council commissioned a Car Parking Issues and Opportunities Paper which identified issues and opportunities for parking management in the municipality and presented options to ensure that parking policy contributes to creating more vibrant, equitable and accessible communities.

As a topic that affects many areas of Kingston and generates a lot of passion from the community, Council is committed to working with the community and stakeholders on developing solutions. In November 2018, Council engaged Capire Consulting Group (Capire) to deliver community engagement with the purpose of understanding the local community's preferences for different parking interventions. The parking interventions were developed as a result of the Issues and Opportunities Paper, some Council led and others where Council encourages community members to take action.

One of the key interventions discussed in the engagement was increasing on-site car parking requirements in new multi-unit developments. The current ratio is one car park for every one to two-bedroom dwellings in a multi-unit development. The Victorian Planning and Environment Act states that the required standard of onsite car parks to bedrooms ratio cannot be increased 'unless there is an overwhelming strategic reason.'

1.2 Report purpose

This report presents the key findings from the online survey and community workshop held as part of the community engagement. The findings in the report will help Council understand the parking interventions required to protect the character of the municipality's neighbourhoods while accommodating new growth.

The report will also support Council's decision to apply to the Victorian Planning Minister for permission to increase the required parking requirements to at least one car parking space per bedroom for new developments.

PARKING STUDY, V1, 13 DECEMBER 2018

2 Engagement approach

2.1 Online survey

Council used an online survey to reach a broad range of the Kingston community, allowing people to take part in the project remotely. Council published the survey on its 'Your Kingston, Your Say' webpage. This webpage hosts all Council's engagements and with over 3,500 people registered to receive updates is broad reaching.

The survey was live for 22 days, from 8 November to 30 November 2018. In total, 198 people completed the survey. A copy of the survey questions is available at Appendix 1.

2.2 Community workshop

Capire designed and facilitated one parking workshop on Thursday 22 November 6pm to 9am at the LF Payne Hall, Longbeach RSL in Chelsea. A total of 22 Kingston community members attended the session. The workshop included three activities that allowed the participants to contribute their own knowledge and explore parking issues from different people's perspectives. The workshop also aimed to get participants thinking about what changes they, as an individual, can make to alleviate the constraints on parking. A copy of the workshop agenda is available in Appendix 2.

PARKING STUDY, V1, 13 DECEMBER 2018

2.3 Limitations

There are some limitations of the engagement process, these are:

- The workshop data included in this report is a smaller sample size than originally intended. Three ward workshops were advertised however due to low interest two were cancelled and only one workshop was delivered.
- Some people may have taken part in multiple engagement activities, for example attended the workshop and completed an online survey. As such, we may have considered their views twice.
- The information in this report does not necessarily reflect the views of a representative sample of the community. People who completed the online survey attended the workshop self-selected to take part in the project.
- We are the confident findings published in this report reflect the views of the community present at the workshops and the people who completed a survey. In some cases, however, workshop scribes paraphrased participant's comments, which may result in the loss of some information.
- Some participants made comments that were not related to the project or asked questions that Council could not answer on the day. We recorded these comments and questions separately, so Council can follow up with the participant and provide a response. Out of scope comments have not been included in this report.

PARKING STUDY, V1, 13 DECEMBER 2018

3 Online survey results

This section presents the results of the online survey. Council designed the survey to test parking options developed as part of the Issues and Opportunities Paper. Specifically, the survey aimed to:

- seek input from the community on the types of parking interventions they prefer
- determine if the community supports Council applying to the Planning Minister for tighter controls that would require more car parking in new developments
- understand what actions Council and community members can take to help address parking issues.

3.1 Respondent demographics

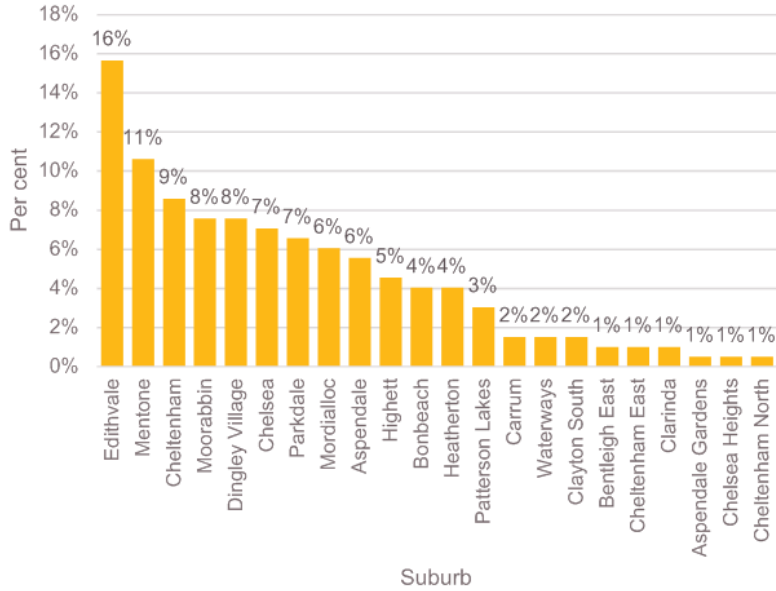
As part of the registration process for the 'Your Kingston, Your Say', respondents enter some demographics data. This section presents the demographic data. All the graphs in this section show percentages of 198 respondents.

Suburb

As shown in *Figure 1* the survey had a spread of suburbs represented, with Edithvale having the highest representation (16 per cent).

PARKING STUDY, V1, 13 DECEMBER 2018

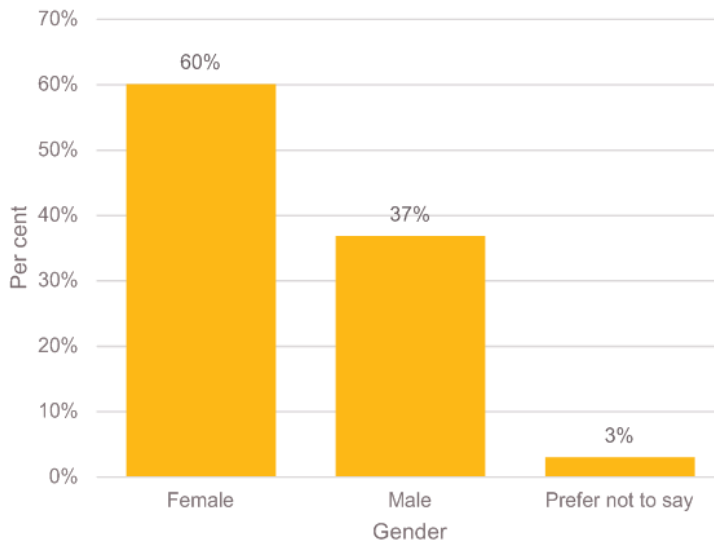
Figure 1. Respondents' suburbs



Gender

As shown in Figure 2 more females (60 per cent) than males (37 per cent) took part in the survey.

Figure 2. Respondents' gender

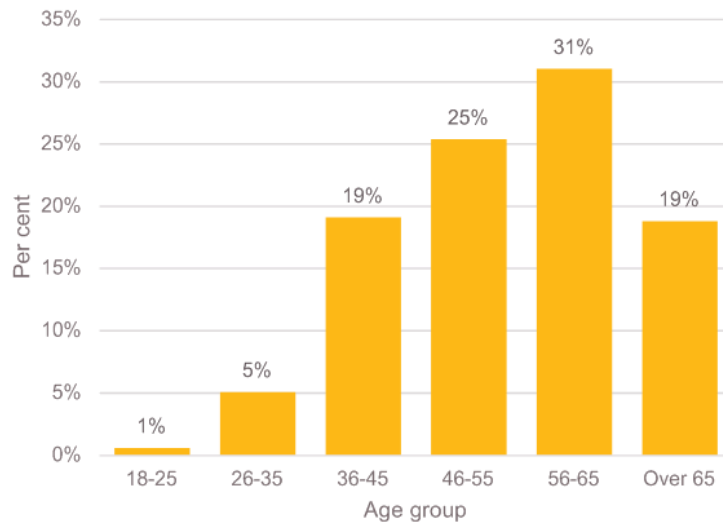


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Age

As show in Figure 3 an even mix of ages was represented, except for those aged 18-35 years, who had lowest level of participation.

Figure 3. Respondents' age

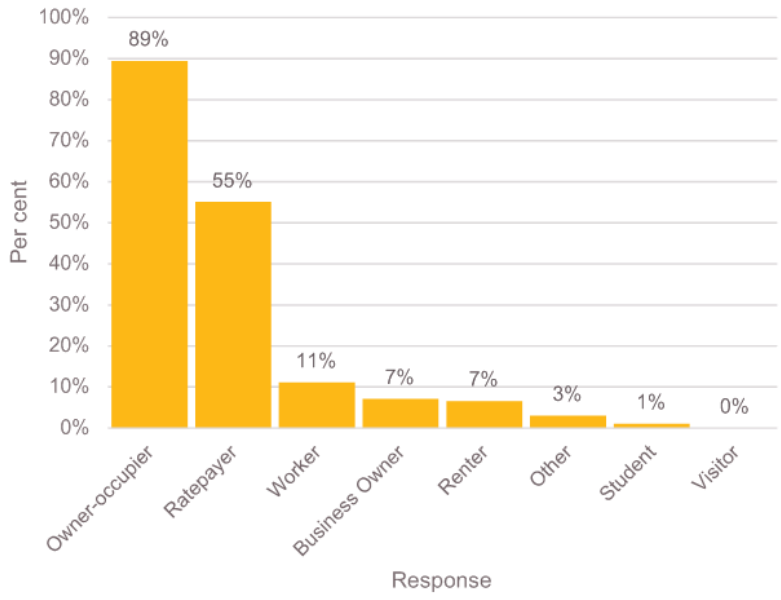


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Relationship to Kingston

As shown in Figure 4 shows that most common connection to Kingston (89 per cent) was as a home owner-occupier.

Figure 4. Respondent interaction with Kingston



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3.2 Household parking trends

This section of the survey looked to understand parking issues for Kingston households. Council wanted to know households' parking demand and where people are parking. This gives Council a better idea of what measures could reduce parking issues.

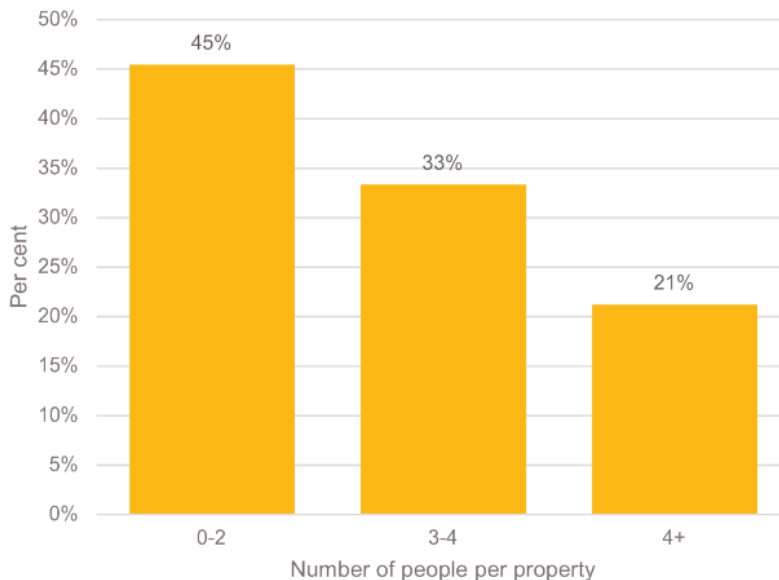
Number of people living at the household

Firstly, the survey asked respondents 'How many people live at your property: 0-2, 3-4, or 4+?', Figure 6 below shows the results from this question.

The key findings from this question are:

- Forty-five per cent of respondents live in properties of 0-2 people.
- Thirty-three per cent of respondents live in properties of 3-4 people.

Figure. 5 People per property



Number of cars owned

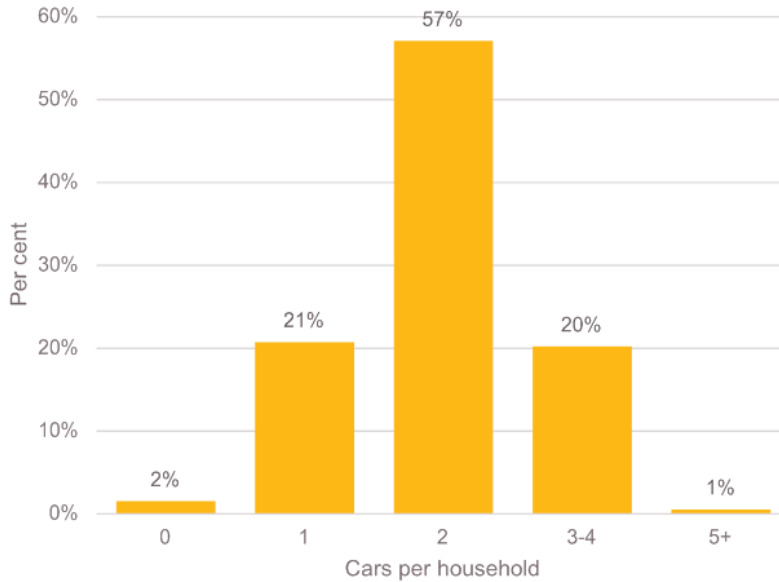
The survey asked, 'How many cars are owned by people living at the property: 0, 1, 2, 3-4, or 5+?' Figure 6 shows the number of cars owned by those living at the respondents' household.

The key findings from this question are:

- Most commonly (57 per cent), people have two cars in total at their household.
- Only two per cent of respondents' households own zero cars
- Only one per cent own more than five cars.

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Figure 6. Cars per household

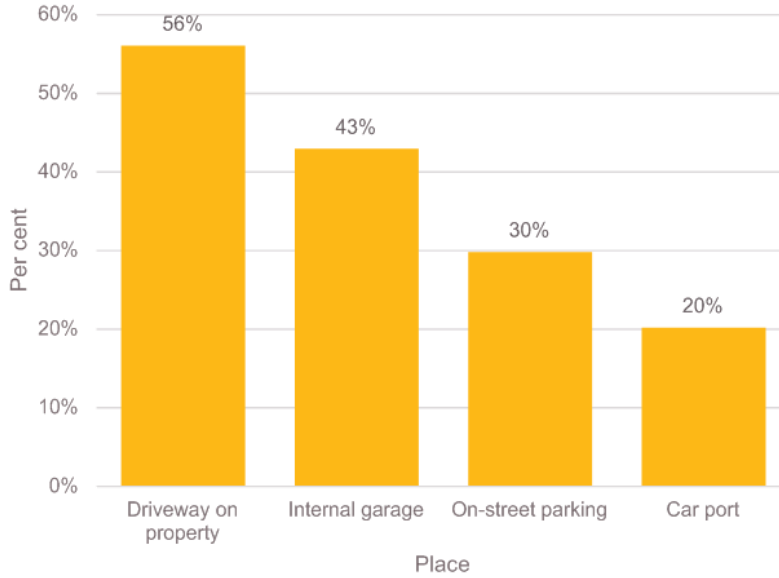
**Parking location**

The survey asked 'Where do you regularly park the car when you are at home?' and respondents could select at least one of four options. Figure 7 shows the per cent of respondents that park a car in each location when at home.

The key findings from this question are:

- Respondents are more likely to park a car on their property, with 56 per cent of respondents parking a car on their driveway and 43 per cent parking a car in an internal garage.
- Respondents are less likely to park a car on the street (30 per cent).

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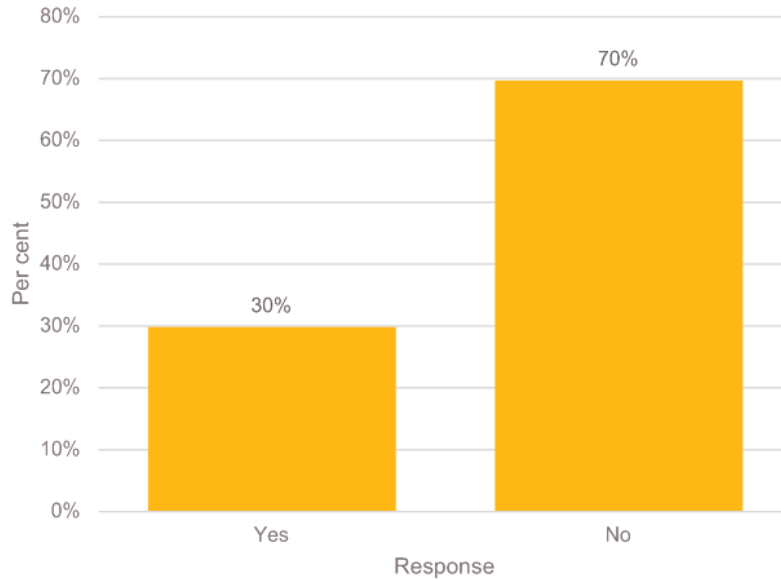
Figure 7. Where participants park their cars when at home

Council understands that although many people have carports or garages some may choose not to use them to park their car. So, the survey asked 'Does your property have a garage and or car port that is not used to park your car? Yes or No?'

As shown in Figure 8 thirty per cent of respondents have a garage or car port that they do not use to park a car in.

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Figure 8. Whether respondents have a garage or car port but do not use it to park a car



If respondent answered yes for this question, the survey followed up with, 'Why?'. Of these 30 per cent of respondents that said 'yes', most use their garage or car port for storage, while some use it as a workshop or as a living space.

Visitor parking

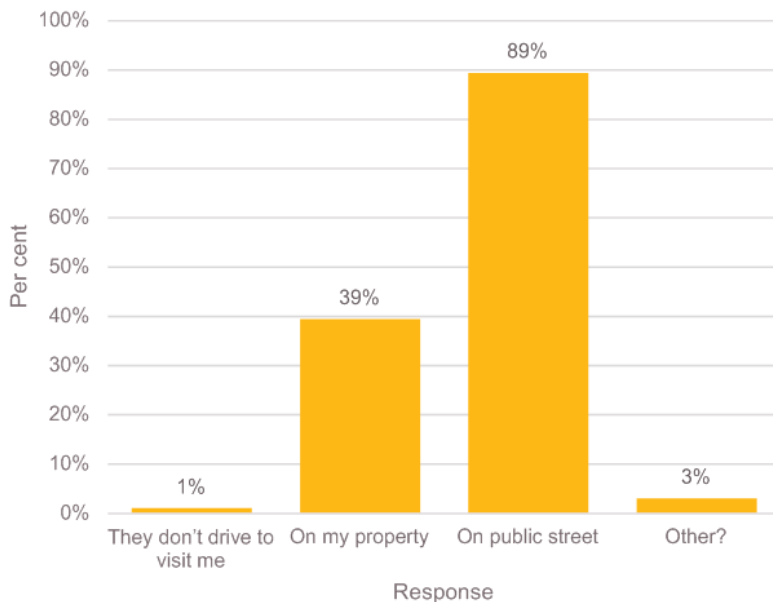
The survey asked, 'When family/friends visit your home where do they park their cars?' and allowed respondents to select at one or more of four options. Figure 9 shows where family/friends park when visiting respondents' homes.

The key findings from this question are:

- Visitors most commonly (89 per cent) park on a public street when visiting respondents' homes.
- Some visitors (39 per cent) park on respondents' property.

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Figure 9. Where family/friends park when visiting respondents' homes



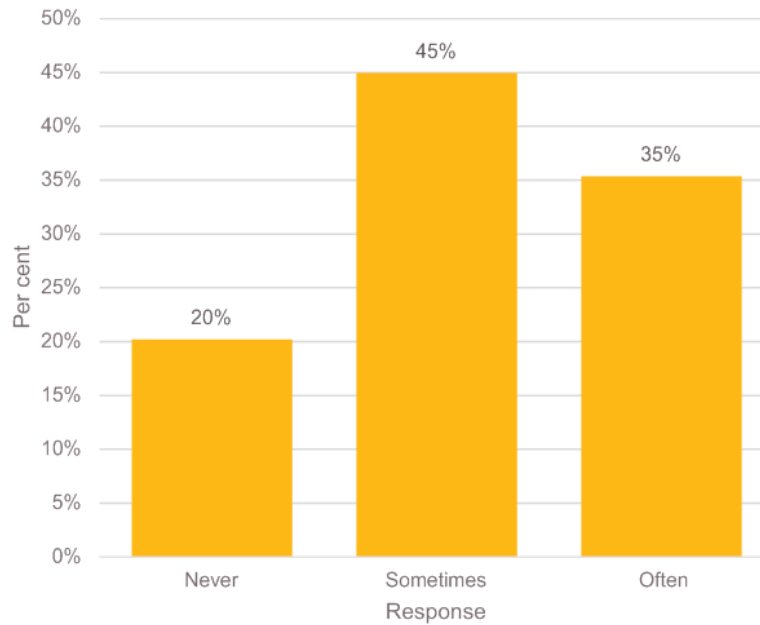
The survey then asked, 'Do you, or your visitors, ever find it difficult to find a carpark when they visit you: never, sometimes, or often?' Figure 10 shows how often respondents' and their visitors find it difficult to park near respondents' homes when there are visitors.

The key findings from this question are:

- Respondents most commonly (45 per cent) said they and their visitors find it difficult to park some of the time.
- Thirty-five per cent of respondents said they and their visitors always find it difficult to park
- Twenty per cent never have difficulties.

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Figure 10. How often respondents' and their visitors find it difficult to park

**Locational considerations**

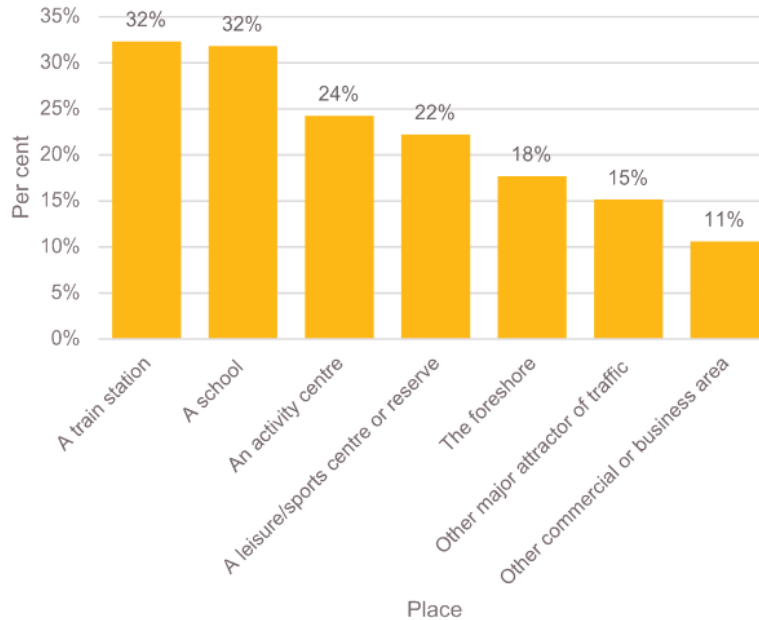
To find out if where someone lives affects parking availability, the survey asked, 'My property is located close to...' and allowed respondents to select at least one or more of seven options.

Figure 11 shows that the key findings from this question are:

- Respondents live near a variety of places across the municipality.
- Most commonly (32 per cent), respondents live near a school or a train station.
- Of the 15 per cent of respondents that selected 'other major attractor of traffic', they are most commonly near:
 - higher-density housing e.g. the development on Kinross Avenue, Edithvale
 - hospitals e.g. Kingston Centre Hospital.

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Figure 11. Places that respondents' properties are located close to



3.3 Street widths

Some streets in Kingston are narrower than seven-metres and that can make driving difficult, even at safe speeds, when there is lots of cars parked on the street. As such, the survey explored community support for measures to improve safety and reduce the number of cars on narrower streets.

Firstly, the survey asked 'Council is considering measures to improve safety on local streets – what measures would you prefer to see on particularly narrow streets?' and gave respondents four options to select from. Figure 12 shows the measures respondents would prefer Council to implement to improve safety on narrow streets.

The key findings from this question are:

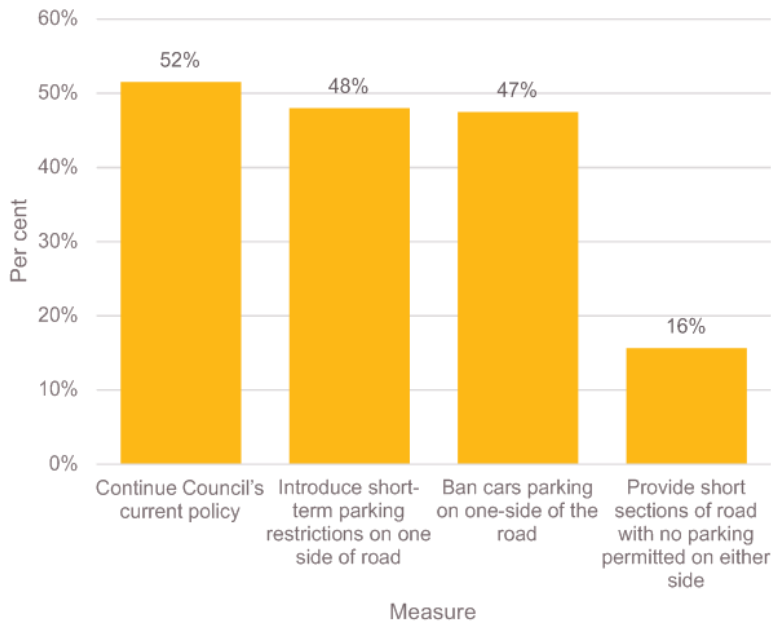
- Respondents support 'Continue Council's current policy'¹, 'Introduce short-term parking restrictions on one of the street', and 'Ban cars parking on one-side of the road' at similar rates (47-52 per cent).

¹ Council's current policy does not offer residents in new developments (units, townhouses, apartments) on-street resident parking permits as adequate parking should be provided within the development

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- Respondents had a low level of support (16 per cent) for 'Provide short sections of road with no parking on either side'.

Figure 12. Measures respondents would like to see Council introduce on narrow streets



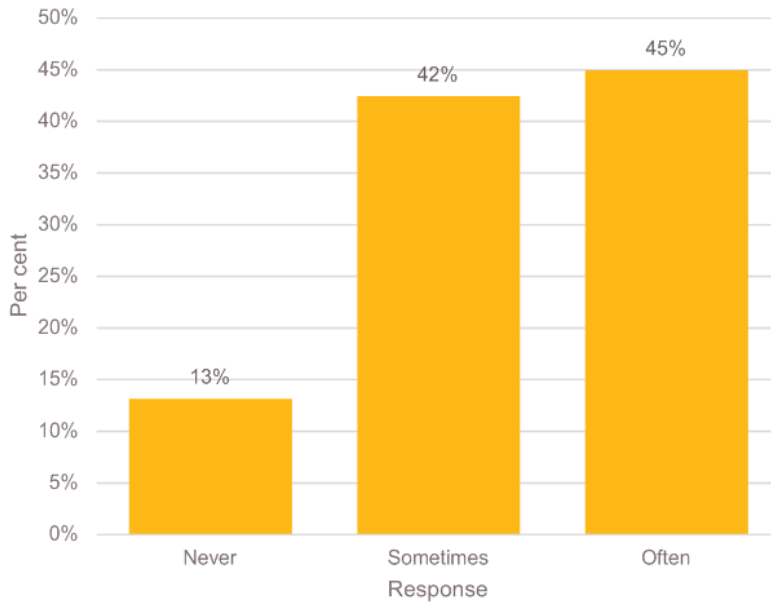
3.4 Method of transport

To understand how people's method of transport affects congestion on residential streets, the survey asked 'For local trips, how often do you walk, cycle or take public transport rather than driving: never, sometimes, or often?' Figure 13 shows that the key findings from this question are:

- Respondents most commonly selected (45 per cent) 'often', while a similar amount selected 'sometimes' (42 per cent).
- Some respondents (13 per cent) never walk for short trips.

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Figure 13. How often participants' walk, cycle or take public transport rather than driving for short trips



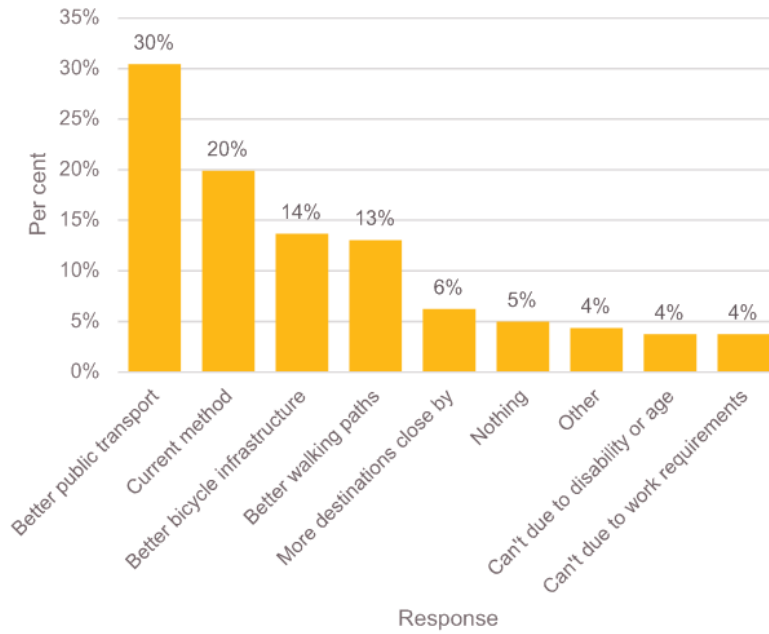
Council knows that using alternative methods of transport can reduce parking competition and road congestion, so we asked, 'What would encourage you to walk, cycle or take public transport instead of driving?' This question was open answer. Figure 14 illustrates the theme of respondents' answers (164 respondents).

The key findings from this question are:

- Most commonly (30 per cent), respondents would walk, cycle or take public transport instead of driving if they had better public transport access
- Some respondents (eight per cent) must drive due to disability/age (four per cent), or because of their work, such as a trades person (four per cent)
- Similar amounts of respondents would walk (13 per cent) or cycle (14 per cent) more if there was better infrastructure such as covered paths away from traffic.

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Figure 14. What would encourage respondents to walk, cycle or take public transport instead of driving

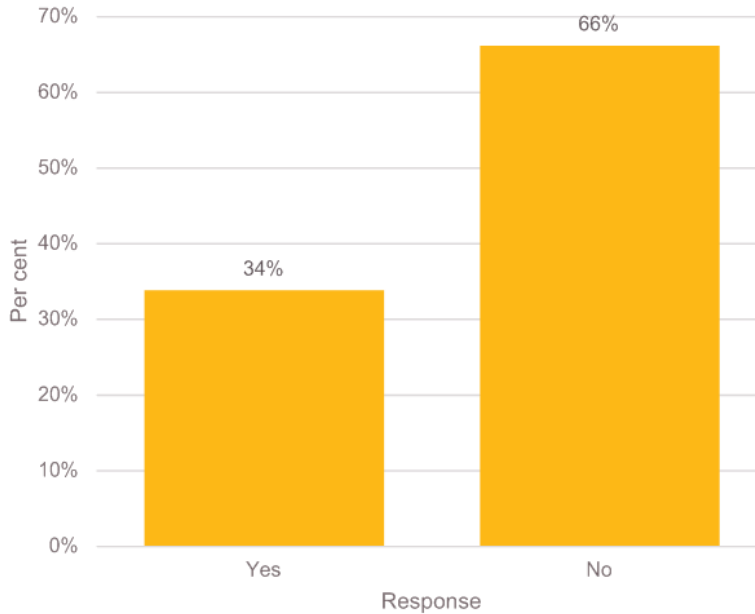


3.5 Proposed changes to the planning laws

Currently, under Victorian Planning Legislation, new developments are required to provide one car parking space for homes of one to two bedrooms and two car parking spaces for homes with three or more bedrooms. We asked respondents 'Do you think this is adequate for homes located within one kilometre from a train station: yes or no?' Figure 15 shows most respondents (66 per cent) think the parking requirements for new developments are inadequate.

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Figure 15. Parking provision for new residential developments close to train stations



Respondents that said 'Yes—the parking provision is adequate' did so for two main reasons.

1. They believe new developments near train stations should have lower car parking rates as residents have good access to public transport and that Government should encourage public transport and alternative transport use.
2. Respondents feel that residents in new developments would own a similar number of cars as there are car parks.

Respondents that said 'No—the parking provision is inadequate' did so for three main reasons.

1. Respondents said that residents in new developments would own more cars than there are car parks provided. They said that residents would own one car per adult per dwelling, so a one-bedroom apartment would often need two parking spots.
2. They feel that new developments should have all parking on site to reduce congestion on surrounding streets. Some said there are less available parking spaces with the new residential developments near train stations.
3. They said that new developments need extra parking spaces to accommodate visitors to dwellings.

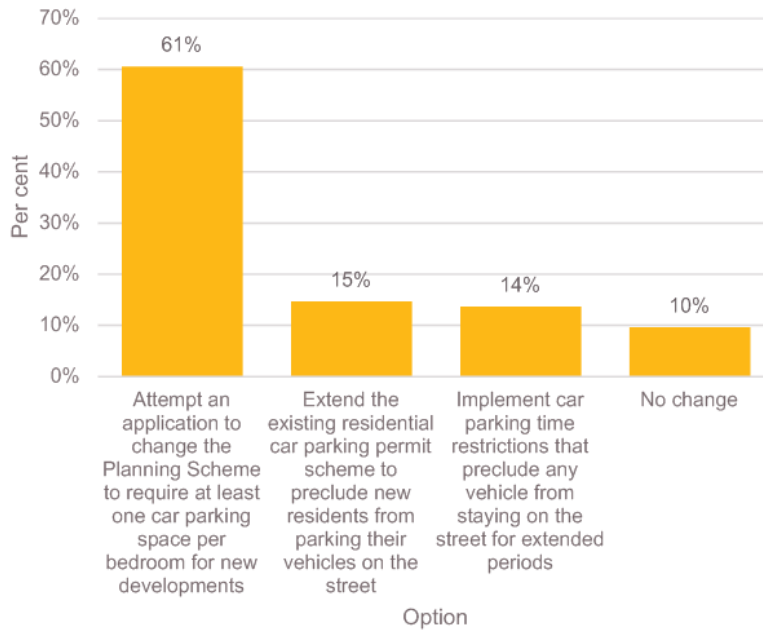
Council is considering applying to the Victorian Planning Minister for permission to increase the required parking requirements to at least one car parking space per bedroom for new developments. No other local government area has introduced increased car parking requirements and doing so would require changes to the Kingston Planning Scheme.

To understand whether the community supports this the survey asked, 'Which option would you most like Council explore to manage car parking requirements for new dwellings in areas with

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increasing densification?’ and gave four options to choose from. Figure 16 shows most commonly (61 per cent), respondents would like Council to attempt an application to change the planning scheme.

Figure 16. The option respondents would most like Council explore to manage car parking requirements for new dwellings in areas with increasing densification



The survey then asked respondents why they chose their answer. Those that chose ‘Attempt an application to change the Planning Scheme to require at least one car parking space’ did so for three main reasons:

1. They believe this will help reduce congestion and competition for on-street parking. They said that with more development, parking spaces are getting more difficult to find.
2. They believe new developments should have enough parking onsite for residents. Some said that residents of new developments have the same right to a guaranteed parking space as residents of older developments.
3. They believe most adults own a car, so every new dwelling should have at least one car parking space.

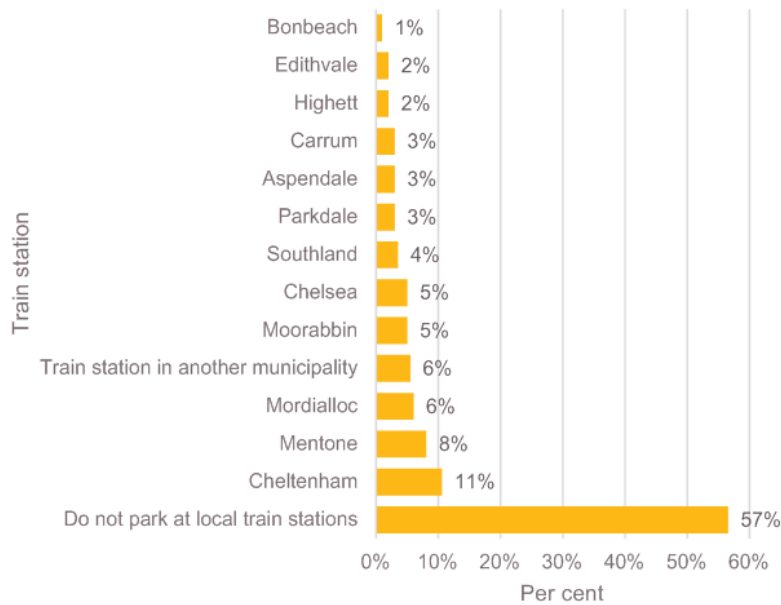
To better understand which train stations people are parking at, the survey asked ‘Do you or your family regularly park at or close to a train station located in Kingston to access public transport?’ Figure 17 shows the train stations respondents and their family park close to regularly.

The key findings from this question are:

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- Most respondents (57 per cent) do not park at local train stations.
- Respondents are most likely (11 per cent) to park at Cheltenham station.

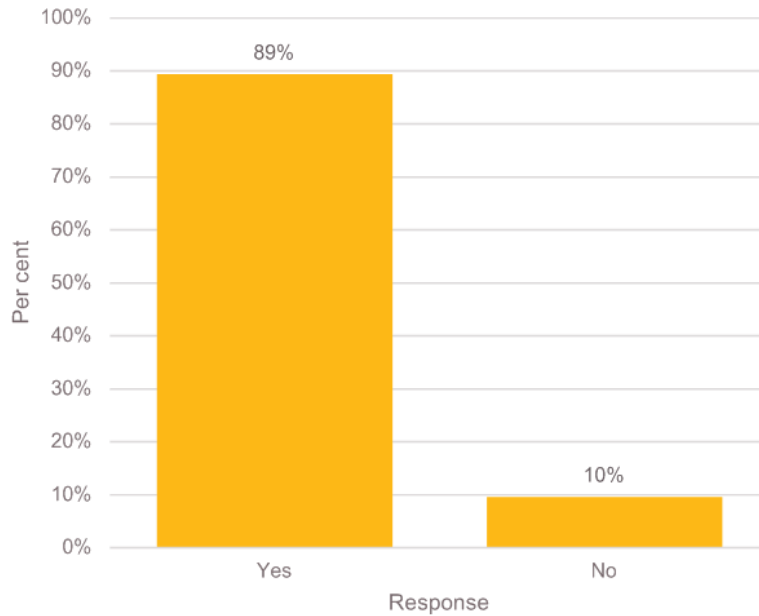
Figure 17. Train stations respondents and their family park close to regularly



As a follow up, the survey asked, 'Would you like to see Public Transport Victoria provide more commuter parking at local train stations: yes or no?' Figure 18 shows that 89 per cent of respondents would like to see Public Transport Victoria provide more commuter parking at local train stations.

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Figure 18. Whether respondents would like to see Public Transport Victoria provide more commuter parking at local train stations



3.6 Other comments

The survey provided participants the opportunity to provide final comments on parking in Kingston. The most common final comments were:

- Respondents would like Council to advocate for more commuter car parking or improve alternative options to access train stations. Many respondents struggle to find car parking at train stations.
- Respondents suggested Council could increase enforcement of parking laws. Respondents often said they see cars parked over driveways or too close to street corners.
- Respondents feel that people should always park 'on site'. This means developers should build enough parking for everyone to park on site, people should park in their driveways and garages, and places of work should have enough parking for their staff.
- Respondents said that the increased number of cars parked on streets is making streets more dangerous.

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4 Community workshop outputs

This section presents the outputs of the community workshop. The workshop looked to 'dig deeper' into the parking issues facing Kingston. It gave participants an opportunity to hear more about the parking challenges facing Council and the space to discuss local issues and work together to find solutions to manage parking in Kingston.

4.1 Parking hotspots

The first activity invited participants to highlight the major issues they have experienced regarding parking. Participants marked-up their parking issues and challenges on a map of the municipality. This information enabled Council to identify the hot spots.

Below are the key discussion points and Table 1 presents a summary of the key findings by location.

- Workshop participants were concerned that an increased population is putting pressure on the local streets.
- Beach parking, particularly during the warmer seasons, is affecting the nearby residential streets and making resident parking difficult.
- Parkers Road in Parkdale is used as a main thoroughfare but is quite narrow and congested, particularly with new developments occurring.
- Activity centres and shopping centres were highlighted as hotspots due to the competition for carparking, specifically between traders and customers.
- Parkdale Station is highly sought after by commuters creating congestion and making it challenging for residents to park near their home.

Table 1. Parking hot spots

Location	Issue/challenge
Municipality wide	A lack of enforcement means that people can park across driveways without consequence. Increased competition for parking spaces as adult children are staying at home longer and people have additional vehicles (boats, caravans, trucks).
Chelsea	Seasonal pressures from people visiting the beach in summer. Competition between trader and visitor parking.

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Location	Issue/challenge
Edithvale	<p>Large new residential developments are expected to have a significant impact on parking spaces in the area.</p> <p>Competition for parking between local traders, commuters using the train station, and people visiting the beach.</p> <p>People are parking illegally on Sinclair Avenue.</p>
Cheltenham	<p>Parked cars on Centre Road/Dandenong Road and Harpley Street are creating safety concerns.</p>
Mentone	<p>Removal of car parks on Beach Road to accommodate the Bay Trail.</p> <p>Safety concerns caused by cars parking on Collins Street, making it a one-way street.</p> <p>Traders parking on residential streets near Lower Dandenong Road.</p> <p>Congestion around the beach due to people parking their cars on both sides of the road.</p>
Parkdale	<p>There is not enough commuter parking at the railway station and people are parking in the surrounding residential streets.</p> <p>Parkers Road is not wide enough to accommodate traffic and parked cars.</p> <p>The beach end of Parkers Road is busy during weekends, this is compounded with a lack of enforcement.</p> <p>There is a high volume of traffic around schools, in particular Mentone Grammar and St Bede's.</p>
Patterson Lakes	<p>There is increased parking competition on Canberra Avenue due to more vehicles from the new multilevel developments.</p>

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4.2 Parking case studies

Everyone has different parking needs and we know that Council, community members, traders, and visitors often have conflicting and competing needs regarding parking. For activity two participants started thinking about the parking challenges faced by other people living, working and visiting Kingston. Each table were given profiles of example community member who experience different parking needs.

At their tables participants read over their profiles and discussed the following questions:


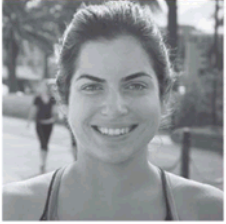
- What parking issues do you think this person may have?
- What are your practical solutions to these parking issues?
 - What can Council do?
 - What can the profile person do?

Listed below are the key discussion points, and Table 2 presents a summary of the key findings.



- Through the case study discussions, participants expressed their concern regarding competition for car parking spaces, especially at schools, shopping centres and in some residential areas.
- Participants suggested that the individuals in the case studies can take the initiative to alleviate some of their parking issues such as, clearing out garages to provide space for vehicles and choosing alternatives to driving.
- Participants highlighted that Council can drive the behaviour change of the community through education programs, walk to school or ride to school programs, and better advertising of alternatives to driving.
- It was proposed that Council can advocate for improved public transport and for additional commuter parking at train stations.

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Table 2. Kingston case studies

Case study	Issues	What council can do	What the individual can do
 <p>Peter owns his own business in Moorabbin Shopping Village. He drives to work six days a week and has four employees who also all drive to work. Sometimes they have to move their cars throughout the day as it's hard to get an all-day park</p>	<ul style="list-style-type: none"> - Time restriction on parking (four-hour limit) - Competition for parking spaces - Unable to access to the back of the property 	<ul style="list-style-type: none"> - Investigate whether more businesses could park at the back of their property and provide a rebate - Establish a trader permit scheme, but investigate how much parking they currently have - Incentivise behaviour change to get people using different modes of transport 	<ul style="list-style-type: none"> - If available, use the land at the back of the property to park their car - Catch the train - Park further away and walk in to work
 <p>Michelle and Kim live in an apartment near Southland Shopping Centre. They have two children under the age of five and have three cars as Michelle also has a vehicle she uses for work. They have two car parks in their apartment and park their third car on the street</p>	<ul style="list-style-type: none"> - Permit and time restrictions - Competing with the parking overflow from Southland Shopping Centre - Competing with other residents and visitors at night 	<ul style="list-style-type: none"> - Provide parking permits for on-street parking to improve chances of getting a carpark for the third car 	<ul style="list-style-type: none"> - Negotiate with their employer to have a personal car/work car arrangement so Michelle has one car, not two

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Case study	Issues	What council can do	What the individual can do
 <p>Ken and his family live in Dingley Village, they have a young child with another baby on the way. Their house has a garage, but they use it for storage and park their two cars on the street. The family use their cars for work and park their cars on the street between 5pm and 7am.</p>	<ul style="list-style-type: none"> - Competition with other residents for on street parking 	<ul style="list-style-type: none"> - More free rubbish pick-up to help clear out the garage - Coordinate the hard rubbish pick-up to happen the week following the Kingston wide garage sale 	<ul style="list-style-type: none"> - Clear out their garage - Participate in the Kingston wide garage sale - Time hard rubbish pick-up to happen after the garage sale trail
 <p>Mary lives close to Chelsea Beach. Her house has a narrow carport and she prefers to park on the street. Mary's parents drive from the country and to stay with her every second weekend and it can be hard to find carparks in the warmer months when people visit the beach.</p>	<ul style="list-style-type: none"> - Seasonal variation - Weekly variation in her life circumstance with parents visiting - Not incentivised to park on her block 	<ul style="list-style-type: none"> - Parking time restrictions in summer - Provide a visitors parking permit - Install a 'no parking sign' outside Mary's home - Education programs, reminding people to use their parking spots; enforcement for people that do not comply 	<ul style="list-style-type: none"> - Put her car in the carpark on her property

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Case study	Issues	What council can do	What the individual can do
 <p data-bbox="660 384 981 592">Chris lives in Clayton. On weekdays after dropping his child at day-care he drives to Westall Station and catches the train into the city to work. It can be hard to find a carpark if he arrives at the station after 7.30am.</p>	<ul style="list-style-type: none"> - Needs commuter parking - Complexity of having to drop off his child at day-care 	<ul style="list-style-type: none"> - Council to advocate for state government to provide more parking around train stations - Multi-level car parks - Adaptable car park buildings - Increase the frequency of bus connectivity to station 	<ul style="list-style-type: none"> - Find a different railway station - Cycle, if the child is old enough - Drop the child off and then walk to the railway station
 <p data-bbox="660 793 981 1032">Troung lives close to a Patterson Lakes Primary School. She uses her car every day to drive to work. As a shift worker, it can sometimes be tricky to find a car park right outside her home, especially during school drop-off and pick-up times</p>	<ul style="list-style-type: none"> - Congestion caused by school pick-up and drop-off - Traffic around schools is heavy feel, it can feel dangerous and intimidating 	<ul style="list-style-type: none"> - Provide more 'kiss and go' areas and/or five-minute areas - Provide residential permits - Promote behaviour change through campaigns; encourage less pick-up/drop-off by cars and get more students walking and riding to school 	<ul style="list-style-type: none"> - Park in driveway or in other off-street parking - See whether she could change her work time (this might be hard for shift work)

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4.3 Parking interventions

This third activity was a 'world café' and it provided participants with the opportunity to discuss in detail parking interventions. Participants were invited to start the discussion at one table and over the duration of the activity visit the other two tables, spending ~20 minutes at each, discussing key questions and building on to the ideas from the previous group.

The table themes were: 'activity centres, residential areas and other. The questions participants discussed during each rotation were:

- Is this an appropriate intervention? Why? Why not?
- What do we need to do to make this happen? (e.g. what actions can Council, traders, the community, developers take?)

Listed below are the key discussion points, and Table 3 to Table 5 presents a summary of the key findings by theme.

- There was some support for priced parking in activity centres, however participants said that residents in the area should be exempt and short stays (for example, less than one-hour) should be free.
- Residential permits are appropriate for areas that experience high demand for example, areas near the beach or near activity centres.
- Participants said that people should have to apply for a separate permit for vehicles other than cars (for example caravans, boats etc.) to manage the number of car spaces.
- There was a high level of support for enforcement as an intervention, as participants have noticed bad parking behaviours going unchecked.

Table 3. Residential areas

Intervention	Appropriateness	What 'we' need to do
Expanded use of resident permits	<ul style="list-style-type: none"> – Depends on the location. This option could help in areas under pressure for commuter parking (combined with time limits) 	<ul style="list-style-type: none"> – Council to undertake surveying to determine the areas appropriate for residential permits – Council to provide additional education to residents about parking requirements and local laws

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Intervention	Appropriateness	What 'we' need to do
Provision of car parks in new developments	<ul style="list-style-type: none"> - Understand whether the inclusion of additional car parks would reduce the cost of apartments - It would work if the car parking requirements near public transport were reduced and additional parking was required in areas with parking pressure 	<ul style="list-style-type: none"> - Council, developers and individuals all have a role - Council need to understand if new developments are creating a parking problem - Residents can trade/lease their unused car spaces
Residential permits	<ul style="list-style-type: none"> - Particularly appropriate around shopping centres/areas under pressure - Understanding the reasonable number of permits per property - Good intervention for areas near beaches, especially during summer - This option would address the problems created by non-cars for example, boats, trailers, and trucks. 	<ul style="list-style-type: none"> - Council to identify the problem areas to target for appropriate residential permits - Council to provide stronger enforcement on parking restrictions on boats, trailers and smaller trucks - Council to provide more signage - Council to lead an education campaign
Line marking on streets	<ul style="list-style-type: none"> - Narrow streets to have designated 'no parking' section to allow pull in areas for two-way traffic - Alleviate safety concerns and help cars negotiate two-way traffic flow 	<ul style="list-style-type: none"> - Council to provide line marking - Council to install no standing areas
Design of car parks to be more useable for example wider garages	<ul style="list-style-type: none"> - Wider garages and carports will increase the likelihood for some people to use their on-property car parks 	<ul style="list-style-type: none"> - State government to mandate the changes - Developers to provide more generously sized garages

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Table 4. Activity centres

Intervention	Appropriateness	What 'we' need to do
Time limited parking	<ul style="list-style-type: none"> – Time limited parking would stop traders from taking customer's car parks 	<ul style="list-style-type: none"> – Council to install time limits along with CCTV – Council to provide every employee with a permit
Priced parking	<ul style="list-style-type: none"> – The first hour or two is free and then paid after that – The price to park cannot be prohibitive – It could disincentivise customers from visiting – Suggestion for nearby residents to be exempt 	<ul style="list-style-type: none"> – Council to advocate for increased commuter parking – Council to provide incentives to the regular users of the carpark
Alternative transport modes	<ul style="list-style-type: none"> – Provide for and encourage people to use alternative transport methods, could mean they don't drive to the railway station 	<ul style="list-style-type: none"> – Council to advocate for buses with direct links to the railway station – Council to advocate for frequent and continuously looping bus services – Council to advocate for and promote park and ride program

Table 5. Other areas

Intervention	Appropriateness	What 'we' need to do
Permits	<ul style="list-style-type: none"> – Establish residential permits – Permits should be required for non-cars such as a boats, caravans or trailers 	<ul style="list-style-type: none"> – Individuals should live in a house that accommodates their lifestyle – Council to ask residents to apply for permits to store non-vehicles
Enforcement	<ul style="list-style-type: none"> – Stronger enforcement of the disability car parks in shopping centres; many people who use them do not have a disability – Clearway 'no parking' should be extended 	<ul style="list-style-type: none"> – Individuals should stop using disability spots when they don't require them – Council should only conduct targeted enforcement, when busy or when required

PARKING STUDY, V1, 13 DECEMBER 2018

Intervention	Appropriateness	What 'we' need to do
	<ul style="list-style-type: none"> - Lots of people park illegally, over residential driveways - Concern that enforcement is not an option for some areas as the multi-level car park in Cheltenham has parking officers handing out tickets when the park is almost empty 	<ul style="list-style-type: none"> - Individuals should be able to 'dob-in' people using an app or by calling Council
Sustainable modes of transport	<ul style="list-style-type: none"> - Behaviour change to encourage people to use other modes of transport 	<ul style="list-style-type: none"> - Council to advocate for improved bus services - Individuals to take personal action to reduce car usage

PARKING STUDY, V1, 13 DECEMBER 2018

5 Observations

- Generally, participants perceive the Kingston community to have a higher car ownership rate than the findings indicate; this can affect people's attitudes towards parking in the municipality. There is an opportunity for Council to provide information about car ownership to allow the community to be fully informed to participate in planning decisions.
- Participants who completed the survey indicated they supported Council attempting to apply to the State Government to change the Planning Scheme. From Capire's experience, discussions about changes to planning legislation are technical and many people change their initial views when they are provided with the information and space to explore the trade-offs.
- Community would welcome Council taking initiative to provide information and educate people to park on their properties. This could include clearing out garages, providing car parks for employees and providing adequately sized car parks in new developments.

PARKING STUDY, V1, 13 DECEMBER 2018

6 Appendices

6.1 Appendix 1: Online survey

1. How many people live at your property?
 - 0-2
 - 2-4
 - 4+
2. How many cars are owned by people living at the property?
 - 0
 - 1
 - 2
 - 3-4
 - 5+
3. Where do you regularly park the car when you are at home?
 - Internal garage
 - Car port
 - Driveway on property
 - On-street parking
4. Does your property have a garage/car port that is not used to store your car?
 - Yes/No
 - If yes – why? What is the garage/carport used for?
5. When family/friends visit your home where do they park their cars (if used)?
 - They don't drive to visit me
 - On my property
 - On public street
 - Other?
6. Do you or your visitors ever find it difficult to find a carpark either on your property or on-street?
 - Never
 - Occasionally
 - Often
7. My home is located close to an
 - Activity centre such as Moorabbin, Highett, Southland, Cheltenham, Mentone, Mordialloc or Chelsea shopping precinct.
 - Other commercial areas and business area
 - Foreshore
 - A school
 - A train station
 - A leisure/sports centre or reserve
 - Other major attractor of traffic – please specify e.g. hospital, Kindergartens,

PARKING STUDY, V1, 13 DECEMBER 2018

While the majority of Kingston's local streets are wide enough to accommodate parking on both sides of the street and traffic(7m), some streets are narrower and make driving difficult even at safe speeds.

8. Council is considering measures to improve safety on local streets – what measures would you prefer to see on particularly narrow streets?
 - ban parking on one-side of road
 - provide short sections of road with no parking allowed on either side, to allow cars to pass freely
 - introduce short-term parking restrictions on one side of road to reduce long-term parking (with immediate adjacent/opposite residents given permits exempting them from the restrictions)
 - continue Council's current policy, which does not offer residents in new units/townhouse/apartment development on-street resident parking permits as adequate parking should be provided on-site.
9. For local trips do you ever walk/ride/take public transport instead of driving?
 - Yes/No
 - If yes – how often?
 - If No – Why not? Would anything help encourage you to walk/ride/take public transport?
10. What would encourage you to walk, cycle or take public transport instead of driving?

Under Victorian Planning Laws, new developments are required to provide one car parking space for homes of 1-2 bedrooms and two car parking spaces for homes with 3+ bedrooms.

11. Do you think this is adequate for homes located within one kilometre of a train station?
Yes/No

Kingston Council is considering applying to the Victorian Planning Minister for permission to increase the required parking requirements to at least one car parking space per bedroom for new developments. An increase has not been introduced in any other local government area and would require changes to the Kingston Planning Scheme.

12. Which option would you most like Council explore to manage car parking requirements for new dwellings in areas with increasing densification?
 - Attempt an application to change the Planning Scheme to require at least one car parking space per bedroom for new developments.
 - Extend the existing residential car parking permit scheme to preclude new residents from parking their vehicles on the street.
 - Implement car parking time restrictions that preclude any vehicle from staying on the street for extended periods.
 - No change.
13. Do you or your family regularly park at/close to a Kingston railway station to access public transport?
 - Moorabbin
 - Highett
 - Southland
 - Cheltenham

PARKING STUDY, V1, 13 DECEMBER 2018

- Mentone
- Parkdale
- Mordialloc
- Aspendale
- Edithvale
- Chelsea
- Bonbeach
- Carrum
- Train station in another municipality
- Do not park at local train stations

14. Would you like to see more commuter parking provided at local train stations by the Public Transport Corporation?

- Yes
- No

15. Do you have any other comments you would like to make about parking in Kingston?

PARKING STUDY, V1, 13 DECEMBER 2018

6.2 Appendix 2: Workshop agenda

Time	Item
6.00pm	Welcome and Introduction
6.15pm	Background and context
6.30pm	Activity #1 Issues and hotspot mapping
7.15pm	Activity #2 Parking case studies
7.40pm	Activity #3 Parking intervention options
8.50pm	Plenary
8.55pm	Next steps
9.00pm	Close

Ordinary Meeting of Council

26 August 2019

Agenda Item No: 10.7

REVIEW OF SANDBELT OPEN SPACE PROJECT DEVELOPMENT PLAN

Contact Officer: David Shepard, Manager Parks and Open Space

Purpose of Report

The Department of Environment, Land, Water and Planning (DELWP) are conducting a review of the Sandbelt Open Space Project Development Plan to create a new concept plan. Key stakeholders, including Council, have been asked to make submissions to inform the draft. This report seeks endorsement of the submission from Council

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That Council:

1. Approve the submission to the State Government's review of the Sandbelt Open Space Project Development Plan (Appendix 1); and
2. Receive a further report on the draft Chain of Parks trail plans (Appendices 2 to 8) for further consideration following community consultation.

1. Executive Summary

The State Government are reviewing the Sandbelt Open Space Development Plan and have asked Council for feedback. A letter of submission has been prepared based around Council's Green Wedge Management Plan and Draft Chain of Parks trail plans. This report seeks approval of the submission and notes that further consultation is to be undertaken on the Chain of Parks trail plan before Council adoption.

2. Background

The State Government has made a commitment to create a ring of new parkland within Melbourne. Part of this commitment is to make land acquisitions to deliver the Sandbelt Parklands, or Chain of Parks, as described in the 1994 Sandbelt Open Space Project Development Plan.

The Department of Land, Water, Environment and Planning has employed a Senior Project Officer to lead the investigation, planning and acquiring of land within Kingston's Green Wedge to bring this project to fruition. As a first step, a review of the 1994 plan is being undertaken to develop a revised concept plan to guide implementation.

Earlier this year Council resolved to undertake more detailed work on the potential alignment of the Chain of Parks trail. This work is now well progressed and is included as an attachment to this report (Appendices 2 to 8). Council is also in the process of reviewing its Green Wedge Plan. This will update the 2012 document to reflect work that has been undertaken since it was adopted by Council.

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

Council has undertaken and implemented significant planning through this area. The Green Wedge Plan is the key document that has guided Council's work in recent years and this is currently under review.

Council is also undertaking more detailed planning for the Chain of Parks trail. This will assist in setting priorities for acquisition.

The Development Plan contains six main themes for the area. Specifically, Conservation Parkland, Golf, Regional Park, Equestrian Activities and Outdoor Adventure/Education. These themes align strongly with Council's Green Wedge Plan and the way the area has evolved over time.

The Green Wedge Plan is more detailed than the Development Plan and could be utilised as the basis for the development of the concept plan. The only deviation from the Green Wedge Plan has been recent advocacy for the development of the Delta site as a regional sporting facility.

3.2 Consultation/Internal Review

Parks and Open Space, City Strategy and Property, Arts and Leisure and Active Kingston Departments have been consulted in the development of the submission.

The Green Wedge Steering Committee will review the Chain of Parks trail plans at their meeting in September prior to broader community consultation being undertaken on this work. This will include a session with the Public Spaces and Environment Advisory Committee.

3.3 Operation and Strategic Issues

3.3.1 Priorities for acquisition

Council has recently written to the Minister to advocate for the purchase of the Henry Street landfill and the Delta site. These two sites are also high priorities for the delivery of the Chain of Parks trail. Following these two sites are those acquisitions that could provide the required linkages between Clayton Road and Heatherton Road. Within this area there is a suggested change to the purchase of land priority from north of Ryans Road to south of Ryans Road in order to facilitate a safer and more practical crossing of Clayton Road.

3.3.2 Management Framework

The management framework in the Development Plan is that Melbourne Parks & Waterways (now Parks Victoria) will be responsible for regional facilities and that Council will be responsible for managing land which is used for local recreation, sporting and passive activity. Should the land use of the Delta site shift to a regional based sporting precinct, this could lead to Council being responsible for the management of the site. There may also be some concerns from Parks Victoria about taking on additional land, under the current model they would be responsible for the Henry St site.

3.3.3 Other Green Wedge matters

There are a number of other issues that are of relevance for the Green Wedge but sit outside the scope of the Development Plan review. Many of these issues will be addressed through the current Green Wedge Management Plan Review project. These include:

- Agriculture
- Solar
- Appropriate development
- Recycled water

Council's position on each of these matters will be articulated in the submission.

4. Conclusion

4.1 Environmental Implications

The Sandbelt Open Space Development Plan has significant environmental implications for Kingston. Implementation of this plan, in line with Kingston's Green Wedge Management Plan, will result in the transformation of landfills to open space. Council is also seeking to establish recreational and wildlife corridors through this area.

4.2 Social Implications

The Sandbelt Open Space Development Project could deliver significant parklands and recreational trails for the Kingston community providing significant community health and wellbeing benefits.



4.3 Resource Implications



The revision of the Sandbelt Open Space Development Plan needs to be aligned with the current review of Council's Green Wedge Management Plan. Any changes in management responsibilities will have resource implications for Council.



4.4 Legal / Risk Implications



There are no known legal or risk implications as a result of Council's submission of feedback to this review.



Appendices



Appendix 1 - Letter of submission to Sandbelt Open Space Development Plan review
(Ref 19/205114)  



Appendix 2 - 0808_Chain of Parks Kingston-2_Detail Plans 12-1.1 (Ref 19/195878)  



Appendix 3 - 0808_Chain of Parks Kingston-2_Detail Plans 12-1.2 (Ref 19/195905)  

Appendix 4 - 0808_Chain of Parks Kingston-2_Detail Plans 12-1.3 (Ref 19/195863)  

Appendix 5 - 0808_Chain of Parks Kingston-2_Detail Plans 12-2.1 (Ref 19/195880)  

Appendix 6 - 0808_Chain of Parks Kingston-2_Detail Plans 12-2.2 (Ref 19/195881)  

Appendix 7 - 0808_Chain of Parks Kingston-2_Detail Plans 12-2.3 (Ref 19/195909)  

Appendix 8 - 0808_Chain of Parks Kingston-2_Detail Plans 12-2.4 (Ref 19/195901)  

Author/s: David Shepard, Manager Parks and Open Space
Reviewed and Approved By: Bridget Draper, Acting General Manager City Assets &
Environment

10.7

REVIEW OF SANDBELT OPEN SPACE PROJECT DEVELOPMENT PLAN

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27 August 2017



Sam Mantzis
Senior Project Officer Metropolitan Parks
Department of Environment, Land, Water and Planning
Level 2, 8 Nicholson Street
East Melbourne VIC 3002

Dear Sam

Re: Review of Sandbelt Open Space Development Plan

Thank you for providing the City of Kingston with the opportunity to provide input into the review of Sandbelt Open Space Development Plan. The Development Plan has been pivotal in articulating the vision for the Chain of Parks and has been utilised by Kingston in the creation of our Green Wedge Management Plan. The overarching principles and philosophies underpinning the Development Plan have withstood the test of time and should continue to be upheld as the opportunity to implement more of the plan arises.

Since the development of the Sandbelt Open Space Development Plan in 1994 much has happened through the area which will impact on its delivery. Council developed a Green Wedge Management Plan in 2012 and is currently updating this plan to reflect work over the last seven years. Council is also undertaking more detailed work on the Chain of Parks trail proposed in the Development Plan to document a preferred alignment and identified the land required for its implementation. These two pieces of works should be the primary inputs into your review. Park themes and directions are detailed within this strategic work and largely align with the original Development Plan. Copies of both are attached and Council Officers are happy to discuss any elements of these to assist you in your work. Please note that the Chain of Parks trail plans are drafts and do have some errors and are still subject to community consultation and Council endorsement.

Council has recently written to the State Government advocating for the purchase of the Henry Street landfill and the Delta site. These two sites are high priorities for the delivery of the Chain of Parks (including the trail) and the creation of regional sporting facilities. Of all the properties within the Public Acquisition layer in favour of the State Government for the development of the Chain of Parks these two are the most important. After these two sites are secured the properties within the overlay to the east of Clayton Road should also be considered for purchase to open the Chain of Parks beyond Council's Victory Road site which is currently under development.

The Sandbelt Open Space Development Plan includes a high level management plan. This suggests a split of parks management responsibility based on the role of the park. As significant sites are coming closer to delivery it would be useful to agree through this review process the specific management authority for each site so that appropriate forward and financial planning can be undertaken. Council's position is that all land currently within the Public Acquisition Overlay should be managed by the State Government once purchased as it essential to the regional network. Outside of this Council will, and already is, manage land that is more locally based in its use and catchment area. This includes some reasonably significant sites that Council is currently developing at Elder St Reserve and Victory Road Reserve which also lie within the Chain of Parks.

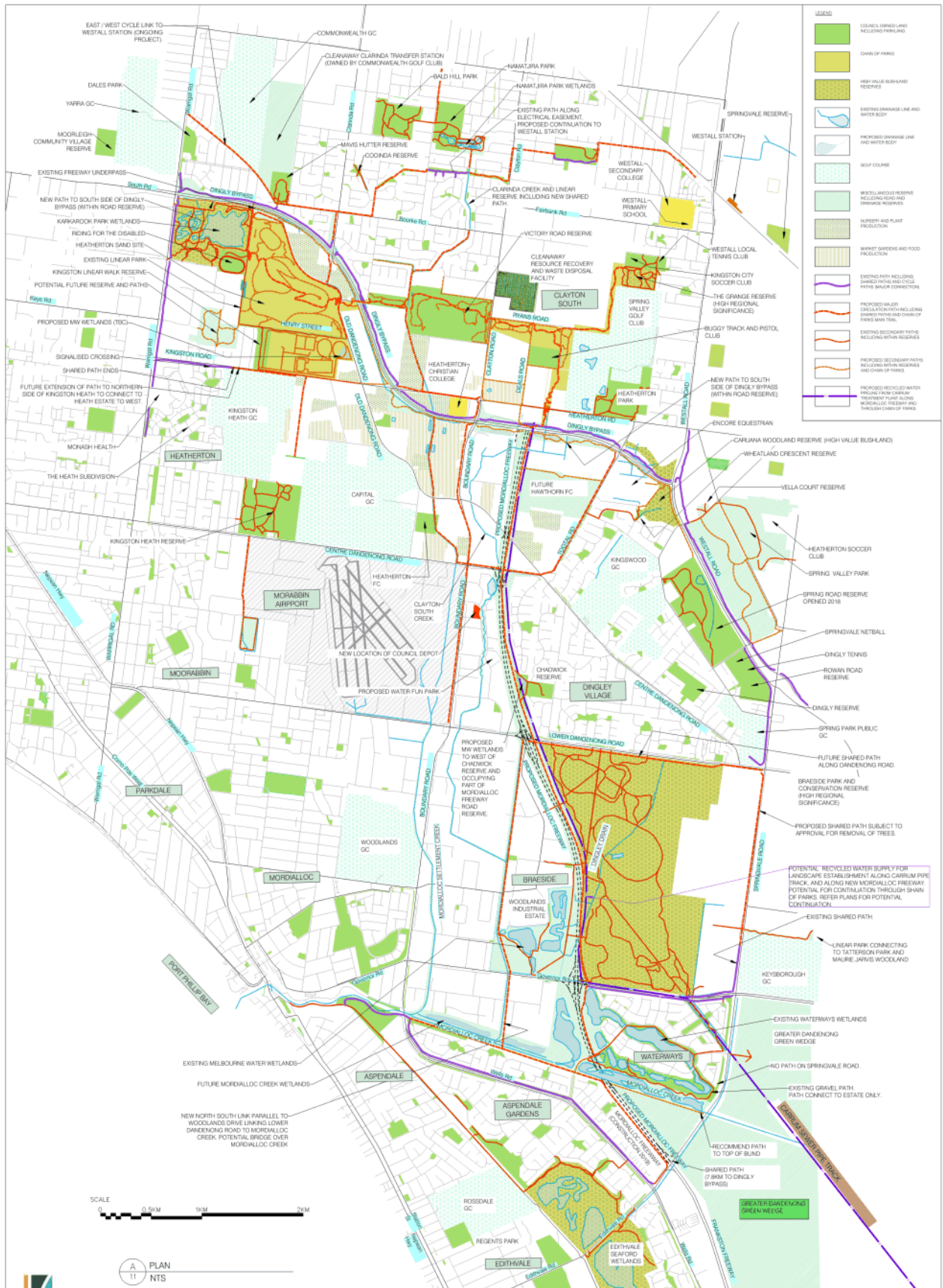
There are a number of other matters that are relevant to the Green Wedge area that you should be cognisant of in undertaking your review. These include the role of agriculture in the Green Wedge, management of appropriate development and the potential for solar development and as much as possible minimise its impact on the Chain of Parks, and access to recycled water within the area which could be supported through the development of a pipeline from the Eastern Treatment Plant.

In conducting your review can you please include the Implementation Strategy for the Chain of Parks March 1992 as a key document. This document was produced by Melbourne Water and the Cities of Moorabbin, Oakleigh and Springvale and utilised in the creation of the Sandbelt Open Space Development Plan. A copy can be provided to you if required.

The short time frame for submissions has made it difficult for Council to provide a comprehensive submission however should you have any queries about Council's response please contact David Shepard, Manager Parks and Open Space on: 1300 653 356.

Yours sincerely

Cr Georgina Oxley
MAYOR



KINGSTON GREEN WEDGE

CHAIN OF PARKS - TRAIL DESIGN DRAFT

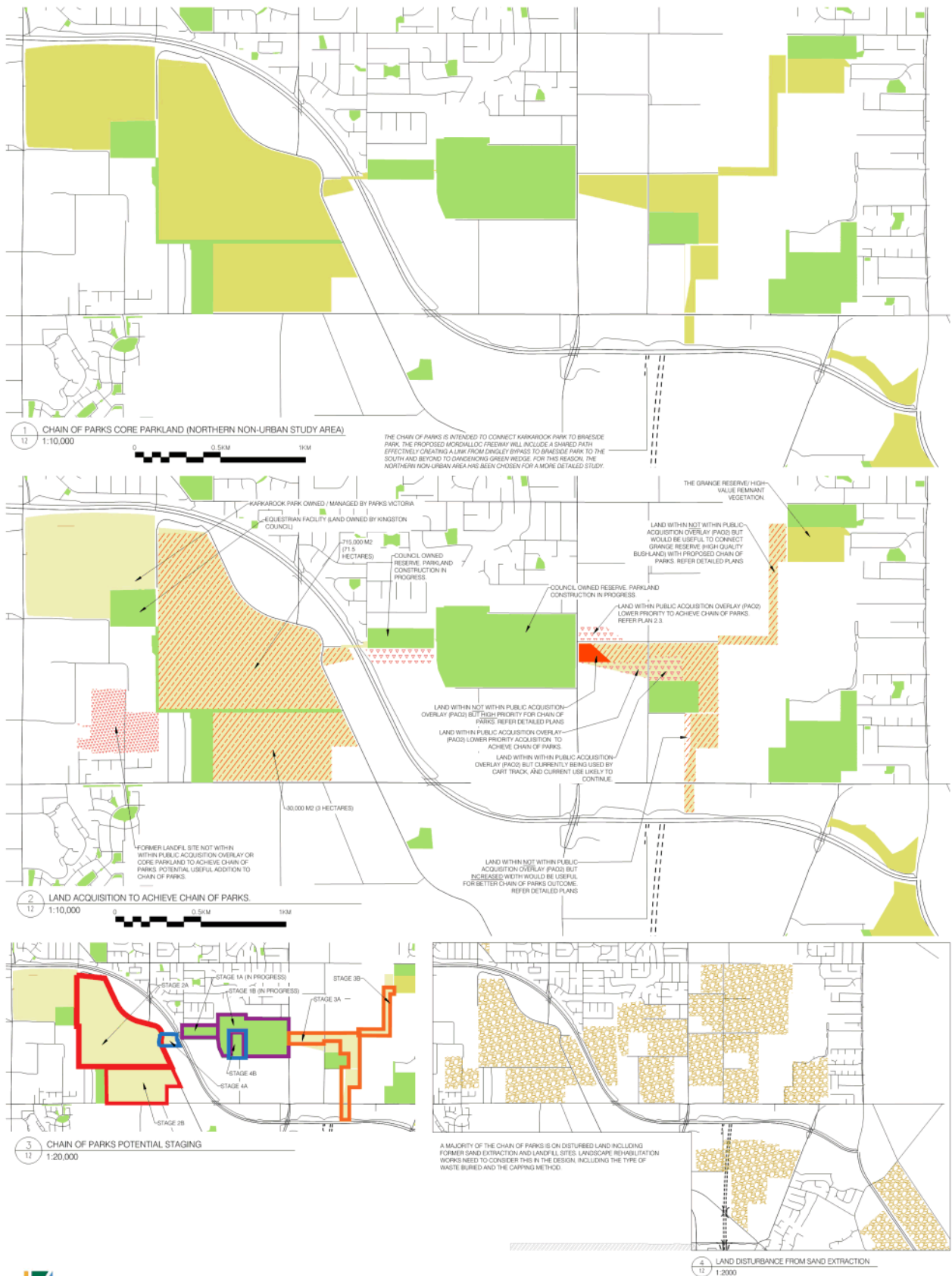


DAVID SHEPARD | PROJECT DIRECTOR DRAWN BY MARTYNGLANDPROJECTS.COM.AU

TITLE MUNICIPALITY & CIRCULATION PLAN

DRAWING NO. 1.1 DATE 07.08.2019

SCALE NORTH NTS



KINGSTON GREEN WEDGE
CHAIN OF PARKS - TRAIL DESIGN [DRAFT]
City of KINGSTON | DAVID SHEPARD | PROJECT DIRECTOR | DRAWN BY MARTYN@LANDPROJECTS.COM.AU

TITLE
NORTHERN NON-URBAN STUDY AREA

DRAWING NO. 1.2 | DATE 07.08.2019

SCALE NORTH AS SHOWN



1
13 CHAIN OF PARKS OVERALL SITE PLAN
1:10,000



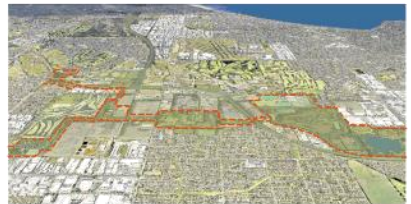
CHAIN OF PARKS AERIAL PERSPECTIVE (LOOKING NORTH-EAST)



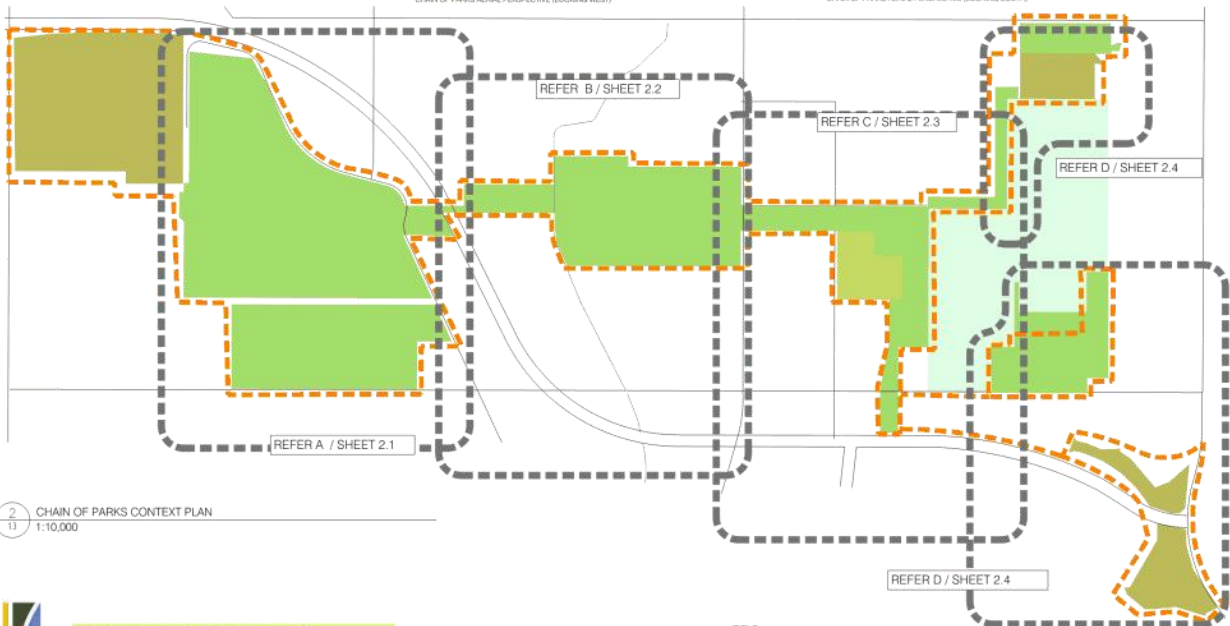
CHAIN OF PARKS AERIAL PERSPECTIVE (LOOKING NORTH)



CHAIN OF PARKS AERIAL PERSPECTIVE (LOOKING WEST)



CHAIN OF PARKS AERIAL PERSPECTIVE (LOOKING SOUTH)



2
11 CHAIN OF PARKS CONTEXT PLAN
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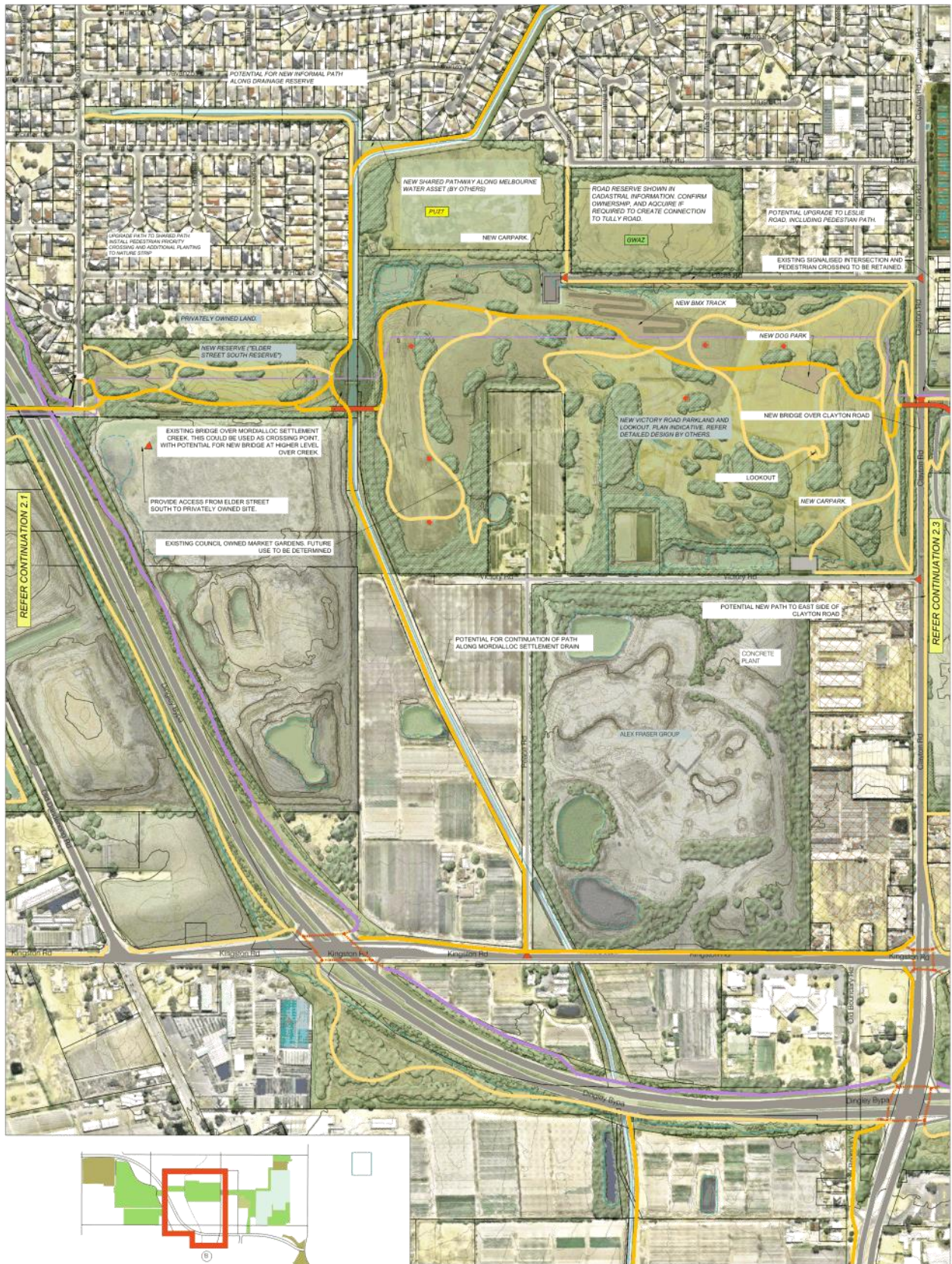
KINGSTON GREEN WEDGE
CHAIN OF PARKS - TRAIL DESIGN **DRAFT**
 City of KINGSTON DAVID SHEPARD | PROJECT DIRECTOR DRAWN BY MARTYNGLANDPROJECTS.COM.AU

TITLE
NORTHERN NON-URBAN STUDY AREA - GENERAL
 DRAWING NO. 1.3 DATE 07.08.2019 SCALE NORTH AS SHOWN @ A1



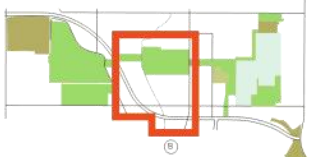

1 PLAN (WEST)
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KINGSTON GREEN WEDGE
CHAIN OF PARKS - TRAIL DESIGN **DRAFT**
 DAVID SHEPARD | PROJECT DIRECTOR DRAWN BY MARTYNGRANDPROJECTS.COM.AU

TITLE
 DETAILED PLANS: NORTHERN NON URBAN AREA
DRAWING NO. 2.1 **DATE** 07.08.2019 **SCALE** NORTH 1:2500 @ A1 



REFER CONTINUATION 2.1

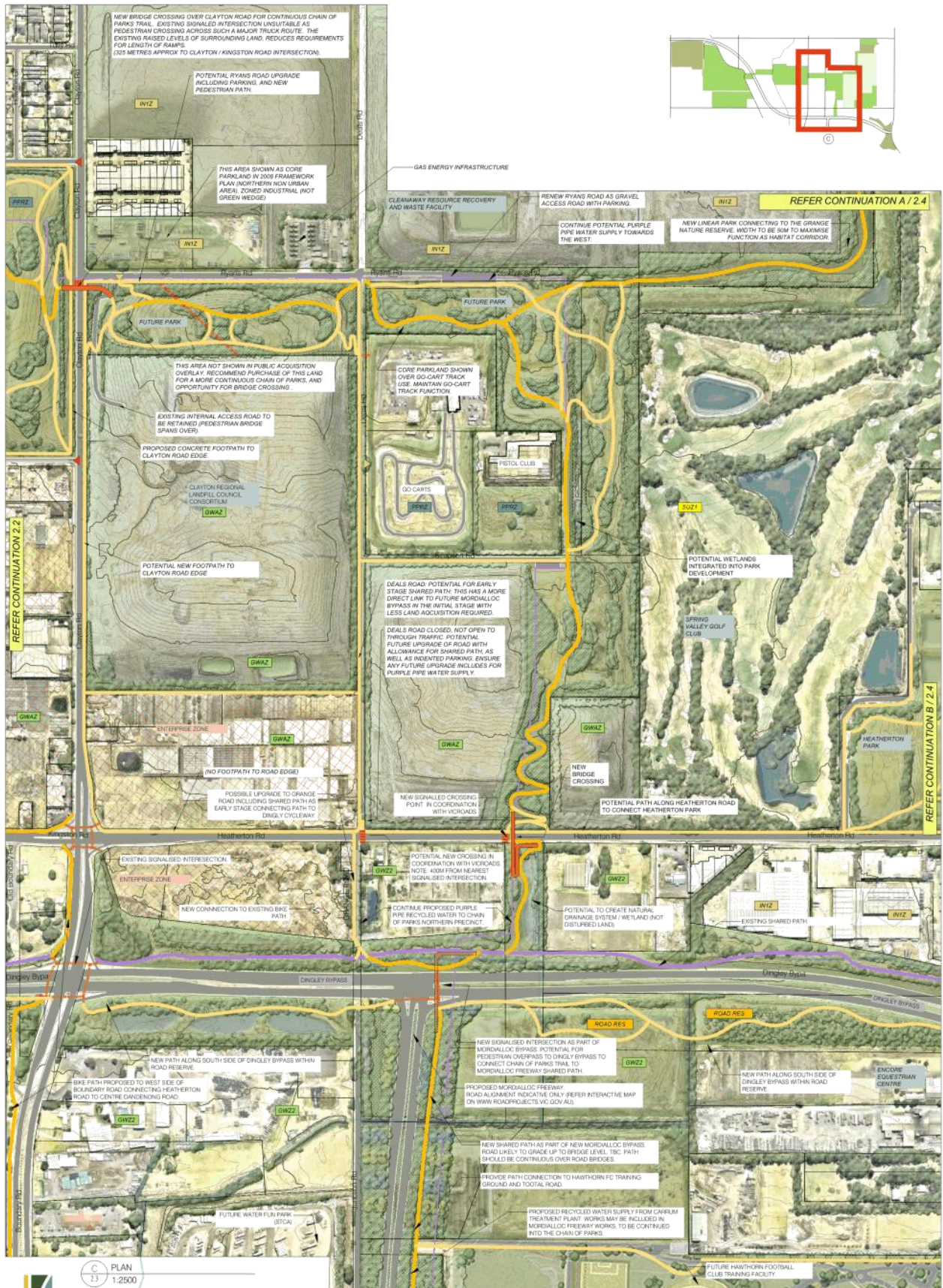
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12 PLAN (MIDDLE NORTH)
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CITY OF KINGSTON
KINGSTON GREEN WEDGE
CHAIN OF PARKS - TRAIL DESIGN **DRAFT**
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DETAILED PLANS: NORTHERN NON URBAN AREA
 DRAWING NO. 2.2 DATE 07.08.2019 SCALE NORTH 1:2500 @ A1

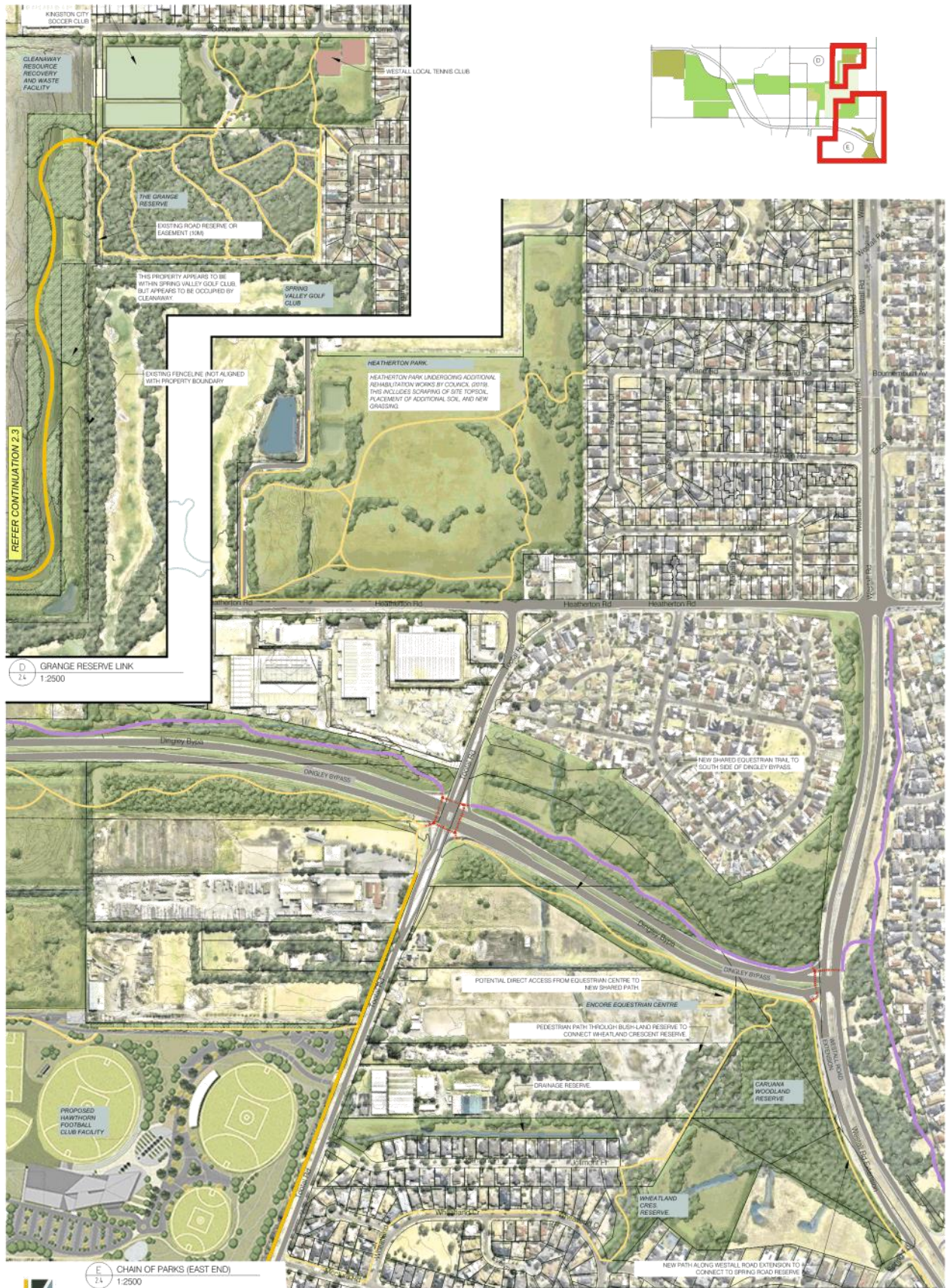



CITY OF KINGSTON
 DAVID SHEPARD | PROJECT DIRECTOR


KINGSTON GREEN WEDGE
CHAIN OF PARKS - TRAIL DESIGN **DRAFT**
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TITLE
 DETAILED PLANS: NORTHERN NON URBAN AREA

DRAWING NO. 2.3 **DATE** 07.08.2019 **SCALE** 1:2500 @ A1 **NORTH** 




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CHAIN OF PARKS - TRAIL DESIGN DRAFT
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TITLE
DETAILED PLANS: NORTHERN NON URBAN AREA
 DRAWING NO. 2.4 DATE 07.08.2019 SCALE 1:2500 @ A1 NORTH 

Ordinary Meeting of Council

26 August 2019

Agenda Item No: 10.8

RESPONSE TO NOTICE OF MOTION 26/2019 - CR GLEDHILL - RECYCLING PROGRAM

Contact Officer: Tim Scott, Team Leader Maintenance Contracts and Waste

Purpose of Report

To provide a response to Notice of Motion No. 26/2019 – Cr. Gledhill - Recycling 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:

1. Maintain an individual contract with at least one Material Recycling Facility operator until June 30th 2021. This recognises that there are no collaborative contract options available to Council at present.
2. Participate in further engagement with State Government and continue to remain involved in the collaborative procurement process for collection and processing of large scale recycling contracts.
3. Advocate to State Government for the implementation of a Container Deposit Scheme to assist in dealing with the environmental problems created through the use of hard plastic waste.
4. Advocate to State Government the requirement for Circular Economy principles to be prioritised and adopted for all stages of the recycling industry, including the use of recycled products through procurement policy, ensuring local industries exist to utilise the volumes of recycled material produced and that recycled products can compete for market share.
5. Increase awareness and provide further education to the broader community regarding the collective and individual responsibilities in the recycling process.
6. Write to State Government requesting further transparency in Landfill Levy Collections and increase the disbursement of funding back to Council's for dealing with any non-recoverable increases in recycling costs.
7. Receive a report on the City of Yarra and Macedon Ranges Shire implementation of a fourth kerbside collection bin for glass products.

1. Executive Summary

At 27 May Ordinary Council Meeting, Council adopted Notice of Motion 26/2019 – Recycling adopted.

12.7 Notice of Motion No. 26/2019 - Cr Gledhill - Recycling

1. That officers prepare a report on how Kingston Council may act individually or in collaboration with other Councillors in order to secure the integrity of councils recycling program.
2. The report should cover all aspects of the process from collection to the end use of the recycled material.

The report would also provide details of costs that would be incurred.

CARRIED

This report provides information around the existing recycling practises that affect Kingston and the industry in general. The recycling industry has been dynamic over the last 18 months due to the reliance on overseas markets as destinations for Australian waste materials. This is considered unsustainable from an environmental, financial, social and risk perspective.

The main local issues affecting the industry are the lack of incentive to purchase recycled content products and the absence of a local industry to remanufacture or repurpose recycled materials. The community also has a role to play in ensuring that the recycling industry can be sustainable through their own purchasing and waste disposal choices.

2. Background

On 1 March 2018 China, as the largest market for the receipt and processing of domestic recyclable products (plastics, paper, glass and metals), changed its laws and implemented new regulations requiring that imported waste products have a far lower level of contamination. This impact caused a significant market disruption and resulted in the collapse of global recycling commodity prices.

The City of Kingston through its residential kerbside collection service produces ~15,000 tonne annually of co-mingled recycling products with a contamination rate of 10%. The waste generation and contamination figures have been largely stable for the last 7-8 years.

At the Ordinary Council Meeting on 28 May 2018, Council awarded Contract 17/86 for Receipt of Recyclables to SKM Industries. On 1 October 2018, SKM commenced receiving Kingston's kerbside recyclables at the Hallam Transfer Station that were then transferred to the Laverton Materials Recycling Facility (MRF). The intention was that the Hallam site would have a Materials Recycling Facility (MRF) built and fully commissioned to receive and process recyclables in early 2019. However due to further disruptions, this has not been completed by SKM.

Council has been directly impacted by changes in the global recycling industry since March 2018 with both costs and processing of materials affected. The flow on effect of quality standards exposed major flaws in the Victorian recycling industry as the processing speed of all MRF's was lowered to allow higher quality material to be produced. The volume of recycling products for processing began to exceed the processing capacity of the industry.

The lack of economical destination markets for recycled products also created problems around storage of materials at MRF's and the associated public health issues of fire, vermin and odour. The EPA has a dedicated taskforce that manages the recycling industry and is proactive in compliance inspections.

3. Discussion

3.1 Council Plan Alignment

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

3.2 Consultation/Internal Review

The City of Kingston has been kept informed of market changes through regular updates from Local Government Victoria, Municipal Association of Victoria and Melbourne Waste Resource Recovery Group forums. Council officers are also in regular contact with alternative MRF operators and other Melbourne Councils.

3.3 Operation and Strategic Issues

3.3.1 Recycling Process

The process of recycling commences with waste generation by residential properties. These products are standardised in Australia and include cardboard, paper, aluminium, steel, glass and hard plastics. There are three main companies in Melbourne that provide co-mingled recycling services, SKM has 50% of the market, VISY 40% and Polytrade 10%.

The collection process entails residents placing recyclable materials in their yellow lidded bin for collection by Council waste collection contractors. The bin is emptied into a waste collection vehicle and maintained at loose compaction levels to ensure whole glass products are not crushed. To maintain operational efficiencies for collection, a MRF is usually required within 30min of the recycling source.

The materials will arrive at a Material Recovery Facility (MRF) for primary mechanical sorting into their various waste streams. All co-mingled recycling will have contamination at levels between 10-30%, which is disposed to landfill due to the high labour costs involved in further recovery. Kingston is typically at the lower end of contamination levels, making the product comparatively more attractive to MRF operators.

The main contaminants at an MRF are glass fines that can contaminate other recycled products (especially paper and plastics), rendering them unusable. Plastic bags and other soft plastics also create problems where the bags will tangle in other materials and potentially wrap in conveyors with the resulting friction creating high temperatures and fires.

This is the main product impacted by China's Green Sword policy which was the primary destination for recycled plastic products. This market has collapsed with third world countries still the destination for large amounts of first world plastic products, although this could easily change.

The plastics are shredded into pellets for reuse or melted for remanufacturing, however there is zero demand in the market, with virgin plastic products cheaper than recycled products. Additionally, some hard plastics are difficult to reuse due to the chemical processes involved in blending or melting these products.

There is currently no financial incentive in Australia for plastic manufacturers to use recycled content and they are frequently more difficult to use than virgin materials. MRF operators cannot currently sell their recycled products at a sustainable price compared to new materials.

Recycled plastic products are numerous and can include household items such as liquid containers, outdoor furniture, building materials and plastic hardware. Food grade items are rarely provided in recycled plastic containers due to potential contamination risks.

Appendix 1 – ‘Recovered Resources Market Bulletin’ provides information regarding the local market and financial state of commodities produced by the recycling process.

3.3.2 Resources and Energy

All recyclable materials are produced from a finite source of raw materials initially. For metals this typically involves mining and processing which will cause significant environmental damage. Plastics are manufactured from petrochemicals which are dependent on the production of crude oils and any additive chemicals. Paper and cardboard can be made from renewable sources such as plantation timber, however there is still a large amount of water and energy involved in their production. Glass is made from silica (sand) however also requires a large amount of energy from electricity and heat.

All recyclable materials have an amount of embedded energy involved in their initial production, which is a large resource investment and environmental cost. For any single use item, the consumer is also disposing of the embedded energy in the item.

Further recycling of these products usually does not involve the same high energy levels to repurpose. Aluminium cans are known to take only an additional 5% energy to reuse, making their reuse extremely efficient compared to virgin material.

3.3.3 Existing Costs

The residential waste collection and receipt of recycling were both advertised and appointed in CON-17/86. The services for both contracts commenced on 1st October 2019.

Refer Appendix 2, Table 1 for existing cost related information.

Landfill Levy

The State Government maintains a Sustainability Fund that is sourced from a landfill levy on all material presently disposed to landfill. This fund is currently listed at \$400M and growing with no defined long-term plan. The Landfill Levy is now priced at \$65.90/t which is higher than the current landfill gate fee.

Council Contributions to Landfill Levy (2018/19)	\$1.82M
Recycling Relief Fund in (2017/18)	\$216K

Recycling Relief Funding

The State Government announced a \$6.6M relief package for the 33 SKM affected Councils on the 13th August 2019. Although likely to be based on volumes, it is anticipated that Council will again receive in the order of \$200K. This is in contrast to the \$1.82M contribution by Council in the preceding 12 months.

3.3.4 Service interruptions

In March 2018, Cleanaway and their MRF operator (Polytrade) lobbied Council to change the fee structure involved in the long-term receipt of recycling contract. The claim was due to the end markets for recycling collapsing and the viability of the industry. State Government reimbursed Councils for the additional costs involved in this price reset.

In February 2019, SKM were required by the EPA to cease accepting materials at their MRF's due to non-compliance issues. This resulted in a 10-week closure of SKM facilities and required many Councils, including Kingston, to dispose of kerbside recycling directly to landfill. The compliance issues related to stockpiling of materials.

In July 2019, SKM were again required by EPA to cease accepting material at their associated glass recycling facility which has again resulted in the closure of all their facilities. The non-compliance was also related to stockpiling of materials.

These issues have demonstrated the systemic problems within the recycling industry and the pressures on recycled materials as a commodity.

3.3.5 Procurement Options

The State Government has recently announced a procurement exemption under s.186 of the Local Government Act that allows Councils to appoint a Recycling contractor without advertising a public tender. This recognises the fragility and lack of market diversity in the existing industry. The appointment of a contractor can be undertaken for any period until 30th June 2021.

If Council elected to renegotiate a new Receipt of Recycling Contract, Council would need to secure an alternative processor for receipt of recycling. There are limited market opportunities within Victoria, with only three known companies being SKM, Polytrade and VISY that are accessible and capable of processing recyclable material at Kingston volumes.

The recent market disruptions and the response by providers within the market, have highlighted questions around the capacity and capability of recyclers to offer a competitive and value for money service. There still remain issues of transparency around the final destination of processed recyclable materials.

3.3.6 Collaborative Contract Models

The Metropolitan Waste Resource Recovery Group (MWRRG) is working with municipalities within the southern region of Melbourne to consider collaborative options for large scale recyclable collections and processing. Council officers have signed preliminary documentation to participate in this Collective Procurement agreement for Recycling Services without formally obligating Council to any future commitment.

Council officers are participating in discussions with MWRRG and providing existing contractual commitments, recycling tonnages and material specifications. The proposal is designed to drive greater investment and promote recycling options through the offering of large volumes of material from separately located Council's.

The MWRRG proposal at this stage does not have a budget, processing location, recycling methodology, or commodity market. This realistically means procurement would take at least 2 years (likely longer) before any formal outcome becomes available for Councils to utilise.

Officers continue to work with MWRRG and other Councils to move toward the collaborative procurement of recycling services. Kingston is not dependent on this contract, however remains actively engaged to provide future options to Council.

3.3.7 Individual Contracts

The City of Kingston has an individual direct contract with SKM to provide receipt of recycling services (CON-17/86). If this contract was to default, the recycling processing market still only has 2 alternative processing options for Melbourne based Councils. The market demand for recycling services has created a scenario where MRF operators can dictate terms for any future clients.

Due to the lack of any available collective procurement contracts, Council will be required to maintain a direct contract with a MRF operator until at least June 30th, 2021 which is when the MWRRG Collaborative contract will commence.

There are alternative MRF's located around the Western and Northern suburbs of Melbourne that are operated by SKM and VISY. These plants are also operating at capacity.

At additional cost to Council that is on parity with landfill, Polytrade has provided an alternative service on a weekly basis. This arrangement with Polytrade provides Kingston residents the confidence in the recycling system and the longer-term assurance or value for money that Council requires for its recyclables receivable and processing.

Refer Appendix 2, Table 2 for comparative costs of individual MRF operators in the South East Metropolitan region.

3.3.8 Transparency

Existing Recycling contractors have very little State or Local Government oversight to ensure that providers are qualified to undertake the services that they are claiming. Until there is a regulatory framework developed and enforced, Councils will be required to rigorously contract manage the industry to ensure that material recycling is occurring.

There needs to be transparency in the recycling industry that allows consumers access to the end destination of their products. All MRF operators should be providing this transparency to ensure that recycling is not stockpiled in warehouses or transported overseas for sorting.

3.3.9 Circular Economy Principles

The recycling industry requires systemic changes to ensure that consumers are aware of the impact of their choices and their waste generation follows circular economy principles. This would require that products be easily recycled and/or have a higher content of recycled products. When these products are disposed, the recycle process can be completed locally along with repurposing into a new product.

To ensure that a circular economy can be effective will require change across a range of areas including procurement policy, waste processing capacity, local remanufacturing industries and end market development. The changes may include tariffs or fees on materials not sourced locally.

The State Government will be publishing a White Paper on a future Circular Economy for Victoria in October 2019. Council Officers have contributed to this process and have provided comments for the requirement to execute all principles collectively to ensure that there are no opportunities for failure in this system.

A Container Deposit Scheme is a simple recommendation of Circular Economy principles to ensure that materials are used multiple times before the product is deemed unrecoverable. Victoria is the only state in Australia that does not have a Container Deposit Scheme, which would resolve a lot of the issues around hard plastics in com-mingled recycling.

3.3.10 Existing Council Practises to Promote Resource Recovery

There has been consistent effort at Council to minimise the use of raw materials and embedded energy in the products that Council procures, and the services provided to residents. (refer to Appendix 3)

Existing Recycling practises

- Reconsphalt road surfacing – 1000t/yr
- Recycled crushed rock in civil construction
- More efficient vehicle fleet with less vehicles and longer lease terms
- Reduction in Stationary usage – 50%
- Use of mulches made from Parks branch collections

Council is introducing a Food and Garden Organic Service in April 2020 with the intent to minimise the disposal of organic materials to landfill. With the Council landfilling ~30,000 tonne / year currently, even a 10% change will redirect 3000 tonne / year from landfill.

There are a range of other products that Council will procure to increase the reuse of recycled materials and promote the future growth of this industry.

3.4 Recommendations

3.4.1 Recommendation 1

That Council maintain an individual contract with at least one Material Recycling Facility operator until June 30th 2021. This recognises that there are no collaborative contract options available to Council at present. The lack of an alternative MRF with large volume capacity is a major issue for the industry. Council officers to provide updates on collaborative procurement options as these are developed further by State Government.

3.4.2 Recommendation 2

That Council participate in further engagement with State Government and continue to remain involved in the collaborative procurement process for collection and processing of large scale recycling contracts.

3.4.3 Recommendation 3

That Council advocate to State Government the requirement for the immediate support and implementation of a Container Deposit Scheme to assist in dealing with the environmental problems created through the use of hard plastic waste.

3.4.4 Recommendation 4

That Council advocate to State Government the requirement for Circular Economy principles to be prioritised and adopted for all stages of the recycling industry. This will include the use of all recycled products through procurement policy, ensuring local industries exist to utilise the volumes of recycled material produced and that recycled products can compete for market share.

3.4.5 Recommendation 5

That Council increase awareness and provide further education to the broader community regarding the collective and individual responsibilities in the recycling process.

3.4.6 Recommendation 6

Write to State Government requesting further transparency in Landfill Levy Collections and increase the disbursement of funding back to Council's for dealing with non-recoverable increases in recycling costs.

3.4.7 Recommendation 7

Receive a report on the City of Yarra and Macedon Ranges Shire implementation of a fourth kerbside collection bin for glass products.

4. Conclusion

In summary, Council currently requires a recycling processing contract to manage the volumes of material produced by its residents. For the future, it is imperative these products can be recycled and reused locally at an appropriate price point for the consumer.

This will require support from all levels of government and the consumer to ensure that the industry can be sustained while minimising the use of raw materials and embedded energy.

4.1 Environmental Implications

Products that are currently recycled in Australia are largely made from raw materials and/ or energy sources that are a finite resource. This is not a sustainable long-term practice and if not addressed will result in a future lack of materials and pollution of the natural environment.

The State Government does not have any short-term plan to deal with the current issues facing recycling. This leaves Councils in a position where advocacy is the only real option. In the longer term there are plans for Collaborative Contracts with other municipalities within Victoria, that are being initiated by MWRRG.

The introduction of circular economy principles will promote the local recycling process and reuse of disposed materials. An Australian waste industry that is more self-reliant and with improved reuse options will ultimately assist to avoid the reliance on landfilling.

4.2 Social Implications

Council will provide leadership in promoting waste minimisation by regularly reviewing operational activities; liaise with users to maintain service levels; and respond to changing needs within the sector by targeting sustainable and environmental considerations.

The promotion of education and awareness programs with the community to maximise recycling; proper disposal of refuse; and practices that minimize the environmental effects of poor waste management practices.

The community is also required to fully appreciate their role in the recycling process and how consumer decisions can affect the broader community.

4.3 Resource Implications

The current annual operational budget for receipt and processing of recyclable material is \$1.05M based on the contracted gate fee. In the long term this is likely to increase unless Council and the broader community make conscious decisions around consumer purchases due to the lack of finite resources and ability to recycle these products. This can be assisted through education and advocacy programs from all levels of government.

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. Any interruptions or suspension of service will ultimately have a financial impact to Council. This has been demonstrated in the previous temporary closure of SKM.

The large-scale investment in the local recycling sector will strengthen circular economy principles for Council. Local industry that is involved in the supply chain and manufacturing of recycled content will provide long term benefits and assist all residents.


4.4 Legal / Risk Implications


Maintaining the status quo of the recycling industry will result in ongoing uncertainty for Councils and residents around the continuity of service and exposure to significant cost variations. The recommendations above regarding procurement, advocacy, contract models and education programs will assist to minimise Council's exposure to risks from these issues.


The State Government announcement regarding a procurement exemption for recycling has given Council some flexibility in how we treat any future volatility in the market.

A large percentage of materials recycled in Australia are sent overseas for further processing which exposes Council to risk through international market or policy changes. There is also a complete lack of transparency and final destination for these products.

Appendices

Appendix 1 - Recovered Resources Market Bulletin June 2019 Sustainability Victoria
(Ref 19/192320)  [↓](#)

Appendix 2 - Confidential Cost information relating to Recycling Processing (Ref
19/199083)  [↓](#)

Appendix 3 - Existing measures to improve Recycling at City of Kingston (Ref
19/199095)  [↓](#)

Author/s: Tim Scott, Team Leader Maintenance Contracts and Waste
Reviewed and Approved By: Bridget Draper, Acting General Manager City Assets &
Environment

10.8

RESPONSE TO NOTICE OF MOTION 26/2019 - CR GLEDHILL - RECYCLING PROGRAM

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2	Confidential Cost information relating to Recycling Processing	367
3	Existing measures to improve Recycling at City of Kingston .	369

Recovered Resources Market Bulletin

June 2019

Victorian Market Intelligence Pilot Project (edition #03)



This report was prepared for the Waste Management and Resource Recovery Association of Australia (WMRR) and Sustainability Victoria (SV) by Envisage Works, IndustryEdge and Sustainable Resource Use (SRU).

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1. Executive summary

1.1. Market overview

Victorian kerbside recycling collections are around 600,000 tonnes/yr. Typically around 15–20% of this is sent to landfill following sorting at material recovery facilities (MRFs). The sorted materials are then either sent to export, or to further local processing (also incurring losses to landfill), and are then used in manufacturing new products.

Victoria is the state with the greatest reliance on export markets. In the four month period across January–April 2019 Victoria contributed:

- 42% of national scrap paper & paperboard exports, or 163,000 tonnes of the 385,000 tonnes exported.
- 36% of national scrap plastic exports, or 24,000 tonnes of the 67,000 tonnes exported.

The scrap paper & paperboard and plastic exports above include material sourced through commercial and industrial collections (not just municipal kerbside collected materials). However, it illustrates the strong dependency of Victorian scrap markets on overseas buyers.

1.2. Kerbside recycling markets snapshot this month

Highlight 1 – A significant slump in virgin fibre (pulp) prices in the leading Chinese market in May 2019 appears to be flowing through to scrap paper & paperboard prices (see Section 3.1).

Highlight 2 – Exports for Victorian kerbside materials continue to be at the lowest levels seen for many years, albeit with some modest stabilisation or even recovery across February–April 2019 (see Section 2.3).

Highlight 3 – Our key overseas markets for kerbside recyclables continue to signal that import restrictions will be maintained or even tighten further for the foreseeable future, unless the materials are sorted to specific material types with low levels of contamination.

Highlight 4 – There continues to be ongoing large-scale storing of sorted (but unsaleable) and unsorted Victorian kerbside recyclables. The current growth in stored kerbside material is not sustainable. Storage of scrap paper and plastics is estimated to be around 130,000 tonnes at the end of April 2019 (see Section 2.2).

Highlight 5 – Alex Fraser Group recently opened its Laverton glass recycling facility. The facility is reported to be capable of crushing 800 tonnes per day of kerbside glass and contaminated glass fines into sand, for use in a number of construction applications (see Section 3.2).

Highlight 6 – Advanced Circular Polymers opened its Somerton mixed plastics recycling facility in June. The facility is reported to be capable of processing 70,000 tonnes per year (once fully commissioned) of mixed polymers into polymer sorted flake (see Section 3.3).

Highlight 7 – In May 2019 the Victorian government allocated \$35 million towards local processing and remanufacturing of capacity of recovered materials in Australia.

1.3. Overview of kerbside recovery and the challenges

A high-level overview of kerbside material flows and the market challenges are outlined in the following table. Across the rest of the publication the problems, markets and possible solutions are examined in more detail.

Table 1.1 – Market snapshot

MRF ^a outputs	Sorted quantity (t)	Proportion	Destination(s)	Approx. \$ per tonne (end-April 2019)	The market challenges
Paper & paperboard	320,000 (341,665 ^b)	51%	154,000 tonnes export (30% drop on 2016–17) 170,000 t to local processing	~\$0 for mixed paper & paperboard \$190 newsprint & magazine \$200 old corrugated paperboard \$75 for boxboard	Until mid to late 2018 most Victorian kerbside paper was sorted into a single 'mixed paper' product. Australia's paper mills are not able to accept more of this product, and the international markets have collapsed. More recently there has been more grade sorting of paper and paperboard. However, the success with finding markets for this grade sorted kerbside material is unknown.
Glass packaging	110,000 (172,565 ^b)	18%	~100% to local processing	-\$30 /tonne for mixed glass \$70 /tonne for source separated glass	Most Victorian glass packaging is sorted into a single 'mixed glass' product. This has been a very low value product for many years, with limited demand. Glass fragments contaminate other materials, particularly if commingled recyclables are over-compacted during collection.
Plastic packaging	40,000 (51,547 ^b)	6%	35,000 tonnes export (10% drop on 2016–17) 5,000 t to local processing	\$400 for PET (1) \$500 for HDPE (2) \$110 for mixed (1–7) -\$20 for mixed (3–7)	Markets for clean PET and HDPE are good, but around a third of plastics are sorted into a 'mixed plastic' product. The international markets for mixed plastics have collapsed.
Metal packaging	20,000 (25,336 ^b)	3%	~100% to export	\$150 for steel cans \$1100 for aluminium	Markets for aluminium and steel packaging are steady.
Contamination and sorting losses	140,000 ^c	22% (6.5% ^c)	All to landfill	-\$130 for landfill	Around 15–20% of material going into MRFs is sent to landfill. This is made up of unrecyclable contaminants (sorting losses), lost recyclables (mostly glass – 62,000 tonnes). This landfill component is a significant cost impost on MRF operators. Data for this bulletin updated with 30–40,000 tonnes of fire losses in 2017–18.
Total	620,000^e				This is the total amount going in and out of Victorian MRFs in 2017–18.

a) Data is generally for 2017–18, except as otherwise identified. Derived by Envisage Works from 2018-19 ABS data, extrapolated 2017-18 SV (2019), and industry consultation.

b) Pre-sorted quantity into MRFs (SV, 2018).

c) Includes an estimated 30–40,000 tonnes of fire losses in 2017–18.

d) Estimate of contamination quantity into MRFs only, and does not include sorting losses (SV, 2018).

e) Actual kerbside collections of 580,000 tonnes, however this value includes fire related losses to landfill.

f) Prices are indicative typical spot price values, and can be highly variable on a day-to-day basis.

2. Introduction

2.1 About this publication

This is the third of a series of 12 monthly publications that Sustainability Victoria (SV) and the Waste Management and Resource Recovery Association of Australia (WMRR) are releasing to provide the community, industry and government with an overview of the kerbside recycling markets in Victoria.

This work was commissioned by the Victorian Government to inform strategic investment and decision making by the waste and resource recovery sector.

These bulletins provide an up-to-date picture of the health of the markets, the ongoing challenges and opportunities, and action being taken to improve the resilience and recovery performance of our kerbside recycling systems.

The publications are a synthesis of many information sources, which primarily consist of monthly updates of ABS export data and published market reports, and more in-depth quarterly updates informed by extensive consultation with industry, government and community stakeholders.

Each bulletin includes a monthly update of a set of core data and information content:

- market overview and current highlights
- export data and receiving country updates
- commodity price tracking
- kerbside quantity flow approximations
- market developments and activity updates.

This bulletin #3 includes updates related to ABS data and published market reports, and a more significant update informed by another round of quarterly stakeholder interviews.

Continuing on from [bulletin #2](#), we take a deeper look at two special topic areas. The special topic areas explored in Section 4 for this month are:

- Recovered paper pulp – What are the emerging market opportunities?
- A quick summary of the local and global trend to reusable packaging.

Please contact SV (Kelly Wickham at kelly.wickham@sustainability.vic.gov.au) if you have any comments or questions about the bulletins.

Who is this publication for?

The audience for this publication is anyone with an interest in kerbside recycling in Victoria, who is looking for a more holistic overview on material flows and related markets, through generation, sorting, reprocessing, re-manufacturing and end-product markets.

Also see [bulletin #1](#) for a detailed outline of the stakeholders involved in this issue, and the roles that they can play in shifting our kerbside recycling systems and markets to a more resilient and sustainable (both environmentally and economically) basis.

Structure of the publication

This bulletin has seven sections, which are:

- **Market snapshot** – A quick overview of kerbside material flows, \$ values, and the key issues, opportunities and activities.

- **Introductory section** (this section) – A more detailed and integrated overview of kerbside material markets, across all material types (paper & paperboard, glass packaging, plastic packaging and metal packaging).
- **Material specific sections** – Specific sections (4) on each of the four material groups (paper & paperboard, glass packaging, plastic packaging and metal packaging). Each section provides: an overview of the material markets; the latest available information on prices, demand and supply; commentary on the key product end-markets for recovered materials; export and/or interstate market activity; and a summary of market risks, opportunities and developments.
- **Special topic areas** – A deeper look at two or three special topic areas each month.

What is the history and context?

Around half the world's kerbside packaging was received by China up until the end of 2017. While the current recycling market shocks may be the most significant, across even the last decade there have been downturns in the recycled materials market caused by the:

- Global Financial Crisis (GFC) in 2009.
- new Chinese regulations in 2011 aimed at reducing the imports of highly contaminated scrap materials.
- aggressive enforcement in 2013 by the Chinese of the 2011 regulations, through a campaign known as 'Operation Green Fence'.

A key aspect of the latest round of Chinese restrictions is the adoption of a maximum permissible contamination threshold of imported bales of scrap mixed paper/paperboard and mixed plastics of 0.5%. This threshold is very low and Victorian material recovery facilities (MRFs) are not designed to produce bales of material to meet the 0.5% contamination threshold (excepting perhaps with very clean feedstock). It is also possible that this threshold cannot be reached with commingled collections as they are currently configured.

Also see [bulletin #1](#) for a more detailed outline of the history and context to the issues explored in these publications. All the bulletins are available [here](#).

It is worth noting that the costs of kerbside recycling collection and sorting at the material recovery facility (MRF) level (primary processing) are predominately met by householders, as paid through council rates. A major challenge for recycled materials is funding the cost of the post-MRF processing (secondary processing) in order to process the recyclable material into an input that is ready for manufacturers.

Unfortunately manufacturers can often purchase virgin materials for significantly less, and also face less regulatory hurdles in using virgin materials (e.g. meeting food contact standards). This is a funding gap that is greatly impacting market demand for recovered materials in Australia.

2.2 Overview of kerbside recycling flows

Victorian collection of material from kerbside collection and sorting systems has been fairly steady over the last three years at around 600,000 tonnes. After normal operating losses of 100,000 tonnes of contaminant material and unrecovered recyclables, an estimated 500,000 tonnes are available for reprocessing here in Victoria, interstate or internationally. Paper grades and glass account for 85% or more of this processed material by weight.



Figure 2.2.1 – Victorian MRF outputs by material category (tonnes)

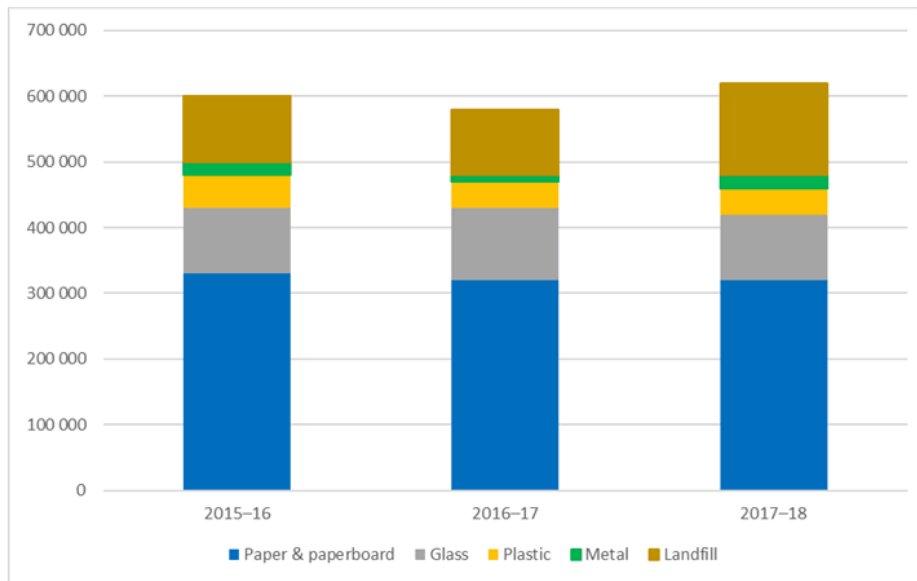


Table 2.2.1 – Victorian MRF outputs by material category (tonnes)

Material category	2015-16	2016-17	2017-18
	(tonnes)	(tonnes)	(tonnes)
Paper & paperboard	330 000	320 000	320 000
Glass	100 000	110 000	100 000
Plastic	50 000	40 000	40 000
Metal	20 000	20 000	20 000
Landfill	100 000	100 000	140 000 ^a
Totals	600 000	590 000	620 000

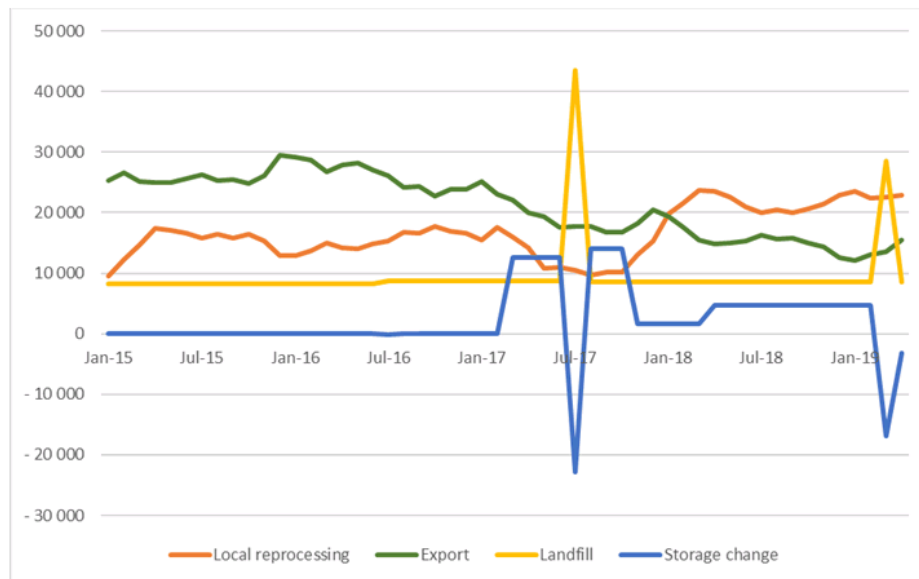
Source: SV (2017; 2018) and industry consultation.

a) Includes an estimated 30–40,000 tonnes of fire related losses in July 2017.

Outlined in Figure 2.2.2 is indicative data on the destinations of Victorian MRF outputs. Exports of kerbside materials fell across 2017 and then more sharply across 2018, with some steadying of exports, albeit at a much lower level, since the beginning of 2019.

As would be expected there appears to have been some response by the local reprocessing sector in taking up previously exported material since the beginning of 2018. However, it is important to note that the estimated increases in local reprocessing are highly dependent on the underlying estimations around storage of material and landfilling activities by the MRF operators, as provided by a range of third party sources. The estimates are indicative, however, work is ongoing to improve the quality and granularity of the underlying data.

Figure 2.2.2 – Destination of Victorian MRF outputs from kerbside sources (tonnes/month)



Note 1: Data in the table above has been estimated based on publicly available sources, with totals verified through consultation.

Note 2: Historical total monthly MRF outputs have been approximated in the figure above to enable comparison with monthly ABS customs export data. 'Local reprocessing', 'Landfill' and 'Storage' estimates are indicative only.

Note 3: The 'Storage change' plot is an estimation of the change in material stored or stockpiled in that month.

Note 4: Storage includes estimates of both sorted and baled materials, and unsorted (but baled) materials. It does not include estimates of current glass storage. It excludes longer term stored materials from before January 2015, which is most significantly legacy glass storage.

Note 5: Landfill includes estimates storage compliance related disposal to landfill, and fire related losses to atmosphere. Landfill data presented is an approximation based on annual waste to landfill rates.

Source: ABS (2019) and Envisage Works.

The typically growing storage estimates in the previous figure represent a significant and growing storage and handling cost impost to MRF operators, a loss in sales income, and a potential future liability if disposal to landfill is required.

Some of the main drivers underlying the storage estimates in the previous figure are:

- February 2017 – Fire stopped SKM Coolaroo processing (until March 2018).
- July 2017 – Large stored material fire at SKM Coolaroo.
- October 2017 – SKM Laverton facility started operations.
- January 2018 – Impact of Chinese import restrictions begins ('National Sword').
- March 2018 – SKM Coolaroo comes back into operation.
- April 2018 to current – Import restrictions into other receiving countries come into force.
- February 2019 – SKM facilities at Laverton and Coolaroo shutdown for around six weeks due to non-compliance with Victoria's waste management standards.



2.3 Market risks, opportunities and activities

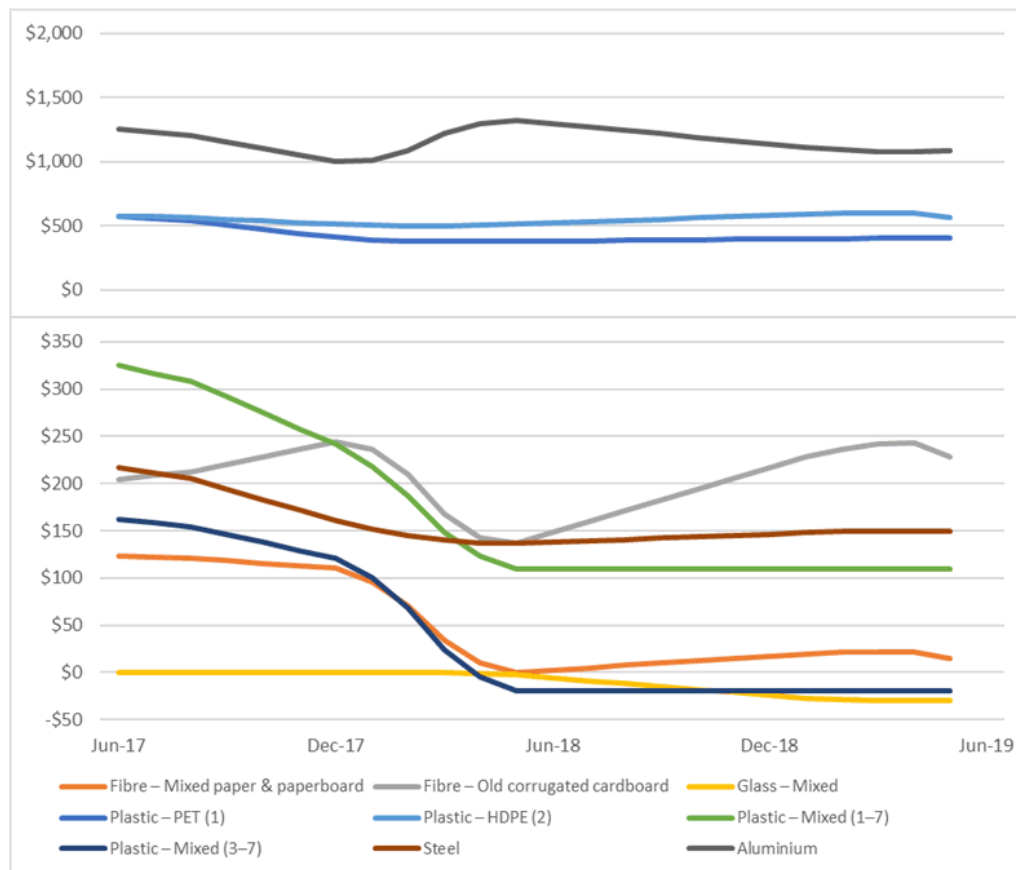
Reduction in export market outlets has not been matched by an expansion of domestic remanufacturing activity. This is due in part to local reprocessors facing the same financial challenges in using the contaminated mixed paper and plastics material that export markets are now rejecting. This is further reinforced by less demand for the reprocessed materials into new manufacturing in Australia in general. This is a particular issue for Victoria given its heavy reliance on exporting.

A modest increase in exports in April 2019 has been observed, but the risk of overseas markets tightening further with respect to the acceptance of mixed kerbside materials is increasing. However, inspection regimes overseas continue to tighten and product is being returned for not meeting specifications

While overseas markets may recover for mixed paper and plastics eventually, relying on this recovery appears a high-risk and longer term strategy at the current time. There may also be opportunities to value-add locally, create employment, decrease imports, and decouple Victoria and Australia from these historically volatile markets.

The large and potentially still growing storage of unsold kerbside materials represent a significant risk to the companies holding these materials, and the facilities that they are located in (e.g. fire related risks or risks around future clean-up costs).

Figure 2.3.1 – Victorian recovered kerbside materials commodity values (\$/tonne)



Source: Industry consultation. Prices are to May 2019 and are indicative only.

Provided in the following table is pricing on selected virgin material commodities that are (generally) recycled material competing. It is important to note that the kerbside material commodity values presented in the previous figure are estimated prices at the out-going MRF gate, and prior to any secondary processing (along with the associated processing costs).

Table 2.2.2 – Virgin material commodity values (\$/tonne)

Material category	Value	Comments
Fibre – Bleached softwood kraft (BSK) pulp	\$900–\$950	BSK and BHK pulps are not directly competing with recycled fibre in the Australian market. Values provided to give some context on virgin pulp prices.
Fibre – Bleached hardwood kraft (BHK) pulp	\$850–\$900	
Glass – Virgin material inputs	\$550–\$650	Estimate based on typical flint glass composition.
Plastic – PET (1) virgin resin	\$1,300–\$1,400	-
Plastic – HDPE (2) virgin resin	\$1,700–\$1,800	-
Plastic – PVC (3) virgin resin	\$1,000–\$1,200	-
Plastic – LDPE (4) virgin resin	\$1,700–\$1,800	-
Plastic – PP (5) virgin resin	\$1,600–\$1,700	-
Plastic – PS (6) virgin resin	\$1,900–\$2,000	-
Steel	\$430	LME scrap steel price.
Aluminium	\$1,900	LME aluminium alloy

To provide some context it is sometimes reported by plastics manufacturers that recycled plastics have to be around 10–20% cheaper than virgin resin to justify the additional purchasing, handling, processing and quality assurance cost imposts associated with introducing a significant proportion of high quality recycled content into the incoming material mix.

The cost base of producing (virgin equivalent) recycle based resin, including the capital costs, are completely different from the cost base of producing virgin resin. It is clear from many years of local and overseas efforts that current market arrangements and conditions preclude the cost of recycle-based resin

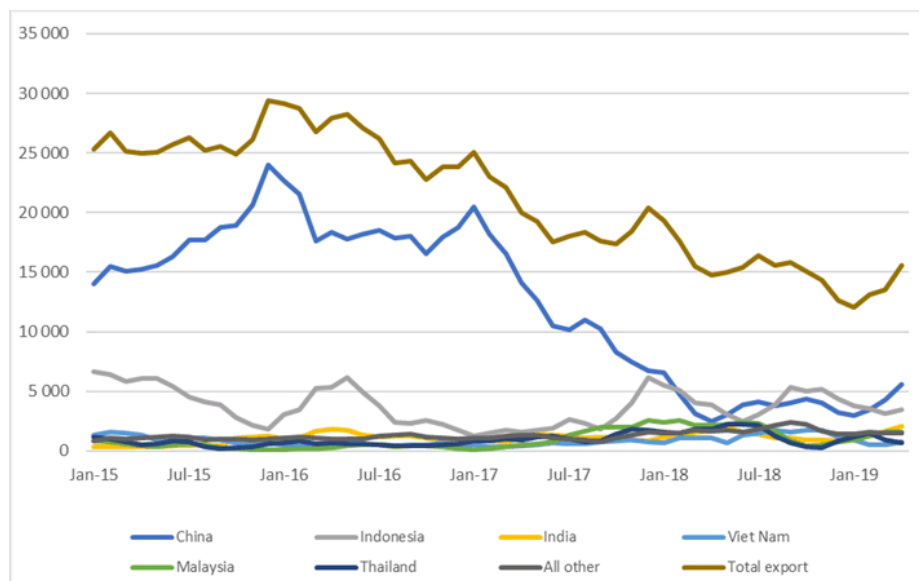
being consistently 10 to 20 per cent below the (independently changing) virgin resin price.

2.4 Export market review

Victorian exports of kerbside recovered material have dropped by around 50% over the last couple of years. These falls have been driven entirely by lost sales to China, with the fall in export of bales of mixed paper and paperboard the main products contributing to the export reduction. Across February to April 2019 there has been some recovery in exports, from the low in January 2019, which had the lowest export volumes for many years.

In particular, Victorian exports of scrap paper & paperboard to both China and Viet Nam increased in April. It is not clear whether this increase is a sign of a reversal of the recent downward trend or only a short term outcome.

Figure 2.3.2 – Victorian recovered kerbside materials, to export country (t/month)



Source: ABS (2019) and Envisage Works

2.5 Overview of status of countries with scrap import restrictions

Provided here is an updated overview of the current status (as of the end of May 2019) of major countries that receive kerbside related scrap exports from Australia.

- China (restrictions on scrap plastic, paper, metals, and other types of scrap)** – The Chinese import restrictions or outright bans that started in March 2018 (but started to impact sales months earlier), became more extensive at the end of 2018, and will extend further at the end of 2019, with completed bans on a range of scrap materials foreshadowed in mid-2019 and early 2020.
- India (restrictions on scrap plastics)** – India announced bans in March 2019 prohibiting scrap 'solid plastic' from being imported into the country, including in special economic zones. Exports of kerbside plastics from Victoria to India are negligible, so this will not reduce exports. However, it does mean that India is less likely to start importing significant quantities of scrap plastics.
- Indonesia (new inspection regime)** – As of 1 April 2019 all (100%) scrap paper imports into Indonesia will be inspected at ports (up from around 10% previously). The contamination threshold (impurity limit) is 0.5%, which is the same as China, so can be expected to have a major impact on Australian exports of mixed paper into Indonesia. The 100% inspection rate already applies to scrap plastics and steel imports into Indonesia. The 100% inspection rates will remain in force until the Indonesian Ministry of Trade completes development of updated specifications on scrap imports.
- Malaysia (restrictions on scrap plastics)** – Restrictions implemented from July 2018, with a significant impact on scrap plastics imports. Many import permits revoked following these restrictions coming into force. In May 2019, reports circulated in the media regarding further import restrictions for waste plastics being shipped to Malaysia. The reports quote the Malaysian Environment Minister who noted that plastics will be turned around and

returned to their country of origin. Data suggests that around 2,000 tonnes of plastic was exported to Malaysia in March (around 35% of total plastic exports from Victoria in that month).

- **Taiwan (restrictions on scrap paper and plastics)** – Restrictions implemented from October 2018, with only old corrugated paperboard (OCC) and other higher quality grades accepted. Also scrap plastics restrictions. Little material from Victoria has historically been shipped to Taiwan.
- **Thailand (restrictions on scrap plastics)** – Restrictions implemented from August 2018, to escalate over the next two years, with tighter controls on e-waste imports also foreshadowed. Low quality plastic waste imports may be banned from 2021.
- **Vietnam (restrictions scrap plastic, paper, metals and other types of scrap)** – Restrictions implemented from around August 2018, with further tightening of scrap imports from late February 2019. Low quality plastic waste imports may be banned from 2025.

2.6 Supporting information

Definitions

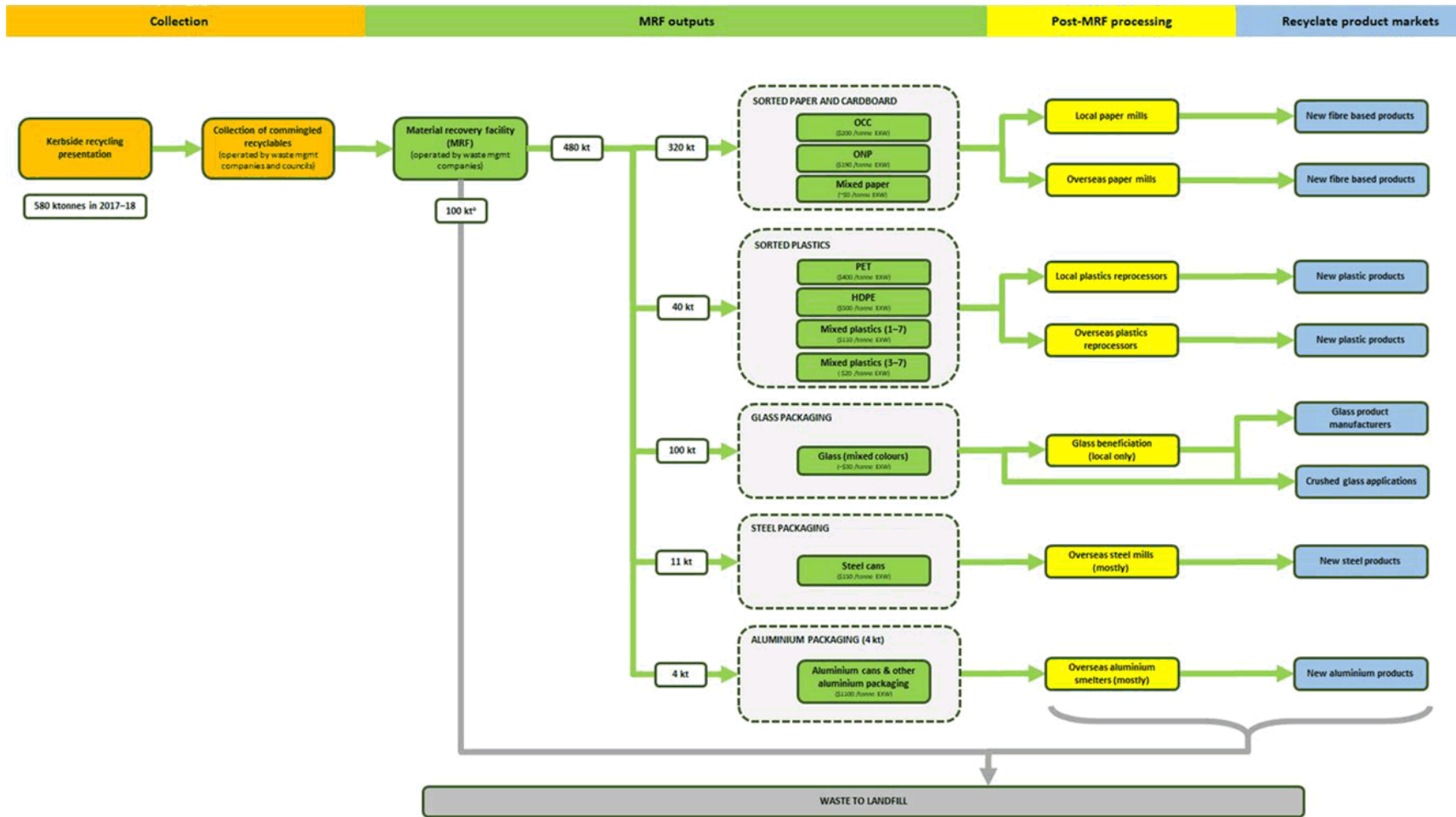
A comprehensive glossary of the terms and definitions used throughout the publication is provided in Section 5.1.

Information sources

The information and data obtained for the development of the publications has been obtained from a wide range of stakeholders and publications. Sources include many industry and other stakeholder interviews, analysis of ABS Customs export data, and review of national and international publications. A full listing of the information sources is provided in Section 5.2.



Figure 2.3.3 - Snapshot of kerbside recyclables flows (2017–18) and pricing (end May 2019)



Source: Envisage Works

a) Note that the waste to landfill estimate excludes estimated fire related losses of around 30–40 kilotonnes in 2017–18.

3. Resource markets

3.1 Kerbside recovered paper and paperboard (~27 kt/mth)

Market highlights this month

Highlight 1 – Contaminant standards will tighten in key markets across the second half of 2019 and into 2020, implying less recovered paper will be exportable than normally observed.

Highlight 2 – In May virgin pulp prices slumped in the main Chinese market. The major traded pulps experienced, on average, a 12.5% decrease in prices in May relative to April. This appears to have flowed through into further price suppression for higher quality recovered paper grades, with prices under severe pressure.

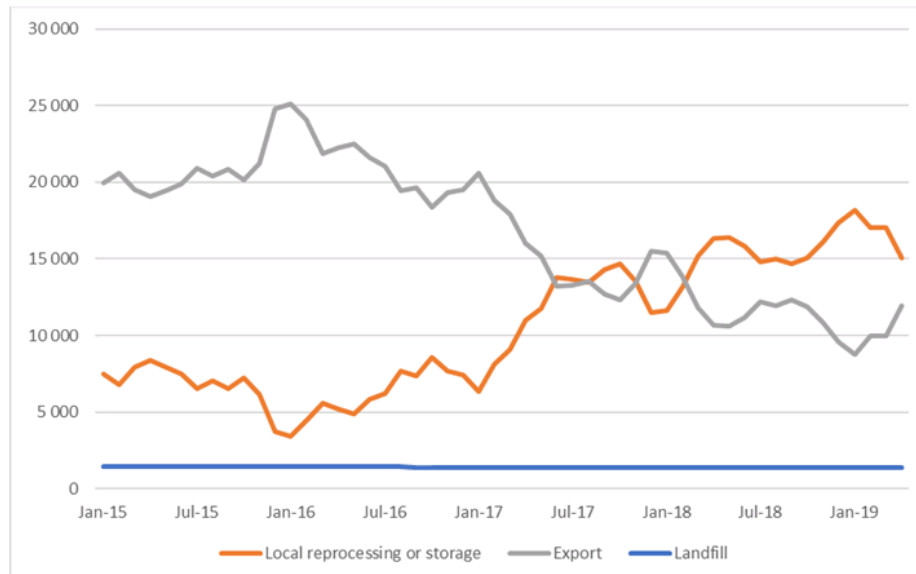
Material overview and market summary

For detailed sector overview and information see [bulletin #1](#).

Recovered paper and paperboard prices have declined in Australia and globally in May 2019. The driver for lower prices is the international market, rather than the domestic market. Local demand and supply are generally unaffected because the main local users (manufacturers of recycled paperboard for use in corrugated carton manufacture and newsprint manufacturers) are experiencing normal, if seasonally reduced demand.

Demand for products that need to be packaged locally in corrugated boxes has remained relatively stable. That is the major demand driver for recovered paper in Australia.

Figure 3.1.1 – Destination of Victorian MRF outputs (tonnes/month) – Kerbside paper & paperboard



Note 1: Historical total monthly MRF outputs have been approximated in the figure above to enable comparison with monthly ABS customs export data. The overall trends are the key aspect of the figure.

Note 2: The combined 'Local reprocessing or storage' estimate is indicative only, and these fates will be presented separately if this level of data becomes available. Landfill excludes disposal from storage and is an approximation based on annual waste to landfill rates.

Source: ABS (2019) and Envisage Works

Prices, demand and supply

Kerbside collected mixed paper & paperboard continues to be almost unsaleable locally or through export in any significant volume and has a current value of around \$0 /tonne. Recent prices in the US were reported at -\$3 /tonne and in Canada at -\$10 /tonne. There are few local reports of market sales, other than of small volumes for moulded fibre manufacture (e.g. egg cartons).

While non-kerbside (and low-contamination) sourced newsprint and magazine grades continue to be purchased in the Australian market at prices that can be as high as \$250 /tonne, there is no sorting of these grades by Victorian MRFs. The volume of these grades has fallen dramatically over the last decade with the advent of the internet.

Most quantities of unbleached kraft or OCC are collected through dedicated commercial collections (e.g. from supermarkets) and are not kerbside collected. OCC prices for even this high quality source segregated material are reported to be under severe stress at the end of May.

In general, the open market demand for the MRF sorted mixed paper & paperboard product remains negligible. Visy is understood to be the only MRF operator moving any paper & paperboard due to its vertical integration with the Visy Coolaroo papermill (which can accept the mixed paper product from kerbside).

Key end-markets and related specifications

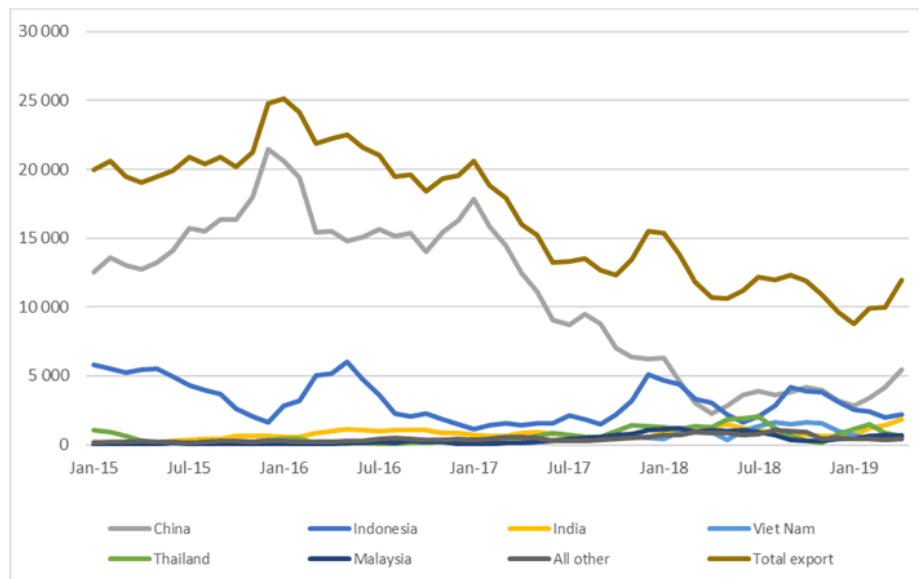
New end-markets for kerbside recovered paper remain poor to non-existent. Recovered paper markets more widely operate to seasonal demand factors, and factors related to the general health of the Australian economy. This is particularly the case for packaging grades of paper and paperboard.

Without extensive MRF mixed paper & paperboard secondary sorting (to multiple higher quality grades) or paper mill upgrades here in Victoria or nationally (to directly take the mixed paper & paperboard) there are no new remanufacturing markets available to utilise the kerbside mixed paper. The existing outlets are already integrated into the collection supply chain, and they utilise all that they are able.

Export and interstate market review

In April, kerbside related exports from Victoria were around 12,000 tonnes, and total recovered paper exports from Victoria totalled 49,000 tonnes (kerbside plus all other sources). The average export price plunging to \$170 /tonne on a free-on-board (FOB) basis. Given the sharp downturn in virgin pulp prices reported in the last month, expectations are that export prices will, on average, be lower in coming months.

Figure 3.1.2 – Victorian recovered kerbside paper & paperboard, to export country (tonnes/month)



Source: ABS (2019) and Envisage Works

Market risks, opportunities and activities

Efforts to improve sorting of kerbside collections appear to be limited. Trial changes at the MRF level are focussed on removing contamination, and/or extracting specific grades with possible end markets. The objective is local or export sales of higher value grades, however, the degree of success of this activity is unclear. If these sorting changes do meet with some success then a consequence may be increased quantities of residual mixed paper & paperboard (the reject component from the sort) entering storage or going to landfill.

Storage adds costs and increases risks, with only limited prospect of the stockpile reducing. Given current market conditions, it is important to assess what other options are available to divert mixed paper and paperboard from storage or going to landfill.

Increased export opportunities appear unlikely. The remaining options are necessarily therefore domestic reprocessing. This possibly narrow opportunity is explored further in the special topics section of this month's bulletin.



3.2 Kerbside recovered glass packaging (~8 kt/mth)

Market highlights this month

Highlight 1 – Alex Fraser Group recently opened its Laverton glass recycling facility. The facility is reported to be capable of crushing 800 tonnes per day of kerbside glass and contaminated glass fines into sand, for use in a number of construction applications.

Highlight 2 – Recovered glass sent from kerbside systems continues to incur a fee per tonne rather than a (very low) payment due to the relatively high cost of sorting and beneficiating the glass, the level of losses, and the relatively low value of the beneficiated glass to the glass packaging manufacturers.

Highlight 3 – The increasing amount of CDS sourced glass collected in other states is seeing lower demand for poor quality kerbside collected glass (e.g. Victorian glass) for recycling back into packaging, a trend that may intensify.

Material overview and market summary

For detailed sector overview and information see [bulletin #1](#).

Victorian glass packaging consumption was likely to have been around 250,000–300,000 tonnes in 2017–18. Over the last 5–10 years or so there has been growth in imports of both filled and empty (for local filling) glass packaging. This is displacing domestic production, reducing demand for recovered glass for use in local packaging production.

There is no export of kerbside glass cullet from Victoria for recycling. Most glass coming through commingled kerbside collections is going to beneficiation (sorting and sizing processes) and cullet feed at Owens-Illinois (O-I) glass plants. Some quantities are going into lower grade construction applications and some is being stored. In Victoria, over 90% of recycled glass cullet comes from MRF sources.

Highly mechanised commingled recycling collection, compaction and sorting tends to break glass into small pieces that are not easily recoverable. A market analysis on glass packaging published by SV in 2014 estimated that around 34% of glass that is collected for recycling is lost through collection, sorting and beneficiation.

This SV estimate has been confirmed for this bulletin by industry sources who estimate losses of one-third of glass presented in kerbside systems. The unrecovered glass fragments can go to landfill or be sorted as a contaminant with other materials. The Alex Fraser initiative highlighted above may be an outlet for this highly contaminated material, but this hasn't been confirmed at the time of publishing.

Sorted glass from MRFs that is to be recycled back into packaging is then required to be sent to one of six beneficiation plants nationally (three located in Victoria). These plants also receive some loads sent and paid for by O-I from regional locations where freight costs are high. This includes glass into Melbourne from Tasmania. O-I pays these suppliers a rate that recognises the extra cost of freighting. Sometimes small quantities of green glass are transferred to South Australia for wine bottle production where there is continued strong demand for green glass.

The impact of glass fragments on other materials is an issue as it contributes to the contaminant load of baled commodities going to export. The recovered glass itself is of much lower value when collected through commingled kerbside systems, due mainly to colour mixing and cross contamination, than when it is collected separately.

Prices, demand and supply

Gate fee rates for MRFs sending material for beneficiation can vary, based on quality and quantities. According to industry contacts, MRFs can pay anywhere from \$0 to \$30/tonne (EXW MRF) to send glass recovered through kerbside collections to beneficiation plants. Following beneficiation O-I then receives the glass cullet from beneficiation plants in each city. The price paid by O-I to these facilities has remained largely unchanged in recent years.

Glass reprocessors report that due to reduced energy use and furnace maintenance costs, increased cullet use provides savings compared to the use of virgin materials.

There is a small amount of separated glass going directly from pubs and clubs to beneficiation. This material is cleaner and generates a gate price of approximately \$70 /tonne.

The cost of beneficiation is estimated at around \$150–\$200 per tonne.

Currently cullet makes up 37% (previously reported as 40%) of the input to O-I glass manufacture in Victoria. Higher cullet input reduces energy use and furnace wear. O-I report they are targeting 50–60% cullet composition, and can technically accept an even higher ratio, particularly for amber and green glass production.

Key end-markets and related specifications

Beyond taking glass packaging waste back into packaging production, there are a range of other secondary markets that can be used but these do not offer a high market price. These include glass into road base material, abrasives, and filter media. These markets will be explored in more detail in future editions of this report.

The following table provides indicative estimates (by glass colour) of MRF recovery. Note that in Victoria almost all of this is sorted by MRFs into a single mixed glass product, which may then be colour sorted and beneficiated. As time-series monthly data becomes available the publication will provide data with increased granularity on this important component of MRF output.

Table 3.2.1 – Victorian MRF outputs (ave. monthly generation in 2017–18) – Glass packaging, by colour

Material type	Quantity (tonnes)
Glass – Amber	2,600
Glass – Flint	4,100
Glass – Green	2,000
Glass sorting losses	3,800
Total	12,500

Source: Envisage Works, SV (2018) and industry consultation

Export and interstate market review

Glass cullet is not exported due to its low value and significant weight relative to shipping costs. Export markets will not eventuate.



There is often a mismatch in demand for different colours in different states, and currently green glass is in oversupply in Sydney and Melbourne so some is transported to Adelaide for wine bottle production.

Market risks, opportunities and activities

The risks to glass recycling relate primarily to its method of collection and local manufacture needing to absorb (recycle) imported glass packaging for beer, wine and food. This means that there will generally always be more supply than demand back into local packaging manufacturing.

There is presently around 1.2 million tonnes of glass bottle manufacture in Australia, with a current demand of 350,000 tonnes of that being met from recycled glass .

The commingling of glass with other recyclable materials and contaminants results in low quality glass from kerbside-sourced glass and also impacts on the value and markets for recovered paper and plastics.

The experience of other states suggests that glass packaging returned through container deposit schemes is cleaner and has a higher demand and value compared with glass from MRFs. There is interest in separate glass recycling collections that are being trialled by City of Yarra and Warrnambool City Council to examine the impact of a separate collection on glass recovery levels and paper grades quality and value. We'll provide updates on these trials as information becomes available.

3.3 Kerbside recovered plastic packaging (~3 kt/mth)

Market highlights this month

Highlight 1 – Advanced Circular Polymers opened its Somerton mixed plastics recycling facility in June. The facility is reported to be capable of processing 70,000 tonnes per year (once fully commissioned) of mixed polymers into polymer sorted flake.

Highlight 2 – The export markets for MRF sorted baled PET (1) and HDPE (2) plastic packaging remain reasonable steady, with strong local markets also available for good quality material. Some fall in the HPDE price are evident from around \$600 /tonne to \$500 /tonne.

Highlight 3 – Exports in April increase a little from March. Exports to Indonesia and Malaysia (the two major current destinations) appeared to remain steady (around 70% of Victoria's plastics reprocessing currently relies on the export market).

Highlight 4 – Virgin resin prices influence competing scrap resin prices. Significant new resin manufacturing globally may underpin reductions in virgin resin prices and create downward pressure on scrap prices over the next few years, reducing the economic viability of plastics recycling.

Material overview and market summary

For detailed sector overview and information see [bulletin #1](#).

During 2017–18 it is estimated that around 200,000 tonnes of consumer plastics packaging was used in Victoria. This packaging is both produced here and also imported from overseas. A large proportion of the resin used in local packaging manufacture is also imported. For example, there is no local production of virgin PET resin at all.

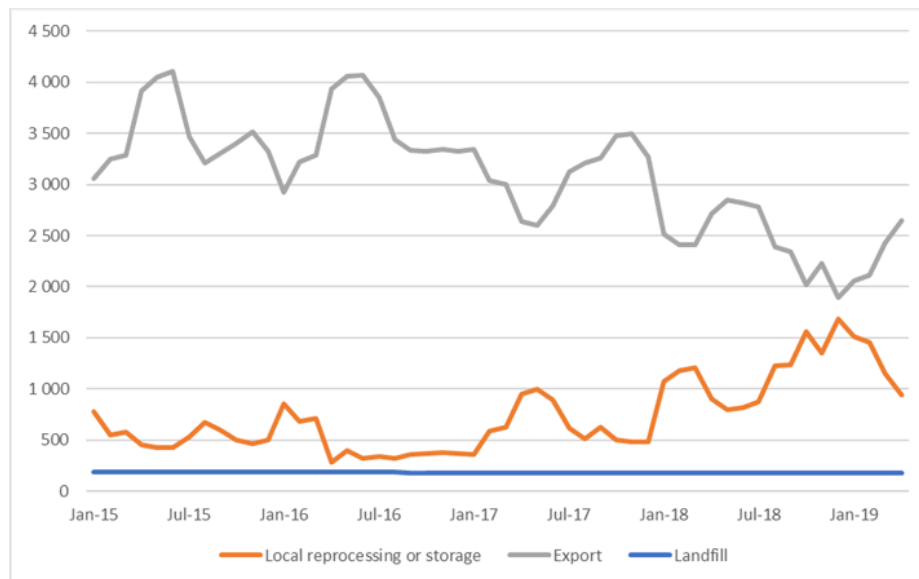
Plastics collected through kerbside collections are generally sent to MRFs and sorted from commingled recycling into either a single mixed plastics grade (1–7 plastic polymer mix), or more commonly three grades, which are PET, HDPE and the residual mixed plastics grade (a 3–7 plastic polymer mix, but with some residual quantities of PET and HDPE still present). Most MRF operators undertake the polymer sorting locally, but others have overseas partners for the polymer sorting so are particularly exposed to import restrictions on mixed and contaminated materials.

Baled PET and HDPE packaging is currently processed and remanufactured locally, and also exported to a wide range of countries. The main overseas destinations across January–April 2019 were Indonesia and Malaysia. New Malaysian import restrictions entered into force in Malaysia from July 2018, and have had a major impact on Australian imports into Malaysia since that time. However, Malaysia receipts of Australian shipments have seen recovery in February and March of 2019, and no drop in April is apparent.

The following figure provides data on the change in exports of kerbside recovered plastic packaging since the beginning of 2015. There was a drop in exports of around 40–50% across 2018, most of which would have been mixed plastic bales. A significant proportion of this material has been diverted into storage. However, estimates are not available at the current time.



Figure 3.3.1 – Destination of Victorian MRF outputs (tonnes/month) – Kerbside plastic packaging



Note 1: Historical total monthly MRF outputs have been approximated in the figure above to enable comparison with monthly ABS customs export data. The overall trends are the key aspect of the figure.

Note 2: The combined 'Local reprocessing or storage' estimate is indicative only, and these fates will be presented separately if this level of data becomes available. Landfill excludes disposal from storage and is an approximation based on annual waste to landfill rates.

Source: ABS (2019) and Envisage Works

Prices, demand and supply

There continues to be strong local and export markets for clean PET bales that are collected and sorted to specification, with prices holding fairly steady over the last quarter at \$350–\$400 /tonne (EXW¹).

The price of recycled resin is linked to the price for virgin resin. In the case of PET, the virgin price generally increased across 2018, in part due to China utilising more of this material as it received less imported recyclate, however virgin prices did see some significant falls starting in October 2018 and continuing into early 2019.

The situation is similar for HDPE, with markets and pricing for clean material remaining strong. There was some export price reduction due to the Chinese restrictions with prices falling to around \$500 /tonne in early to mid-2018. However, prices have recovered somewhat and are now trading at around \$600 /tonne. Virgin resin prices have been fairly steady since the first quarter of 2018 at around \$1,700–\$1,800.

Demand for mixed plastic packaging bales continues to be very poor, with reports some MRFs are paying reprocessors to take bales of mixed plastic packaging, if they are willing to take them. Due to a lack of demand for this product it is understood that storage of mixed plastics packaging continues to be undertaken by both MRF operators and reprocessors.

¹ EXW MRF means that the sale price is an estimate at the outgoing gate of the MRF.

Key end-markets and related specifications

Exported plastics packaging has specifications relating mostly to contamination levels. The positive sorting of PET and HDPE that is undertaken at MRFs allows the baled material to generally meet these specifications without major difficulty or manual sorting input.

Previously plastics packaging has been overwhelmingly exported to China, until the latest round of restrictions. Indonesia is now the largest destination for Victoria kerbside plastics, followed closely by Malaysia.

A proportion of the mixed plastic packaging is utilised in durable (timber substitute type) plastics applications such as outdoor equipment and building materials.

The new Advanced Circular Polymers mixed plastics recycling facility opened in Somerton in June. The facility is reported to be capable of processing 70,000 tonnes per year (once fully commissioned) of mixed polymers into polymer sorted flake. The level of contribution the facility will be able to make to the mixed kerbside plastics market problems will depend in large part on the sorted flake specifications to plant can achieve. We aim to bring more on this in bulletin #4.

The following table provides indicative estimates (by grade) of MRF recovered plastic packaging. Most rigid packaging in Victoria is positively polymer sorted for PET and HPDE, leaving a residual 3–7 polymer stream that is baled, this is also referred to as a 2:2:6 bale (i.e. 20% PET, 20% HDPE and 60% other polymer types). Many of these 2:2:6 bales are currently in or entering storage, with the eventual fate unclear at this time.

Table 3.3.1 – Victorian MRF outputs (ave. monthly generation in 2017–18) – Plastic packaging, by polymer

Material type	Quantity (tonnes)
Plastic – PET (1)	1 100
Plastic – HDPE (2)	1 300
Plastic – Mixed (1–7)	0
Plastic – Mixed (3–7)	1 200
Plastic – LDPE film	0
Plastic – Other	0
Plastic sorting losses	200
Total	3 800

Source: Envisage Works, SV (2018) and industry consultation

Export market review

Plastic packaging exports from Australia compete in receiving countries with plastics from the US, Europe and many other countries. It is destined for wherever the demand requires material for production. Generally, demand and pricing will increase or decrease based on worldwide supply and demand conditions.

China, as a traditionally large export market destination, effectively ceased the acceptance of all scrap plastics. India, Malaysia, Thailand and Vietnam have also all brought in import restrictions or bans on the imports of scrap plastics. However, there is evidence that shipments were able to enter Malaysia across February–April 2019.

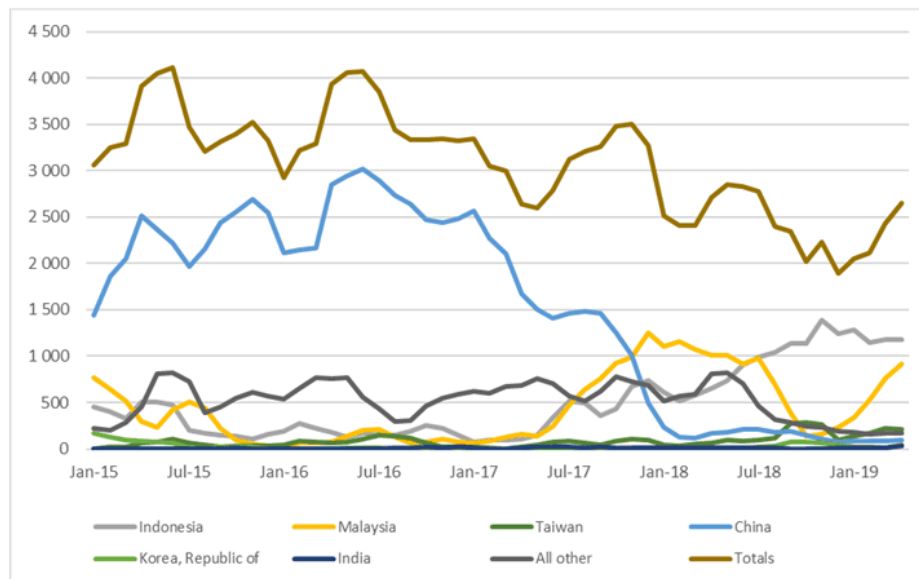
The worldwide virgin plastics production capacity is also changing and it is reported that much new virgin production capacity is in the pipeline. Once this new capacity enters production it will place downwards pressure on virgin resin prices, and so also on recycled resin prices. This new capacity has important implications for the plastics recycling sector and more information on this aspect will be published in future bulletins.

It is worth noting that should scrap plastics start to meaningfully take market share away from virgin resin manufacturers, this will create another source of downwards pressure on virgin resin prices, and thus recycled resin prices.

Exports of kerbside recovered mixed plastic packaging have dropped dramatically over the last few years. In 2016 exports were around 42,000 tonnes, down to 37,000 tonnes in 2017 and then 29,000 tonnes in 2018. So far this year January–April 2019 exports have been around 9,000 tonnes, so appear fairly similar to 2018.

The falls across 2017 and 2018 were driven entirely by lost sales to China, with exports to Malaysia and Indonesia taking up some of this material. Malaysian sales dropped sharply after the introduction of import restrictions around July 2018, but have seen strong recovery across February–April of this year.

Figure 3.3.2 – Victorian recovered kerbside plastic packaging, export country (t/month)



Source: ABS (2019) and Envisage Works

Market risks, opportunities and activities

The depressed and constrained market for mixed plastic packaging from kerbside collections has contributed to putting kerbside systems under pressure here, interstate and globally. It is leading to a higher level of sorting of polymers than had previously occurred. It has also

triggered some expansion of plastics recycling in Victoria and interstate (South Australia in particular).

Recognising the challenges of recycling a broader range of polymers, many brand-owners and retailers are selecting PET and HDPE in more formats to the exclusion of other polymer types. This trend is expected to continue over the next few years in Australia and globally, with the prospect of problematic plastics being designed out of products. However, the ongoing introduction of new polymer formulations of PET and HDPE not compatible with the recycling of bottle-grade PET or HDPE may pose risks to the ability to easily recycle plastic packaging in future.

Polypropylene (PP) is also widely used in consumer packaging and sorting this material from other polymers may be a more accepted market outcome. The pursuit of nationally adopted targets for the eliminating of problematic plastics packaging is also likely to see a rationalisation of material used in plastic packaging.

Launched by government and industry in 2018, achievement of the ministerially endorsed target of 70 per cent recyclability of all plastic packaging by 2025 requires improvements in all facets of plastic packaging design, disposal practices, collection, sorting and reprocessing.



3.4 Kerbside recovered metal packaging (~2 kt/mth)

Market highlights this month

Highlight 1 – Almost all recovered steel and aluminium packaging bales are sold to export, and the export markets for both packaging types have no quantity constraints.

Highlight 2 – Export markets for metals are steady across the first quarter of 2019.

Material overview and market summary

For detailed sector overview and information see [bulletin #1](#).

Steel and aluminium cans, mostly recovered through kerbside recycling collections from households, account for only a small fraction of overall metals recovery from Victoria.

MRFs are well equipped to separate these materials from household collections into marketable grades of recyclate, which although small in volume (around 3–4% of the average household recycling bin) represent a valuable source of revenue for MRFs.

Recovered steel packaging is considered a low-value form of steel scrap, but it is still sought after and overseas markets are reasonably strong. While it contains small quantities of tin, this is often added to steel recycling and therefore there is little market resistance to can material in steel recycling.

Aluminium beverage cans have been a key component of kerbside recycling systems since their beginning. CDS schemes in other states have reduced the amount of aluminium cans coming back through kerbside collections.

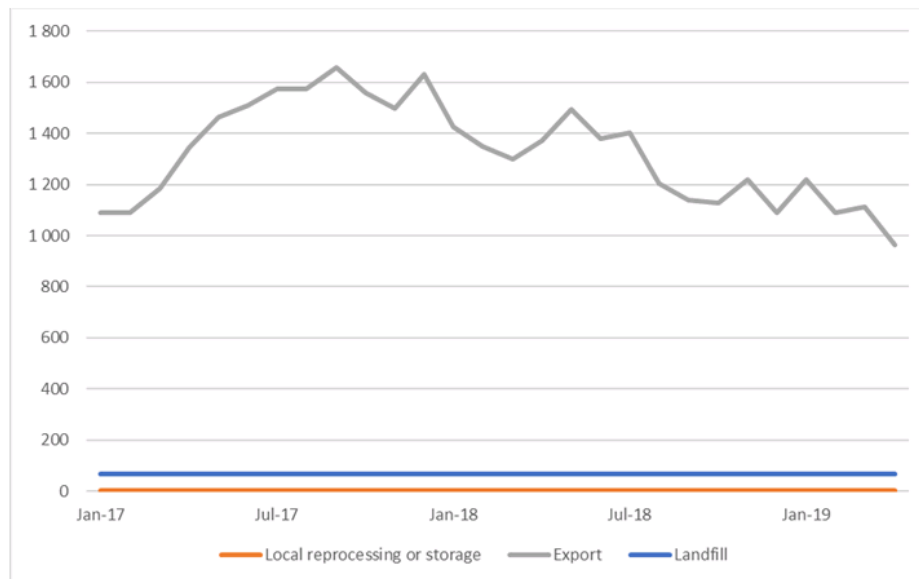
There is no longer any tin plated steel sheet or aluminium can sheet produced in Australia. All is imported and the recycled content is often not known.

The baled steel and aluminium packaging is sent to a wide range of countries, with the main destinations over the last few years being Taiwan, India, South Korea and Malaysia. Almost all recovered metal packaging is sold into export markets, with little of the tin-plated steel or aluminium packaging reprocessed here in Australia.

Australia's scrap metal exports to date are not experiencing difficulties comparable to some other recycling streams in the wake of the Chinese National Sword restrictions. This is due in part to China not being a major destination for these materials prior to the National Sword import restrictions.

The following figure provides data on the change in exports of kerbside recovered metal packaging since the beginning of 2017. Exports have dropped approximately 35% from July 2017 to April 2019.

Figure 3.4.1 – Destination of Victorian MRF outputs (tonnes/month) – Metal packaging



Note 1: Historical total monthly MRF outputs have been approximated in the figure above to enable comparison with monthly ABS customs export data. The overall trends are the key aspect of the figure.

Note 2: The combined 'Local reprocessing or storage estimate is indicative only, and these fates will be presented separately if this level of data becomes available. Landfill excludes disposal from storage and is an approximation based on annual waste to landfill rates.

Source: ABS (2019) and Envisage Works

Prices, demand and supply

There is now little, if any, steel or aluminium packaging scrap reprocessed in Australia. However, international markets for these commodities remain strong.

There is no significant storage of steel or aluminium packaging.

There are no current limits on quantity of steel or aluminium packaging into any international markets. The nature of the mechanised sorting at MRFs means there is little contaminant material (apart from some product residue) and therefore minimal market concerns.

The price of steel packaging is strongly linked to global steel pricing. The current price received for baled steel packaging is approximately \$130–\$150 /tonne (EXW MRF).

The price of shipped aluminium packaging is linked to virgin aluminium pricing. The current price received for baled aluminium beverage cans is approximately \$1000–\$1100 (EXW MRF).

Key end-markets and related specifications

Exported steel packaging has specifications relating to contamination levels and bale density. The sorting that is undertaken at MRFs allows the baled material to meet these specifications without major difficulty or manual sorting input. A similar situation exists for aluminium packaging.

Generally steel and aluminium packaging is recycled back into the respective scrap metal pools and go into durable applications such as vehicles, building materials and many other products.



The following table provides indicative estimates (by metal type) of MRF recovered metal packaging. As time-series monthly data becomes available the publication will provide data with increased granularity on this important component of MRF output.

Table 3.4.1 – Victorian MRF outputs (average monthly generation in 2017–18) – Metal packaging

Material type	Quantity (tonnes)
Steel	900
Aluminium	300
Metal sorting losses	100
Total	1 300

Source: Envisage Works, SV (2018) and industry consultation

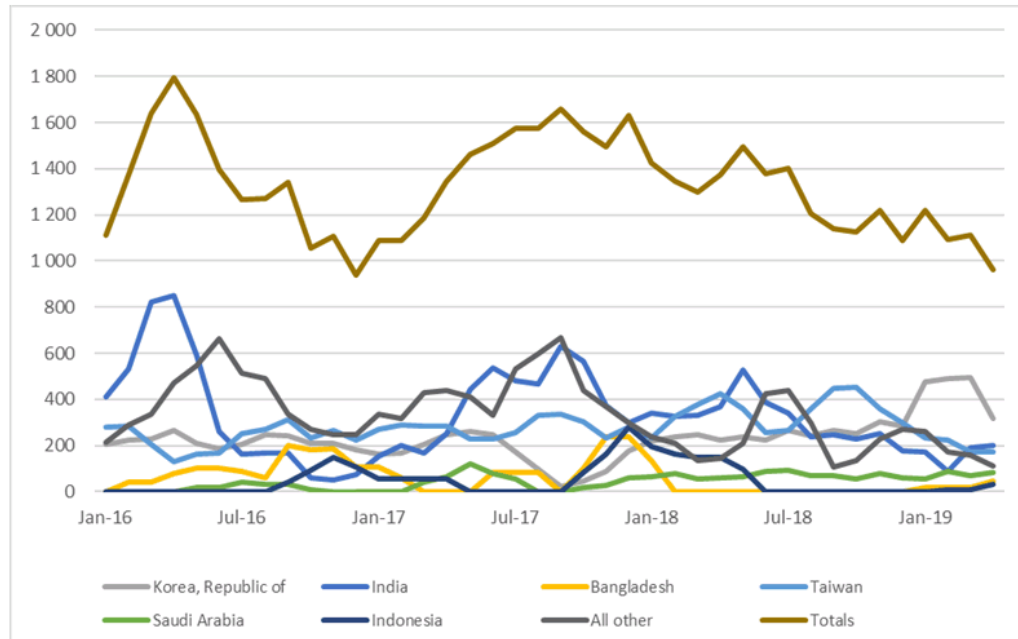
Export market review

The exported steel and aluminium packaging are sold into large markets with most metal coming from non-packaging sources. The material flows from all countries and is destined for wherever the demand requires material for production. Unlike some other materials, there is no way of knowing the origin of the steel or aluminium in new product. Demand and pricing can increase or decrease based on worldwide supply and demand conditions.

If a large market such as China suffered a contraction in economic activity, this could result in price reductions. The worldwide virgin steel and aluminium production capacities are also changing and a contraction or expansion in capacity will influence pricing.

Exports of kerbside recovered metal packaging have remained fairly steady over the last couple of years, at around 16,000 tonnes in 2016, 17,000 tonnes in 2017, 15,000 tonnes in 2018, and 4,400 tonnes across January–April 2019.

Figure 3.4.2 – Victorian recovered kerbside metal packaging, to export country (tonnes/month)



Source: ABS (2019) and Envisage Works

Market risks, opportunities and activities

The global steel and aluminium markets have both been historically able to consistently absorb metal packaging from kerbside systems, better than the local or global markets for any of the other packaging materials. This is primarily due to the lack of barriers in using MRF sourced metal packaging into most steel and aluminium market outlets.

If there was a dramatic negative shift in supply/demand at a global level, this could lead to significant price reductions for baled steel or aluminium packaging. However, there is no specific reason to believe that this is a particular risk at the current time.



4. Special topic areas

In each of the bulletins we are examining two or three special topics areas each month. The idea is to provide a deeper examination of specific issues of interest to as broad a range of our audience as possible, while also updating and building on the core information and time-series dataset that are integral to the bulletin each month.

In [bulletin #2](#) we explored the following topics:

- End-markets for kerbside recovered materials in Australia.
- A quick overview of the systemic issues with kerbside recycling.

In this bulletin we look at:

- Recovered paper pulp – an emerging market opportunity.
- Reusable packaging.

Please contact SV (Kelly Wickham at kelly.wickham@sustainability.vic.gov.au) if you have any specific areas of interest that you would like to see explored further in the publication and we will try to work them into one of the bulletins.

4.1 Recovered paper pulp – an emerging market opportunity

- Recover paper (RCP) based pulps can be manufactured from kerbside mixed paper & paperboard and made into corrugated cartons or moulded fibre packaging.
- Significant export markets exist for RCP pulps.
- Local mills will need significant upgrades to produce RCP pulps.
- RCP pulp production creates significant quantities of solid and liquid wastes which need appropriate waste management.

There were around 320,000 tonnes of kerbside mixed paper & paperboard collected across Victoria in 2017–18, and it is anticipated that a similar amount would have been collected in 2018–19.

This is an aggregated Victorian MRF output of nearly 27,000 tonnes/month of mixed paper & paperboard. Of this, around a third (probably no more than 10,000 tonnes/month) has a steady local market.

The other 17,000 tonnes/month or so is either going to export or storage. It is this 17,000 tonnes/month, plus additional supply from NSW, SA and TAS, that represents potential opportunities for future products and even growth in kerbside recovered fibre.

With suitable local paper mill upgrades or entirely new facilities this mixed kerbside material could pulped to produce recovered paper (RCP) pulp or deinked (recovered paper) pulp (DIP).

Australian paper mills do not currently produce RCP pulps as a commodity for sale into local or export markets. Likewise, DIP production is almost entirely integrated and consumed where it is produced, including at Australian Paper's Maryvale Mill in Victoria. This absence of traded RCP pulp and DIP is the current status quo, but it does not have to remain that way.

DIP and RCP pulp grades are already shipped around the world and shipments of it are reported to be increasing. The market growth and scale is such that back in October 2018

there were rumblings that DIP and other RCP pulps would be included in the next round of Chinese tariffs on US imports.

There is a simple reason DIP and other RCP pulp shipments have grown.

The restrictions on importation of recyclable materials are actually restrictions on importation of contaminants. China and other countries still require the fibre (and we still want to buy a some of it back). In the absence of being able to present clean post-consumer recovered fibre, the best option will often be to present an intermediate product – RCP pulps – which already has the contaminants removed.

There is another advantage for the recipient nations. The energy, water and waste disposal requirements of DIP and RCP pulp production remain in the country where manufacture occurred, not in the recipient country. That is possibly a good thing, given the 'contaminant export' model isn't working, and it increases the motivation for local improvements in recyclability of fibre-based packaging designs.

It is worth looking in a little more detail at what is recoverable from the mixed paper, both the saleable component and the waste component. The proportion of recoverable fibre that is in the mixed paper relative to the other (unrecoverable) components is outlined in the following table.

Table 4.1.1 – Components in one tonne of mixed paper in a typical bale

Component		Weight (tonnes)	Comments
Fibre components	Recoverable fibre	0.65	Assumed 90% fibre is of a recoverable length.
	Unrecoverable fibre	0.07	Assumed 10% of fibre is too short or otherwise unrecovered.
	Sub-total	0.72	
Non-fibre components	Moisture (10%)	0.10	The moisture specification for mixed paper bales is <12%.
	Adhesives/coatings/other	0.05–0.10	Soluble (e.g. starch) and insoluble adhesive, paper and board coatings, plastic components, staples, and many other non-fibre product components.
	Out-throws	0.10	Non-fibre based kerbside recyclables and gross contamination, such as plastic bags.
	Sub-total	0.28	
Total		1.00	

Source: Envisage Works

Approximately only 650 kg of the typical mixed paper bale is recoverable. The remainder is either water (100 kg), unrecoverable fibre (70 kg), or other unrecoverable materials (around 180 kg). It can be expected that (very approximately) each tonne of mixed paper will result in the generation of around 250 kg of solid waste (excluding the water content).

In Australia, with significant expertise in receiving, handling, pulping and using recovered fibre, the opportunity may be to invest to produce RCP pulp and DIP manufacturing capacity, for future domestic use and also for sale into international markets. We note that domestically, increased use of recovered pulps would rely on market expansion, if the final product is to be consumed locally, or the export sale of RCP based papers.

To provide some additional context on fibre grades, applications and manufacturing capacity, a summary of pulp types and end-products for recovered fibre is outlined in the following table.

Table 4.1.2 – Pulp types in products and typical uses of recovered fibre

Original fibre-based material	Typically made from		Australian manuf.?	End-products for recovered materials		
	Virgin pulp grades	Recovered paper grades		Grade when recovered separately	Australian use	Overseas use
Boxboard/Cartonboard	BCTMP / UBTMP / BSK	OCC	No	Boxboard/ Cartonboard	Corrugated cartons	Corrugated cartons or Boxboard/ Cartonboard
Corrugated cartons	UBSK / BSK	OCC / ONP / Mixed	Yes	OCC	Corrugated cartons	Corrugated cartons
Liquid paperboard	BCTMP	N/A	No	Liquid paperboard	N/A	Tissue (mostly)
Magazine grades	BTMP / BSK / BHK	OMG	Yes	OMG	Corrugated cartons or Newsprint	Corrugated cartons or Newsprint
Moulded fibre	N/A	OCC / ONP / Mixed	Yes	Mixed	Moulded fibre	Corrugated cartons or moulded fibre
Newsprint	BTMP	ONP	Yes	ONP	Corrugated cartons or newsprint, moulded fibre or pet litter	Corrugated cartons or newsprint or moulded fibre
Mix of all above	N/A	N/A	N/A	Mixed	Corrugated cartons or moulded fibre	Corrugated cartons or moulded fibre

Source: IndustryEdge and Envisage Works

Key for virgin pulp grades:

- Bleached softwood kraft (BSK) pulp
- Bleached hardwood kraft (BHK) pulp
- Bleached chemi-thermo-mechanical (BCTMP) pulp
- Unbleached softwood kraft (UBSK) pulp
- Bleached thermo-mechanical (BTMP) pulp
- Unbleached thermo-mechanical (UBTMP) pulp

Key for recovered paper grades:

- Mixed kerbside collected fibre-based materials (Mixed)
- Old corrugated paperboard (OCC)
- Old magazine (OMG)
- Old newsprint (ONP)

4.2 Reusable packaging

- Reusable packaging systems can be used to replace both single-use primary packaging (e.g. a single-use glass bottle) and/or secondary packaging (e.g. the single use paperboard box that holds 24 bottles).
- Reusable packaging systems usually have much better environmental performance than single-use packaging systems, due in part to reported lower product losses through the supply chain.
- There are major new reusable packaging systems entering the market, including here in Australia.

Traditionally, fresh produce made its way from farm to supermarket shelf in single use boxes made from a diverse range of materials such waxed paperboard and expanded polystyrene. A number of years ago, the major supermarkets implemented reusable, collapsible crate systems.



These systems send the crates through a return route to suppliers via a wash cycle, which includes repair or recycling of any broken crates. The uptake of these systems was based on lower costs than single use crates, but with a side benefit of significantly lower environmental impacts, as demonstrated by a number of comparative life cycle assessments undertaken on these systems.

The two largest supermarkets in Australia and a packaging supplier now operate a pooled crate system with over 8 million crate uses each year. Each crate has an average ten-year life and can be reused 14 times each year. The crates are recycled at the end of their life. The use of reusable crates has a long history with the transport of bread and milk in particular.

In Europe the application of reusable packaging has been extended to a broader range of products including eggs and soft drink. In Scandinavia, the Svenska Retursystem sees a range of reusable crates and pallets utilised by a broad range of 1500 companies across international borders. Since its introduction, 1.3 billion pieces of disposable packaging have been replaced.

In the Baltic states, a similar scheme of pooled crates is operated by BEPCO. Each BEPCO crate has 2 identical RFID tags internally embedded during the manufacturing process. All tags are “3-way readable”– via RFID, bar code or alphanumerically.



The application to transporting eggs has seen a 75% reduction in broken eggs. The reusable system also delivers a 160-hour/year labour saving for a medium sized store. The reusable crates reduce carbon emissions by 74% compared to disposable packaging.

Pooled systems are based on the principles for a circular economy. Additional gains come in cleaner handling and lighter truck loads compared to timber pallets. The potential applications for reusable packaging systems are extensive covering almost all aspects of business to business packaging from meat and poultry through to books and clothing.

Globally, Coca Cola is upgrading its glass bottle reuse scheme from about 20% of its sales, to a targeted 40% by 2020. This currently avoids the use of around 200 million PET bottles per year, an achievement which is set to double.

Reusable packaging is now being utilised more at a consumer level with check out bags, coffee cups, and fresh produce bags more widespread in their use. Many music festivals are now operating on closed reusable packaging systems and catering, airlines, retail chains and farm chemical suppliers are now more actively focussed on the potential for waste and carbon reduction gains and reduced labour costs.

Unlike recycling, which is easier to measure, reuse systems have, until now, lacked a strong focus at consumer, retailer and government level. As more retail trade becomes based on direct distribution to consumer homes and offices, the opportunities for businesses to adopt reusable packaging could expand.



5. Supporting material

5.1 Glossary of terms

Term	Description
Beneficiation (of glass)	An optical sorting process used to separate different colours of container glass to produce cullet for reprocessing and mixed fines.
Closed-loop recycling	Material from a product system is recycled in the same product system, and is of the same quality and functionality as the original material. Also see 'Open-loop recycling' and 'Downcycling'.
Commercial and industrial (C&I) waste	Solid inert waste generated from trade, commercial and industrial activities including the government sector. It includes waste from offices, manufacturing, factories, schools, universities, state and government operations and small to medium enterprises e.g. food waste.
Commingled recyclables	Materials combined generally for the purposes of collection, mainly through municipal collection services. Includes plastic bottles, other plastics, paper, glass and metal containers. Commingled recyclable materials require sorting after collection before they can be reprocessed. Can also be called commingled materials.
Composting	The process whereby organic materials are microbiologically transformed under controlled aerobic conditions to create a pasteurised and stabilised organic product for application to land.
Construction and demolition (C&D) waste	Solid inert waste generated from residential and commercial construction and demolition activities e.g. bricks and concrete.
Contaminants – Out throws	A sorted scrap (bale) related term. Recyclable materials that are unsuitable for inclusion in the sorted grade (product) in which they are present, but can be sorted, separated and/ or removed easily during the recycling process. Out throws generally have significantly higher allowable thresholds, compared to prohibited materials, in bale specifications for sorted recycled material commodities. Also see 'Contaminants – Prohibited materials' entry.
Contaminants – Prohibited materials	A sorted scrap (bale) related term. Unrecyclable materials that are unsuitable for inclusion in the sorted grade (product) in which they are present, and cannot be sorted, separated and/or removed during the recycling process. Prohibited materials cause adverse impacts on end-products and may damage the recycling facilities. Prohibited materials generally have significantly lower allowable thresholds, compared to out throws, in bale specifications for sorted recycled material commodities. Also see 'Contaminants – Out throws' entry.
Ceramic, Stone and Porcelain (CSP)	A type of glass fines that are contaminated with ceramic, stone and porcelain materials and so are unsuitable for recycling back into glass packaging.
Cullet	Sorted glass feedstock resulting from the beneficiation process of mixed container glass. Generally consists of sorted streams of amber, flint and green glass of particle size greater than 5-10 mm depending on the capacity of the beneficiation plant.
Delamination	The process of splitting a composite material into its component parts e.g. laminated glass.
Downcycling	Recycled material is of lower quality and functionality than the original material. Also see 'Closed-loop recycling' and 'Open-loop recycling'.
Drop off centre/site	A facility where households can drop off selected materials and household items for recycling and reuse. Also called drop off facilities.

EXW / ExWorks	Incoterm (trade term) defining the sale (transfer of ownership) of goods at the gate of the seller. The buyer must carry out all tasks of export & import clearance. Carriage & insurance is to be arranged by the buyer.
End user (of recycled content raw materials)	A user of raw materials that have a recycled content. Examples of end users include plastic product manufacturers that use recycled polymer in their products, or agricultural producers that purchased composted organics as a soil conditioner/fertiliser.
Energy from waste (EfW)	The terms 'energy recovery from waste', 'waste to energy' or 'energy from waste' can be used interchangeably to describe a number of treatment processes and technologies used to generate a usable form of energy from waste materials. Examples of usable forms of energy include electricity, heat and transport fuels.
E-waste	E-waste comprises of electronic equipment with a plug or battery that requires a current to operate and that has reached end of life. It includes televisions, computers, monitors and whitegoods such as fridges and washing machines.
FAS / Free Alongside Ship	Incoterm (trade term) defining the sale (transfer of ownership) of goods once placed alongside the vessel at the named port of shipment by seller. The seller is required to clear the goods for export. This term can be used for sea transport only.
Feedstock	Raw material used to manufacture products. Material varies depending on what is being produced.
Fines (glass)	Unsorted sub 5-10 mm glass material left over from the glass beneficiation process. It can contain contamination including plastics and small pieces of metals. These fines can be further processed to produce a glass sand product which has a number of uses. Also see CSP.
FIS / Free In Store	Non-Incoterm meaning delivered to the end purchaser.
FOB / Free On Board	Incoterm (trade term) defining the sale (transfer of ownership) of goods once they pass the ship's rail at the named port of shipment at the cost of the seller. The seller must clear the goods for export. This term can only be used for sea transport.
Food organics	Food waste from households or industry, including food processing waste, out-of-date or off-specification food, meat, fruit and vegetable scraps. Excludes liquid wastes.
Garden organics	Organics derived from garden sources e.g. grass clippings, tree prunings. Also known as green organics.
Generator (of waste materials)	A C&I or C&D generator of waste materials to either landfill or recovery fates.
Green organics	More accurately referred to as garden organics.
Greenhouse gases	Gases, including carbon dioxide and methane, that trap heat in the earth's atmosphere, affecting weather and climate patterns.
Hard waste	The term applied to household garbage that is not usually accepted in kerbside garbage bins by local councils e.g. old fridges and mattresses.
Hazardous waste	See Prescribed waste and prescribed industrial waste (PIW).
Incinerator	For the purpose of this document, a site that facilitates the disposal of waste streams through incineration without producing another useful end product or capturing value from the waste material.
In-vessel composting	Composting technology involving the use of a fully enclosed chamber or vessel in which the composting process is controlled by regulating the rate of mechanical aeration. Aeration assists in heat removal, temperature control and oxygenation of the mass. Aeration is provided to the chamber by a blower fan which can work in a positive (blowing) and/or negative (sucking) mode. Rate of aeration can be controlled with temperature, oxygen or carbon dioxide feedback signals.

Kerbside waste/ collection	Waste collected by local councils from residential properties, including garbage, commingled recyclables and garden organics, but excluding hard waste.
Landfill	Discharge or deposit of solid wastes onto land that cannot be practically removed from the waste stream.
Landfill levy	A levy applied at differential rates to municipal, industrial and prescribed wastes disposed of at licensed landfills in Victoria. Landfill levies are used solely for the purposes of environment protection and fostering environmentally sustainable use of resources and best practice in waste management. They fund the activities of WRRGs, SV and EPA, helping to establish waste management infrastructure, industry waste reduction programs, education programs, regulatory controls and enforcement regimes. Levies also provide an incentive to minimise the generation of waste, sending a signal to industry that the government supports efforts to develop alternatives to disposal to landfill.
Liquid paperboard (LPB)	Liquid paperboard (LPB) is a fibre-based packaging board that is designed to hold a liquid. It is commonly comes in two main types, which are gable-topped LPB (plastic polymer layer / paperboard layer / plastic polymer layer), and aseptic LPB (plastic polymer layer / paperboard layer / aluminium foil layer / plastic polymer layer). Also see Polymer-coated paperboard (PCPB).
Materials recovered	Materials recovered from the region refers to materials diverted from landfill for use or reprocessing irrespective of where the recovery or reprocessing takes place.
Materials recovery facility (MRF)	A centre for the receipt, sorting and transfer of materials recovered from the waste stream prior to transport to another facility for recovery and management. At a MRF materials may undergo mechanical treatment for sorting by characteristics such as weight, size, magnetism and optical density and may include cleaning and compression. Materials may be received as mixed streams such as commingled recyclables from households and businesses or single streams such as metals.
Mixed paper	Post-consumer kerbside mix of fibre based packaging and non-packaging papers. Includes materials such as magazine, newspaper, marketing, some OCC and others fibre based formats. Typically has high levels of contamination, of which broken glass is a particular issue.
Mixed plastics	Post-consumer kerbside mix of plastics based packaging and non-packaging plastic items. Includes materials such as bottles, containers and other packaging formats consisting of all the major polymer groups. Often undergoes a polymer sort at MRFs or post-MRFs to positively recover a limited range of polymer types, typically PET and HDPE. Often has moderate to high levels of contamination.
Municipal solid waste (MSW)	Solid waste generated from municipal and residential activities, and including waste collected by, or on behalf of, a municipal council. In this document, MSW does not refer to waste delivered to municipal disposal sites by commercial operators or waste from municipal demolition projects.
OCC	Old corrugated paperboard.
OMG	Old magazines.
ONP	Old newsprint.
Open-loop recycling	Material from a product system is recycled into a different product system, and may be of lower quality and functionality than the original material. Also see 'Closed-loop recycling' and 'Downcycling'.
Optical sorting	Technologies used to sort glass by colour type, and plastics by polymer type.
Organic material	Plant or animal matter, e.g. grass clippings, tree prunings and food waste, originating from domestic or industrial sources.

Out the gate	Material leaving a facility following reprocessing; excludes most contamination.
Packaging	Material used for the containment, protection, marketing or handling of product. Includes primary, secondary and tertiary/freight packaging in both consumer and industrial packaging applications.
PE-HD or HDPE	High density polyethylene (PIC 2). Typically referred to as HDPE.
PE-LD/LLD or LDPE/LLDPE	Both low density polyethylene and linear low density polyethylene (PIC 4). Typically referred to as LDPE/LLDPE.
PE-LD or LDPE	Low density polyethylene (PIC 4). Typically referred to as LDPE.
PE-LLD or LLDPE	Linear low density polyethylene (PIC 4). Typically referred to as LLDPE.
PET	Polyethylene terephthalate (PIC 1).
PIC	Plastic identification code.
PS-E or EPS	Expanded polystyrene (PIC 6). Typically referred to as EPS.
Polymer-coated paperboard (PCPB)	PCPB is a type of paperboard that has a primary fibre-based layer, that is laminated on one or both sides with a layer of plastic film. Also see Liquid paperboard (LPB).
PP	Polypropylene (PIC 5).
Prescribed waste and prescribed industrial waste (PIW)	These wastes are defined in the Environment Protection (Industrial Waste Resource) Regulations 2009. EPA closely regulates these wastes because of their potential adverse impacts on human health and the environment. Prescribed wastes carry special handling, storage, transport and often licensing requirements, and attract substantially higher disposal levies than non-prescribed solid wastes. Also known as hazardous waste.
Process derived fuels	Also called process engineered fuel (PEF) or refuse derived fuel (RDF), is a fuel produced after basic processing in a MRF or MBT to increase the calorific value and remove recyclable materials and contaminants of municipal solid waste, commercial and industrial waste and construction and demolition waste.
Processing facilities	Facilities which either receive materials directly from collection systems or from recovery facilities for further sorting and/or processing to provide material for use in the generation of new products.
Product stewardship	A concept of shared responsibility by all sectors involved in the manufacture, distribution, use and disposal of products, which seeks to ensure value is recovered from products at the end of life.
Public place recycling	Recycling facilities found in public areas, such as parks, reserves, transport hubs, shopping centres and sport and entertainment venues, that allow the community to recycle when away from home.
Pulp (paper)	Pulp is a lignocellulosic fibrous material prepared by chemically or mechanically separating cellulose fibres from wood, fibre crops, waste paper, or rags.
Putrescible waste	Waste that readily decomposes, including food waste and organic waste from gardens.
PVC	Polyvinyl chloride (PIC 3).
Pyrolysis	Thermal breakdown of waste in the absence of air, to produce char, pyrolysis oil and syngas e.g. the conversion of wood into charcoal.

Recover / recovery / resource recovery	The process of recovering resources from waste for reuse or reprocessing. This includes collection, sorting and aggregation of materials. To convert waste into a reusable material.
Recyclate	Scrap material either before or after reprocessing.
Recycle/Recyclables/Recycling	In common practice the term is used to cover a wide range of activities, including collection, sorting, reprocessing and reuse.
Refuse derived fuels	Refer to Process derived fuels.
Reprocess / reprocessing	To put a material that has been used through an industrial process to change it so that it can be used again.
Reprocessor / reprocessing facility / reprocessing infrastructure	Facility that uses an industrial process to change the physical structure and properties of a waste material so it can be used again. This can include facilities that dismantle products, such as tyres, e-waste and mattresses, and energy from waste facilities that use materials to generate energy.
Resale centre / shop	A centre/shop that enables the sale and subsequent reuse of good quality, saleable products and materials that were disposed of by their previous owner.
Residual waste	Residual material that remains after any source separation or reprocessing activities of recyclable materials or garden organics. Waste that is left over after suitable materials have been recovered for reuse and recycling. This generally means the environmental or economic costs of further separating and cleaning the waste are greater than any potential benefit of doing so.
Resource recovery infrastructure	Facility that receives and manages materials to enable them to be reused or reprocessed. This includes drop off points, resale centres, resource recovery centres, transfer stations and materials recovery facilities.
Reuse	Recovering value from a discarded resource without processing or remanufacture e.g. garments sold through opportunity shops are, strictly speaking, a form of reuse, rather than recycling.
Sectors / industry sectors	Groupings of industries used to generalise patterns in waste generation and disposal e.g. construction and demolition, food services including food retail and food manufacturing, small to medium enterprises.
Solid industrial waste (SIW)	Solid waste generated from commercial, industrial or trade activities, including waste from factories, offices, schools, universities, state and federal government operations and commercial construction and demolition work. Excludes MSW, wastes that are prescribed under the <i>Environment Protection Act 1970</i> and quarantine wastes.
Solid inert waste	Solid inert waste is hard waste that has a negligible activity or effect on the environment. The waste may be either a municipal or industrial waste.
Solid waste	Non-hazardous, non-prescribed, solid waste materials, ranging from municipal garbage to industrial waste.
Source separation	The practice of segregating materials into discrete material streams prior to collection by, or delivery to, processing facilities.
Transfer station	Facility which receives materials from the waste stream for possible segregation, consolidation or compaction for bulk transport for resource recovery, treatment or disposal facilities.
Unprocessed material	Material that is unrefined and has not been through any process of recycling.
Waste	Any discarded, rejected, unwanted, surplus or abandoned matter, including where intended for recycling, reprocessing, recovery, purification or sale. Anything that is no longer valued by its owner for use or sale and which is, or will be, discarded. In this document, the term 'solid waste' refers to non-hazardous, non-prescribed, solid waste materials ranging from municipal garbage to industrial waste.

Waste and resource recovery group (WRRG)	Statutory authorities established under the Environment Protection Act 1970 responsible for preparing the regional waste and resource recovery implementation plan for their region.
Waste and Resource Recovery Planning Framework	The planning framework as defined in the 2014 amendments to the Environment Protection Act 1970 and including: <ul style="list-style-type: none"> • The Statewide Waste and Resource Recovery Infrastructure Plan (state infrastructure plan). • The seven regional waste and resource recovery implementation plans (regional implementation plans). • Relevant Ministerial Guidelines made under section 50CA of the EP Act. • The process for integration of the state infrastructure plan and regional implementation plans.
Waste management industry	Applies to those involved in managing waste e.g. collectors, sorters, processors and landfill operators.
Waste minimisation	The concept of, and strategies for, waste generation to be kept to a minimum level in order to reduce the requirement for waste collection, handling and disposal to landfill. Also referred to as waste avoidance.
Waste to energy	Refer to Energy from waste.

5.2 References

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5.3 Project purpose, scope and approach

Project purpose and scope

The purpose of this project is to provide Sustainability Victoria, its portfolio partners and other key stakeholders, such as industry, with a solid evidence base to support the interventions that can be undertaken to address the current end-market failures for low-value and highly contaminated mixed paper and mixed plastics, as generated by kerbside recycling collections.

The immediate cause of the present situation is the implementation of the latest round of import restrictions or outright bans on these material types by China, followed by other south-east Asian receiving countries such as Thailand, Indonesia and Vietnam.

The problem has been occurring at intervals over the last decade or more. For this reason, an underlying objective of this project is to reduce the exposure of kerbside recycling to the international export market for kerbside recyclables, or alternatively, expand the range of overseas markets seeking the materials, for example through improved local value-adding (e.g. sorting to higher grades and undertaking additional scrap processing activities locally).

This project will underpin Sustainability Victoria's objective to support market recovery and resilience by providing advisory and market information to both internal government and external sector participants. This information will be aimed at identifying current and future opportunities for the recycling of kerbside collected materials, and providing broader information about commodity trends and international market conditions.

The project will support market network development and the identification of new market pull-through opportunities both locally and overseas, leading into the longer-term objective of supporting the development of strong and resilient kerbside recycled material markets.

Project approach

The project uses detailed analysis of kerbside recycled material markets and extensive stakeholder consultation to quantify the targeted materials flows and values at specific points in the supply chain (e.g. out-going MRF gate or on-the-ship to export), and provide up-to-date qualitative market commentary on local and export market conditions (e.g. current or future end-market opportunities and status of receiving countries import restrictions) to support decision-making by industry and government, and market development more generally.

The project approach to information collection is to compile monthly data on flows and prices of kerbside recyclables commodity markets through regular rounds of stakeholder consultation, review and synthesis of local and international recycled material related publications, and monthly analysis of ABS Customs data to track changes in Victorian and national exports of kerbside scrap materials.

The information to be provided in the publications is:

- Monthly data on flows and prices of kerbside recyclables commodity markets.
- Monthly information on the condition of the targeted markets.
- Commentary on potential domestic and international markets for the targeted materials.
- Up-to-date information on the status of import bans.
- Flag potential future market shocks where possible.
- Flag any issues around storage activity, particularly with respect to combustible recyclable and waste materials (CRWMs).



- Identification of key blockages in the sector that could be targeted by government and/or other stakeholders.

Kerbside collected scrap paper/paperboard, plastics, glass and metals are the primary focus of the project. Scrap markets beyond kerbside related material are to have a degree of coverage, as there are not always delineated domestic and commercial sourced markets for scrap materials.

Appendix 3 : Existing Measures Improving Recycling in City of Kingston

Date : August 2019

Background

The City of Kingston has been at the forefront of a range of innovative ideas that promote recycling and resource recovery. The kerbside waste collection service typically diverts 50% of all materials for reprocessing into materials available for reuse. As an organisation, there are many Council initiatives that reduce the reliance on raw materials and increase the use of recycled products.

Case Studies

1. Food and Garden Organic service

Council has committed to introducing a Food and Garden Organic service in April 2020. The intent of this service is to prevent food waste being disposed to landfill. The products in food material are essentially organic and can be readily composted by Council's green waste processing contractor. This will potentially divert another 15% of all disposed material from landfill.

2. Parkdale Hub

The Parkdale Hub has introduced a pilot scheme for the management of organic waste internally to allow all food products to be collected and disposed directly for reprocessing into compost. A dedicated contractor is collecting and processing the waste for reuse back into gardens. This is likely to be rolled out across other Council sites.

3. Reconasphalt

The Council is a road authority responsible for the maintenance of a network with over 600km of local roads and laneways. Asphalt construction and maintenance is now being completed using Reconasphalt, a product that uses recycled plastic bags and toner cartridge that dissolve into the bitumen and recycled glass dust as a sand replacement. In the 2018/19, Council used over 1000 tonne of this product which reused over 500,000 plastic bags, 12,000 toner cartridges and tonnes of glass particles.

4. Recycled Concrete

The civil construction has historically relied upon new quarry materials for all road bases and concrete mixes. This is changing with the production of recycled concrete into a range of materials equivalent to virgin products. Council Specifications allow the use of recycled concrete products as an equivalent crushed rock and road base across a range of construction projects.

5. Mulching

The Council Parks team manage hundreds of garden beds across the municipality which regularly require mulching. This has shifted away from previous practises of blended mulches to the use of branches and trees chipped into mulch for future use. This has reduced cost and the reliance of raw materials.

6. Vehicle Fleet

The City of Kingston maintains a large vehicle fleet for staff use during business hours with some private use available. In the last 5 years, the fleet has reduced in size and all new leases being for a minimum 5 year term compared to the previous 3 year terms. The savings in raw materials are

TRIM 19/199095

Appendix 3 : Existing Measures Improving Recycling in City of Kingston

significant along with the associated cost savings. The size of available fleet vehicles has also reduced with more fuel efficient vehicles prioritised in the tender assessment. This has lowered the overall fuel usage of the fleet.

7. Stationary

The introduction of laptop computers and cloud based software systems has reduced the amount of paper that officers are using within Council. Officers are not taking as many paper copies to meetings due to the ease of using technology available in meeting rooms. Similarly the increased use of electronic systems for field work has reduced the reliance on paper. The introduction of a photocopier/print management system that only prints when a user is present has also reduced the Council paper usage. Overall the reduction in paper usage is approaching 50%.

8. Procurement of Paper

The purchasing of all new paper by Council officers is centralised, with products made of recycled paper only. This further reduces the Council footprint on the use of raw materials and embedded energy.

9. Recycled Plastic Linemarking

Council's existing linemarking contractor has offered Council the use of a product that contains recycled plastic as the main material in 'Thermoplastic Linemarking'. Traditional linemarking methods prefer thermoplastic products due to the longevity of the material over paint. This product is available in Australia, at a cost 3 times the standard rate. An additional issue is that product is manufactured in the United States making transport costs prohibitive. These are the type of products that we need to develop in Australia with our own recycled plastics.

10. Four Bin System

Several inner Melbourne Council are discussing the introduction of a fourth kerbside bin with the City of Yarra introducing a fourth bin trial for glass products at 1000 properties. The benefit is that broken glass particles will not contaminate the plastics and paper in the regular recycle bin. This could be further explored.

Ordinary Meeting of Council

26 August 2019

Agenda Item No: 10.9

SOUTH EAST MELBOURNE ADVANCED WASTE RESOURCE RECOVERY FACILITY

Contact Officer: Rachele Quattrocchi, Manager Infrastructure

Purpose of Report

This report seeks a resolution from Council to participate within a Management Agreement with Metropolitan Waste Recovery Group (MWRRG) and 16 Councils within South-east of Melbourne, to participate within a collaborative Expression of Interest Process for an Advanced Waste Resource Recovery Facility.

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. Authorise the Chief Executive Officer or their delegate to execute a Management Deed agreement to continue its participation in the Advanced Waste Resource Recovery Facility.
2. Receive a further report that gives consideration to its continuation in the collaborative process prior to commencing tender phase.

1. Executive Summary

At the 25 February 2019 Ordinary Council Meeting, Council resolved:

That Council:

1. *Continue to work with south-east Melbourne region Councils and the Metropolitan Waste Resource Recovery Group to finalise the South-east Cluster Business Case for Alternative Waste and Resource Recovery services;*
2. *Note that the business case is being developed in accordance with the State Department of Treasury and Finance guidelines;*
3. *Authorise the Chief Executive Officer and/or his delegate to enter a confidentiality deed to receive further information on the establishment of a Special Purpose Vehicle (or Joint Venture), business case and commencement of the procurement process for Alternative Waste and Resource Recovery services; and*
4. *Receive a further report for consideration before making further commitment to an Advanced Waste Resource Recovery Facility.*

The Metropolitan Waste Recovery Group (MWRRG) are facilitating a collaborative process with South-East Melbourne Councils for an expression of interest process for an Advanced Waste Resource Recovery Facility. It is envisaged that this collaborative process will see 16 Councils work in partnership to deliver a regional solution. At this point in time 14 Councils have committed to the process.

This report seeks a resolution from the Kingston Council to participate in the next step of this process, which is the signing of a Management Deed to join with 14 confirmed participating Councils to investigate the potential consolidation of their residual municipal solid waste (that is collected through the Participating Councils kerbside services to their residents), to attract and secure investment into potential advanced waste processing solutions. This will then be released to the market as an Expression of Interest process.

2. Background

The MWRRG is leading a collaborative procurement process to include Councils from South-East Melbourne for an Advanced Waste Resource Recovery Facility (AWRRF), which would see the consolidation of residual municipal solid waste (not recoverable or recyclable materials) to be processed through an advanced waste processing solution. This solution may see waste treated to release imbedded energy for an alternate purpose, rather than being put to landfill and having significant legacy issues for future generations.

As part of the pre-procurement stage, a regional business case has been developed, MWRRG has also received feedback from participating Councils to inform the procurement and preferred contract model for an Advanced Waste Resource Recovery Facility.

The next stage of the process is for all participating Councils to enter into a Management Deed (Attachment 1) that will cover the working arrangements between MWRRG and the 16 Councils that have agreed to be part of the SE Metropolitan Advanced Waste Processing Procurement. The attached Management Deed has been reviewed by Maddocks Lawyers commissioned by Bayside Council with their findings provided (Attachment 2).

In parallel with the development of a Management Deed, MWRRG has finalised an application to Australian Competition and Consumer Commission (ACCC) for authorisation to undertake the procurement process. It is expected that the ACCC will issue an Interim Authorisation for the procurement process in late August 2019.

The purpose of an expression of interest is to invite interested suppliers of Advanced Waste Resource Recovery technology to a panel shortlist. To qualify for the panel, bidders need to provide a description of technology, technical and commercial experience of delivering solutions to manage residual waste and demonstrated capacity and operation performance of Advanced Waste Treatment Facilities.

The expression of interest is to be advertised in September 2019, with a shortlist of submitters resolved in November 2019 and an outline of solutions developed by the shortlist between November 2019 and April 2020.

3. Discussion

3.1 Council Plan Alignment

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

The ongoing management of waste, resource recovery is a challenge for local government to respond to and requires collaboration with industry and government stakeholders.

3.2 Consultation/Internal Review

The disposal of garbage as part of Council's regular kerbside waste collection service to the community is a core service and any disruption would be undesirable. The MWRRG is coordinating a collaboration between South-East Melbourne region local governments and has sought input on the suitability of the procurement and contract model to inform the development of the procurement process.

In terms of raising awareness within the broader community on the opportunities of AWRRT, a region-wide community engagement plan is under development that articulates the goals, objectives and possible solutions presented by the project, as well as an understanding of the issue that is confronting metropolitan local governments regarding waste disposal.

In February 2019 following Council's resolution, Officers have undertaken a review of the Business Case provided by MWRRG. Strategic responses to address the problems and achieve the desired benefits were developed, with a preference for a response that involves reducing residual waste by establishing advanced waste processing solutions, supported by waste reduction and improved kerbside recycling.

Whilst the proposed procurement process to be undertaken is not specific to a certain treatment approach, it is paramount that Council works towards any preferred solution that has limited impact on the environment and that monitoring, and compliance measures are in place as a part of the contract.

The business case analysed whether proven advanced waste processing options can achieve better environmental, social and financial outcomes compared to ongoing reliance on landfill. Four proven technology options were shortlisted for evaluation, based on their potential for successful delivery:

- Option 1 - Combustion only
- Option 2 - Mechanical biological treatment (MBT) only
- Option 3 - Mechanical biological treatment plus combustion
- Option 4 - Mechanical biological treatment plus gasification.

This business case does not recommend a preferred technology. Each option was assessed against landfill as the Business As Usual (BAU) option, based on financial, environmental and social criteria.

The analysis found that:

- Options 1, 3 and 4 all have a lower cost than BAU (in today's dollars)
- Option 1 – Combustion has the lowest overall cost (in today's dollars)
- all options deliver better environmental and social outcomes than BAU
- Option 1 - Combustion, Option 3 - MBT + Combustion and Option 4 - MBT + Gasification achieve equal best environmental and social outcomes.
- Overall, Option 1 offers the most cost-effective solution and equal best environmental and social outcomes.

3.2.1 Procurement process

MWRRG recommends a multi-stage procurement process. At each phase, competitive dialogue will be used to inform and refine the specification. The phases are:

- Expression of Interest—an open approach to market that will identify an initial pool of potentially suitable bidders
- Invitation to submit an outline solution—an approach to bidders short-listed at the EOI stage that seeks their response to an outline specification.
- Invitation to submit a detailed solution—an invitation to bidders to submit responses to the detailed specification. This is the final stage at which councils can choose not to continue in the procurement process.
- Call for final tender—an approach to bidders seeking responses to the final specification. Councils who participate in the call for final tender are committing to enter into a contract with the successful tenderer.

Councils should not ‘opt out’ after the call for final tender stage. Councils could ‘opt out’ at any stage prior to the final tender phase being initiated by the MWRRG. Before this occurs, a further report will be provided to Council seeking approval to proceed as a participant in the collective tender.

3.2.2 Special Purpose Vehicle

Establishing the new processing infrastructure will require substantial investment, and aggregation of waste by Councils will be the key to drive investment from the private sector. MWRRG recommends that the group of participating Councils form a Special Purpose Vehicle (SPV) - a company with its own assets and liabilities, as well as its own separate legal identity. A SPV will:

- create economies of scale for the contract (by aggregating waste);
- be attractive to the market as a single contracting entity;
- limit an individual Council’s liability to its shareholding in the SPV, protecting the Council’s financial position and wider asset pool;
- provide the vehicle to attract investment from other levels of government;
- and
- allow the SPV to own, operate or apply for planning permission for a facility.

Prior to the first phase of the procurement (the Expression of Interest), Councils will need to agree to form a SPV (or appropriate alternative) as the contracting entity. The entity will need to be fully formed by the time the process has reached the stage to contract with a partner for the delivery of a solution.

MWRRG’s market sounding revealed industry’s support for a Special Purpose Vehicle (SPV).

MWRRG cannot directly contract or operate an advanced waste processing facility. It is prohibited under the Environment Protection Act 1970 from:

- owning or operating a waste management facility;
- applying for or holding a planning permit; and
- entering into contracts for the procurement of waste and resource recovery facilities or services, unless the contract is jointly entered into with one or more of the region’s Councils.

The development of an SPV and the framework in which it will operate will be the subject of a collaborative effort across participating Councils with support from MWRRG and their legal advisors. This process is being led by a range of Council CEOs across different streams of activity areas.

The procurement process and Special Purpose Vehicle requires a Management Deed, necessary to provide an administrative framework between Councils and the Metropolitan Waste & Resource Recovery Group.

3.2.3 Contract models

There are different contract models that can be used to establish advanced waste processing solutions. The contract model identified as being most suited to delivering the project is a full-services concession contract model, which includes Build-Own-Operate-Transfer (BOOT), Build-Operate-Transfer (BOT) and Build-Own-Operate (BOO).

Concession models provide Councils with a high degree of influence over how services are provided, and also efficiently transfers risk from Councils. Concession models have been used extensively overseas to deliver advanced waste processing infrastructure. There is also recent precedent in Australia: Phoenix Energy's waste to energy facility in Kwinana, WA, uses a BOO contract. MWRRG's market sounding suggest that a service concession model is a feasible and efficient approach.

Following a decision to proceed to a procurement, the contract model will be developed into a detailed set of commercial principles and subsequently into draft contractual documents which will be issued as part of the invitation to submit a detailed solution.

3.2.4 Operating cost

The business case states capital expenditure for the project can be financed by the private sector, with no financing required from Councils, if a full-services concession contract model is used. Similar to existing service models, Councils will fund the processing of each tonne of residual waste at a facility as a service charge.

At this stage, no state or federal government grant has been committed to or secured, however the business case provides a solid evidence base for participating Councils to seek funding support from state and federal governments.

The business case modelled an average fee per tonne of waste over 20 years for landfill only, Option 1 – Combustion and Option 3 – MBT plus Combustion. Average processing fee for Options 1 and 3 will be less than the forecast fee for landfill. The modelling estimates:

- Business as Usual (landfill): Over 20 years, the average processing fee per tonne (including transport and processing) is \$260.40
- Option 1 - Combustion: Over 20 years, the average processing fee per tonne (including transport and processing) is \$237
- Option 3 – MBT plus Combustion: Over 20 years, the average processing fee per tonne (including transport and processing) is \$259.

3.2.5 Landfill Costs

Council has maintained the same waste collection systems for over 20 years, which is well utilised and understood by the Kingston community. The rates of resource recovery are quite stable and are around 50% diversion from landfill, being the maximum achievable with this system.

It is expected that in the next 3-5 years, the supply of available landfill and disposal options will decrease with a proportionate increase in cost. The SUEZ landfill facility in Hallam is expected to approach capacity in this timeframe resulting in increased transport costs for the nearest available facility. This will require that Council be well positioned to adapt to this challenge through an increase in resource recovery. MWRRG has consulted with metropolitan councils and existing service providers to help develop specifications for new contracts for residual waste disposal services, to start on 1 April 2021.

MWRRG is designing the new residual waste disposal service to complement the procurement for advanced waste processing solutions and to recognise the uncertainties regarding the life of some landfills. The collective procurement will be structured to provide a bridging period for the disposal of waste until advanced waste processing infrastructure is available. It will ensure workable landfill contingency arrangements, consistency across the metropolitan area, integrate with other household waste services, deliver a robust contract model and aims to appoint multiple providers.

3.2.6 Local Government Act

The *Local Government Act* 1989, Section 193 provides the powers for Council to enter into such an arrangement. Contracting options include a simple service provision model, design and construct options, and build/own/operate with variations on ownership of the final facility solution at the end of the contract.

A regional business case for procuring AWRRT solutions has been developed and a region-specific business case for a cluster of local governments in Melbourne's south-east is under development.

3.2.7 Advanced Waste Resource Recovery Facility

MWRRG estimates that by 2021 the sixteen Councils that have been identified to be involved in the project will collectively collect around 450,000 tonnes of residual municipal solid waste (MSW) per annum.

With the benefits of this collaborative procurement expected:

- To drive an outcomes-focused procurement where local government can help determine the types of solutions that industry provides to meet residents' needs;
- Attract national and international companies to offer proven, long-term solutions for our waste;
- Present a strong case to State and Federal Government for funding to support the delivery of new infrastructure that will help our communities reduce the environmental impact of waste management; contribute to our climate change abatement commitments; and create new jobs within the resource recovery sector; and
- Deliver contingency through the prospect of having more than one AWP solution available to treat Councils' residual waste.

3.3 Options

3.3.1 Option 1

The Chief Executive Officer or their delegate be authorised to execute a Management Deed agreement to continue its participation in the Advanced Waste Resource Recovery Facility.

A further report to be received by Council giving consideration to its status in the projects Tender Phase.

3.3.2 Option 2

That Council not continue its participation in this project.

4. Conclusion

4.1 Environmental Implications

Future decision making around how Kingston provides waste services and education has the potential to vastly improve environmental outcomes for the wider community.

Waste management services contribute to the amenity of urban streetscapes by ensuring they remain free of waste, safe and tidy for the community.

It is not anticipated that an AWRRT facility would be built in Kingston.

4.2 Social Implications

Residential domestic waste management services help residents to keep their property safe and hygienic through regular removal of waste. Greater efficiencies and income generated by increased resource recovery from the municipal waste stream can be invested into other services for the community.

Council will provide leadership in promoting waste minimization by regularly reviewing operational activities; liaise with users to maintain service levels; and respond to changing needs within the sector by targeting sustainable and environmental considerations.

4.3 Resource Implications

Current garbage collection, transport and landfill disposal costs are factored into the preparation of the recycling and waste management operational budget, which in turn sets the residential waste charge. The 2019/20 budget allocation for recycling and waste management services is \$16.2 million.

Kingston's involvement in a collective procurement process to develop and utilise the services of AWRRT facilities is on the basis that the costs of AWRRT processing are in the order of current landfill gate fees and designed to mitigate future cost increases in landfill and transport costs.

4.4 Legal / Risk Implications

There are no legal issues relevant to this matter. Current contracts exist for disposal of domestic waste. Participation in MWRRG contracts meets the requirements of Section 186 of the *Local Government Act 1989*.

The specialised legal advice required in preparation of contract documentation is being sourced by the MWRRG. Council will need to seek independent legal advice from time to time on this matter.

Appendices

Appendix 1 - SE Metro Advanced Waste Processing Procurement - Management Deed
(Ref 19/171650) - Confidential

Appendix 2 - Maddocks review - AWART Management Deed (Ref 19/200022) -
Confidential

Author/s: Rachelle Quattrocchi, Manager Infrastructure
Reviewed and Approved By: Bridget Draper, Acting General Manager City Assets &
Environment

11. Corporate Services Reports

Ordinary Meeting of Council

26 August 2019

Agenda Item No: 11.1

ADOPTION OF THE ANNUAL STATEMENTS TO 30 JUNE 2019

**Contact Officer: David Hegarty, Management Accountant
Caroline Reidy, Manager Finance and Corporate Performance**

Purpose of Report

The purpose of this report is to present to Council for adoption the DRAFT Annual Financial Report and Performance Statement for the 2018/19 financial year as Council's "In Principle Statements" and to authorise their submission to the Victorian Auditor-General. The report also presents the Governance and Management Checklist for adoption by Council and inclusion in the Annual Report.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That Council:

1. Note the recommendation from Council's Audit Committee;
2. Adopt the 2018/19 Annual Performance Statement and Annual Financial Report (Annual Statements) as Council's "in principle" statements for 2018/19;
3. Authorise Cr Oxley (Mayor), Cr Gledhill and Julie Reid (Chief Executive Officer) to sign the final audited 2018/19 Annual Statements; and
4. Authorise Cr Oxley (Mayor) and Julie Reid (Chief Executive Officer) to sign the Governance and Management Checklist.

Background

Pursuant to Section 126 of the Local Government Act 1989 and the Local Government (Planning and Reporting) Regulations 2014, Council's 2018/19 Annual Financial Report and Performance Statement have been prepared for adoption in principle and the authorisation of two Councillors and the Chief Executive Officer to certify the Statements having been reviewed and cleared by the Auditor-General and Audit Committee. Likewise, the Governance and Management Checklist has been recommended for authorisation.

Copies of the "In Principle" Annual Financial Report and Performance Statements and the Governance and Management Checklist are on display in the public gallery foyer for perusal by interested members of the gallery.

Annual Financial Report

Included are the draft Annual Financial Report for Kingston City Council for the year 1 July 2018 to 30 June 2019, which have been drawn up so as to present fairly the financial transactions of Council for the 2018/19 financial year and to report on the financial position of Council as at 30 June 2019. The Financial Report has been prepared in accordance with the Local Government Act 1989, the Local Government (Planning and Reporting) Regulations 2014, Australian Accounting Standards and other mandatory professional reporting requirements.

To assist understanding of this Financial Report and accompanying notes it is pertinent to point out circumstances that have an impact on the statements in 2018/19.

Comprehensive Income Statement

The Surplus for the year is \$41.5 million, that is, \$20.4 million favourable to the budgeted surplus of \$20.9 million. This positive result is influenced by the following:

- Developer monetary contributions (which are recognised as income) of \$10.3 million are \$9.9 million favourable due to \$8.8 million in unbudgeted cash contributions from developers which are transferred to a reserve for use on open space and stormwater projects at a later date;
- Capital Grants received of \$4.8 million were \$1.1 million favourable to budget which is primarily due to funding received ahead of schedule;
- Operating grants total \$37.2 million and are \$4.1 million favourable to budget mainly due to home care grants of \$1.8 million favourable and Family Youth and Children's department \$1.8 million favourable due to better than expected utilisation in childcare, before and after school and family day care;
- Council's total Capital program expenditure was \$60.1 million with \$44.1 million of expenditure on completed projects added to Council's Asset Register and \$10.4 million transferred to work in progress for projects that are not yet completed. A total of \$5.6 million was expensed to the Income Statement (\$3.1 million favourable) as the budgeted capital expenditure did not meet Council's thresholds for asset recognition.
- Depreciation of \$25.4 million was \$1.6 million favourable to budget following the revaluation adjustment realignment of buildings and road assets. Note this is a non-cash item.
- Borrowing costs of \$0.2 million are \$0.2 million favourable to budget due to a slightly lower than anticipated interest rate for the loan for the purchase of Council's main offices at 1230 Nepean Highway.
- Rates & Charges were \$2.6 million favourable primarily due to \$1.6 million of Back Rates from Kingswood Golf Course & \$1.0 million more in Supplementary Rates than expected.

Movements in comparison to prior years were as follows:

Rates & Charges

Rate revenue totalled \$142.0 million and is \$7.5 million more than 2017/18. This includes a total of \$2.1 million derived during the year from Supplementary Valuation assessments issued in which the value of the property was adjusted to reflect a physical change to the property and to ensure that all ratepayers continue to contribute equitably to the City; \$1.6 million of back rates in addition to the capped increase of 2.25% from the prior year.

Statutory Fees and Fines

Statutory Fees and Fines increased \$0.4 million to \$9.9 million in 2018/19 when compared to last year (\$9.5 million).

User Fees

User Fees decreased \$2.1 million to \$20.4 million in 2018/19 when compared to last year. This is largely due to a \$1.1 million decrease in the Family, Youth & Children's Services area, which was offset by a \$2.0 million increase in their Operating Grants. User fees are favourable to budget by \$0.4 million mainly in Leisure Centres with a strong performance in memberships particularly at Waves.

Grants and Subsidies - Operating

Operating Grants and Subsidies total \$37.2 million and increased by \$3.4 million compared to last year due to home care grants \$1.8 million favourable and Family Youth and Children's department \$1.8 million favourable with better than expected utilisation in childcare, before and after school and family day care. This also reflects a change in the demographic of users with increased entitlements to grants rather than out of pocket user fees.

Grants and Subsidies - Capital

Capital Grants of \$4.8 million have decreased by \$0.2 million compared to last year and are \$1.1 million favourable to budget due to budgeted projects receiving funding ahead of schedule – Acacia Ave Pre School (\$293k) and the Soppett Pavilion Redevelopment (\$250k). Funding was also received for unbudgeted projects – Roy Dore Pavilion (\$320k), Dales Park Pavilion (\$200k), Bay Trail Shared Path (\$135k), Dales Park Playground (\$125k), Moorabbin Lawn Bowls (\$113k), Le Page Master Plan (\$113k), Chelsea Kinder Renewal (\$100k), Chapel Rd & Perry Street Moorabbin Traffic Management (\$91k) and Sportsground Lighting Renewal (\$86k). \$750k of funding that was budgeted for the Dingley Village Neighbourhood House was not received but is expected in 2019/20.

Contributions - Monetary

Contributions recognised were \$10.3 million in 2018/19, a decrease of \$0.8 million from the previous year. Cash contributions from developers totalled \$9.5 million in 2018/19 which is \$0.3 million higher than the previous year. \$8.9 million of these developer cash contributions are transferred to the Open Space Reserve Account that can be utilised by Council in the future to acquire and/or develop open space. Council spent \$7.5 million from the Open Space Reserve Account in 2018/19.

Other Income

Other Income totals \$4.3 million in 2018/19 which is a decrease of \$0.4 million compared to last year and includes interest Income of \$3.4 million in 2018/19 which is an increase of \$0.4 million on last year. Other Income also includes a \$49k profit on disposal of property, plant and equipment.

Employee Costs

Employee Costs totalled \$80.0 million in 2018/19 which is \$5.4 million higher than last year. Council also delivered the 2.0% productivity target included in the 2018/19 Budget which amounted to \$1.0 million saved in formulating the \$80.0 million budget.

Materials and Services

Materials and Services expenditure totalled \$80.1 million in 2018/19, \$0.4 million higher when compared to \$79.7 million last year.

Depreciation & Amortisation

In accordance with Australian Accounting Standard AASB 116 *Property, Plant and Equipment*, all non-current assets having a limited useful life are systematically depreciated over their useful lives in a manner which reflects the consumption of the service potential of those assets. In 2018/19 \$25.4 million was taken up as a non-cash expense in the Income Statement compared with \$24.6 million last year which reflects the current status of Council's Asset Register and Asset Accounting Policies.

Balance Sheet

Current Assets

The Current Assets in the Balance Sheet have improved by \$7.5 million. This is due to an overall increase in the amount of Cash and Other Financial Assets held by Council. Trade and Other Receivables have reduced slightly during the 2018/19 year. The Working Capital ratio has decreased to 351% in 2018/19 compared to 361% last year. Council's assured cashflows means that it can be confident that it can pay its accounts as and when they fall due.

The current provision for Doubtful Debts has been reviewed and is considered adequate. Rate debtors have increased by \$0.4 million to \$4.8 million (or 3.3% of Rates Income) since last year.

Non-Current Assets

Australian Accounting Standard AASB 116 *Property, Plant and Equipment* requires that the carrying amount of all non-current assets be kept current. Infrastructure assets have been revalued by Council Officers to their current replacement costs at 30 June 2019 and this has contributed to an overall \$87.2 million increase in their book value with current book value of \$624 million.

A full revaluation was conducted of Council's Land and Buildings as at 30 June 2019 by our valuers - Opteon. Land under roads has been adjusted by a market movement percentage to \$609 million down \$70 million from \$679 million last year while other land has been reduced in value by \$101.7 million following the revaluation by Opteon. Council manages \$2.5 billion of assets on behalf of the community.

Current Liabilities

Current Liabilities of \$44.1 million have increased by \$3.3 million primarily relating to an increase in leave provisions of \$0.5 million and a new parking refund provision of \$2.0 million partially offset by lower interest-bearing loans and borrowings.

Non-Current Liabilities include interest-bearing loans and borrowings which have decreased to \$2.1 million in 2018/19 from \$8.8 million in 2017/18 due to the accelerated loan repayment schedule and favourable interest rates.

Cash Flow Statement

In total, Council's cash holdings have decreased by \$7.4 million during 2018/19 to \$9.2 million, largely due to the record \$54.4 million of payments for property, infrastructure, plant and equipment. This excludes other Financial Assets (Investments more than 3 months to maturity) of \$135.1 million, up from \$119.1 million last year. \$13.0 million of this will be utilised to pay for capital works carried forward from 2018/19 to 2019/20 and for other intended allocations by Council (see Note 5.1 in the Annual Financial Report).

- Net cash provided by operating activities is \$70.2 million, which is \$2.4 million higher than last year.

- Net cash used in investing activities has increased by \$13.1 million to \$69.5 million in 2018/19 largely due to the record \$54.5 million of Capital Works and the timing of investments maturing and being reinvested.
- Net cash used in financing activities of \$8.2 million is \$1.9 million higher than 2017/18 mainly due to accelerated repayments of borrowings being undertaken by Council as a part of its debt reduction strategy.

Performance Statement

The performance statement contains information about the performance of the Council for the financial year and is a key section of the annual report whereby Council makes itself accountable to the community.

Commencing in 2014/15 the Victorian Government has introduced a mandatory system of performance reporting for councils which prescribes performance information to be included in councils' annual reports. Councils must describe the prescribed indicators and measures in the performance statement so it is clear to the audience what is being measured.

In addition, the performance statement now includes the results achieved in relation to the prescribed service performance outcome, financial performance and sustainable capacity for the financial year and three preceding years moving forward. For the financial performance indicators and measures, the performance statement must also include the forecast results for four years based on the financial statements included in the strategic resource plan.

Reporting trend information helps the community understand changes in council performance over time and acts as a point of reference for results. The regulations require that council must also provide an explanation of any material variations in the results between the current years other years disclosed to enable the reader to form an understanding of the reason for the variation.

The Act (Sections 131,132,133) states that the performance statement must contain the prescribed indicators and measures of service performance outcome measures (12), financial performance (12) and sustainable capacity (6) and the results for each indicator.

Detailed commentaries of the outcomes are included in the attached Performance Statement.

Governance and Management Checklist

Council has documents or procedures in place to cover all 24 Governance and Management Checklist items. This is consistent with the result for last year. Under the Local Government (Planning and Reporting) Regulations 2014 the Governance and Management Checklist must be certified by the Mayor and CEO and be included in the Annual Report. The Governance and Management Checklist is attached to this report.

Management Representation to the Council

The following representations are provided to the Council by Management in connection with the audit of the financial report and performance statement of Kingston City Council for the year ended 30 June 2019. The audit was undertaken for the purpose of VAGO being able to obtain sufficient and appropriate audit evidence on which to express an opinion as to whether the financial report presents fairly, in all material respects, in accordance with applicable Australian Accounting Standards, and the financial reporting requirements of the *Local Government Act 1989* and whether the performance statement presents fairly in accordance with the requirements of the *Local Government Act 1989* and *Local Government (Planning and Reporting) Regulations 2015*.

We (Management) confirm that, to the best of our knowledge and belief, the representations we make below to Council are based on information available to us, having made such enquiries as we considered necessary to appropriately inform ourselves on these matters.

Preparation of the financial report

We have fulfilled our responsibilities, as set out in the terms of the audit engagement, for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards and the requirements of *Local Government Act 1989*.

1. We have prepared the financial report as a not-for-profit entity for the purpose of reporting under Australian Accounting Standards.
2. All transactions have been recorded in the accounting records and are reflected in the financial report.¹
3. Proper accounts and records of the transactions and affairs of the council and such other records as sufficiently explain the financial operations and financial position of the council have been kept in accordance with the *Local Government Act 1989*, where applicable.
4. The effects of uncorrected misstatements are immaterial, both individual and in the aggregate, to the financial report as a whole. There are no uncorrected misstatements that we are aware of at the time of preparing this report.

Access to information

5. We have provided Audit with:
 - a. access to all information of which we are aware that is relevant to the preparation of the financial report such as records, documentation and other matters
 - b. any additional information that Audit have requested from us for the purpose of the audit
 - c. unrestricted access to persons within the council from whom Audit determined it necessary to obtain audit evidence²

Controlled entities

6. We have undertaken a control assessment using the criteria outlined in AASB 10 *Consolidated Financial Statements*. Our assessment has not identified any controlled or jointly controlled entities that require consolidation.

¹ ASA 580 *Written Representations*, paragraph 11(b)

² ASA 580.11(a)/ASA 210 *Agreeing the Terms of Audit Engagements*, paragraph 6

Joint arrangements

7. We have undertaken an assessment of our contractual arrangements to determine whether they are joint arrangements as per the requirements of AASB 11 *Joint Arrangements*. Our assessment has not identified any joint arrangements that require disclosure.

Fraud disclosure

8. We are not aware of any actual or suspected fraud affecting Kingston City Council that involves:
- a. management
 - b. employees who have significant roles in internal control or
 - c. others where the fraud could have a material effect on the financial report.³
9. We are not aware of any allegations (to the extent we are legally able to disclose these to Audit in accordance with the requirements of the *Independent Broad-based Anti-Corruption Commission Act 2011*) of fraud, or suspected fraud, affecting Kingston City Council's financial report communicated by employees, former employees, analysts, regulators or others⁴.

Internal control

10. We acknowledge our responsibility for the design, implementation and maintenance of internal control to prevent and detect fraud and/or error⁵. We have established and maintained an adequate internal control structure to facilitate the preparation of a reliable financial report, and adequate financial records have been maintained. We have disclosed details of all deficiencies in internal control of which we are aware.

Legal

11. There are no known or suspected instances of non-compliance with laws or regulations whose effects should be considered when preparing the financial report.
12. There is no known actual or possible litigation and claims whose effects should be considered when preparing the financial report.
13. The council has satisfactory title to all assets (excluding those assets held in the name of the Crown), and there are no liens or encumbrances on such assets nor has any asset been pledged as collateral.
14. The council has complied with all aspects of contractual agreements that would have a material effect on the financial report in the event of noncompliance.
15. Kingston City Council has been properly managed in accordance with the requirements of the *Local Government Act 1989*.
16. We have complied with, in all material respects, the requirements of *Local Government Act 1989* for the establishment and keeping of relevant accounts, registers and other appropriate records.

³ ASA 240 *The Auditor's Responsibilities Relating to Fraud in an Audit of a Financial Report*, paragraph 39(c)

⁴ ASA 240.39(d)

⁵ ASA 240.39(b)

Accounting estimates

17. We believe that the significant assumptions and judgements we have used in making accounting estimates for inclusion in the financial report are reasonable, appropriately supported and, where required, disclosed⁶.

Financial statement disclosures

18. The financial report discloses all significant accounting policies used in the preparation of the financial report. We considered the substance of the underlying transactions as well as their legal form in selecting the appropriate accounting policies and related disclosures for the financial report.
19. The following have been properly recorded and/or disclosed in the financial report:
- a. Arrangements involving restrictions on cash balances and line-of-credit or similar arrangements.

Asset and liability fair values (including property, plant and equipment)

20. We consider the measurement methods, including related assumptions, used to determine fair values relating to assets and liabilities to be appropriate based on the nature and purpose of the asset/liability. These have been consistently applied and appropriately disclosed in the financial report.

In addition, we have considered the requirements of AASB 13 *Fair Value Measurement* relating to the fair value of property, plant and equipment. These assets have been valued on the basis that the highest and best use of the asset is obtained from its current use, taking into consideration what is physically possible, legally permissible and financially feasible. Our fair value assessment did not identify any internal or external events that would trigger a reassessment of the assets' highest and best use.

Further, we confirm that the assumptions used by us in the categorisation of observable and un-observable inputs within the fair value valuation hierarchy are reasonable and have been fully disclosed in accordance with the accounting standards and other applicable financial reporting requirements.

21. We have considered the requirements of AASB 136 *Impairment of Assets* when assessing the impairment of assets and in ensuring that no assets are stated in excess of their recoverable amount.
22. Asset useful lives have been reviewed and we are satisfied that they reflect the assets' expected period of use.
23. Allowances for depreciation have been adjusted for all important items of property, plant and equipment that have been abandoned or are otherwise unusable.

Related parties and key management personnel

24. We have determined who are the key management personnel of Kingston City Council in accordance with AASB 124 *Related Party Disclosures* and we are satisfied that our assessment is completed and appropriate.

⁶ ASA 540 *Auditing Accounting Estimates, Including Fair Value Accounting Estimates, and Related Disclosures*, paragraph 22

25. We are satisfied that the compensation paid to key management personnel has been properly reported in note 7.1 to the financial statements in accordance with AASB 124 *Related Party Disclosures*, and includes all required components of compensation. We have not identified any significant transactions with government-related entities that would require disclosure in accordance with AASB 124 *Related Party Disclosures*.
26. We have identified and appropriately disclosed all significant transactions with government-related entities in accordance with AASB 124 *Related Party Disclosures*.
27. We have disclosed to Audit the identity of all non-government related parties (including any controlled entities), related party relationships and transactions of which we are aware. We have assessed these transactions to not be material to the financial statements and therefore not required to be disclosed in the financial report under AASB 124 *Related Party Disclosures*. Appropriate disclosure has been made.
28. We have appropriately accounted for and disclosed in the financial report all material related party relationships and transactions in accordance with AASB 124 *Related Party Disclosures*.

Responsible persons and executive officer disclosures

29. We have disclosed the number and names of any individual who held a responsible person position for Kingston City Council at any time during the year ended 30 June 2018 including all remuneration received/receivable by those individuals as per the requirements of AASB 124 *Related Party Disclosures*.
30. We have disclosed the names of the relevant responsible Ministers at any time during the year ended 30 June 2018.
31. We have disclosed the remuneration of all executive officers as per the requirements of AASB 124 *Related Party Disclosures*. This includes all short-term, post-employment, other long-term benefits and any termination benefits.

Future plans

32. There were no material commitments for construction or acquisition of property, plant and equipment or to acquire other non-current assets, such as investments or intangibles, other than those disclosed in the financial report.
33. We have no plans or intentions that may materially affect the carrying values or classification of any assets and liabilities.

Going concern

34. We have assessed the council's ability to continue as a going concern and believe there are reasonable grounds to believe that the entity will be able to pay its debts as and when they fall due.

Subsequent events

35. No events have occurred subsequent to the balance sheet date that would require adjustment to, or disclosure in, the financial report.

Preparation of the performance statement

36. We have prepared and presented the performance statement in conformity with the requirements of *Local Government Performance Reporting Framework*. We consider the indicators to present fairly the performance of the council.
37. All relevant matters have been recorded in the council's records and are reflected in the performance statement⁷.
38. We believe the effects of uncorrected misstatements are not material, both individually and in the aggregate, to the performance statement taken as a whole.
39. We acknowledge our responsibility for the design, implementation and maintenance of internal control to prevent and detect fraud and/or error. We have established and maintained an adequate internal control structure to facilitate the preparation of a reliable performance statement. We have disclosed to Audit details of all deficiencies in internal control of which we are aware⁸.

Publication of the financial report

40. With respect to publication of the financial report and performance statement in hard copy, we will ensure that:
 - a. the financial report and performance statement accurately reflects the audited financial report and performance statement and
 - b. the independent auditor's report has been reproduced accurately and in full.
41. The electronic presentation of the financial report and performance statement is our responsibility. Our responsibility includes ensuring that the electronic version of the financial report, the performance statement and the independent auditor's report presented on the website are the same as the final signed version of the financial report, the performance statement and independent auditor's report.
42. The Annual Financial Report may include additional financial and/or non-financial information other than the financial report, the performance statement and the independent auditor's report (referred to as 'other information'). With respect to other information that is included in the council's Annual Financial Report, we have informed Audit of all the sections/separate documents that we expect to issue that may comprise other information. The financial report and any other information obtained by Audit prior to the date of the auditor's report is consistent with one another, and the other information does not contain any material misstatements.

Independent Audit Committee Review

Council's Independent Audit Committee reviewed the 2018/19 Draft Annual Financial Report and Performance Statement on 21 August 2019 and the Committee recommends that Council adopt and certify the attached statements "in principle" and submit them to the Auditor General. Further the Audit Committee has recommended that Council authorise the Mayor and CEO to certify the Governance and Management Checklist.

⁷ ASAE 3000 *Assurance Engagements Other than Audits or Reviews of Historical Financial Information*, paragraph 56(b)

⁸ ASAE 3000.A137

Certification Process

A Council cannot submit its Annual Financial Report and Performance Statement to the Auditor-General or the Minister unless the council has passed a resolution giving “in principle” approval to the Annual Statements and certification by two Councillors and the Chief Executive Officer, on behalf of the council, to certify the statements once amendments or changes requested by the Auditor-General have been made. It is recommended that, Cr Oxley Mayor, and Cr Gledhill as the second Councillor on the Audit Committee, be authorised to sign the statements.

It should be borne in mind that the purpose of this process is to ensure that Council is aware of, and supports, the Performance Statement, Annual Financial Report and Governance and Management Checklist and that the Councillors and the Chief Executive Officer when signing the statements do so with the knowledge, support, commitment and acceptance of responsibility by the Council.

Appendices

Appendix 1 - 2018-19 Governance and Management Checklist (Ref 19/121995)

Appendix 2 - Draft Performance Statement 30 June 2019 (Ref 19/184974)

Appendix 3 - DRAFT Annual Financial Report for Year Ending 30 June 2019 (Ref 19/126536)

Author/s: David Hegarty, Management Accountant
Caroline Reidy, Manager Finance and Corporate Performance

Reviewed and Approved By: Paul Franklin, General Manager Corporate Services

Governance and Management Checklist 2018/19

The following are the results in the prescribed form of council's assessment against the prescribed governance and management checklist.

Column 1 Governance and Management Items	Column 2 Assessment
1 Community engagement policy (policy outlining Council's commitment to engaging with the community on matters of public interest)	Policy Date of operation of current policy: 23/05/2015. ✓
2 Community engagement guidelines (guidelines to assist staff to determine when and how to engage with the community)	Guidelines Date of operation of current guidelines: 12/10/2017 ✓
3 Strategic Resource Plan (plan under section 126 of the Act outlining the financial and non-financial resources required for at least the next 4 financial years)	Adopted in accordance with section 126 of the Act. Date of adoption: 06/05/2019 ✓
4 Annual budget (plan under section 130 of the Act setting out the services to be provided and initiatives to be undertaken over the next 12 months and the funding and other resources required)	Adopted in accordance with section 130 of the Act. Date of adoption: 24/06/2019 ✓
5 Asset management plans (plans that set out the asset maintenance and renewal needs for key infrastructure asset classes for at least the next 10 years)	Plans. Date of operation of current plans: Drainage 01/03/2008; Transport 01/03/2008; Community Facilities 01/03/2008; Recreational Spaces 01/03/2008; Capital Works Forward Plan 25/06/2018 Asset Management Policy and Strategy adopted by Council 26/02/2018 ✓
6 Rating strategy (strategy setting out the rating structure of Council to levy rates and charges)	Strategy Date of operation of current strategy: 24/06/2019 ✓
7 Risk policy (policy outlining Council's commitment and approach to minimising the risks to Council's operations)	Policy Date of operation of current policy: 10/04/2019 ✓
8 Fraud policy (policy outlining Council's commitment and approach to minimising the risk of fraud)	Policy Date of operation of current policy: 4/10/2016 ✓
9 Municipal emergency management plan (plan under section 20 of the <i>Emergency Management Act 1986</i> for emergency prevention, response and recovery)	Prepared and maintained in accordance with section 20 of the Emergency Management Act 1986. Date of preparation: 15/02/2017 ✓
10 Procurement policy (policy under section 186A of the Local Government Act 1989 outlining the matters, practices and procedures that will apply to all purchases of goods, services and works)	Prepared and approved in accordance with section 186A of the Local Government Act. Date of approval: 24/06/2019 ✓

Governance and Management Checklist 2018/19

Column 1 Governance and Management Items	Column 2 Assessment
11 Business continuity plan (plan setting out the actions that will be taken to ensure that key services continue to operate in the event of a disaster)	Plan ✓ Date of operation of current plan: 19/06/2019
12 Disaster recovery plan (plan setting out the actions that will be undertaken to recover and restore business capability in the event of a disaster)	Plan ✓ Date of operation of current plan: 01/04/2015
13 Risk management framework (framework outlining Council's approach to managing risks to the Council's operations)	Framework ✓ Date of operation of current framework: 10/04/2019
14 Audit Committee (advisory committee of Council under section 139 of the Act whose role is to oversee the integrity of a Council's financial reporting, processes to manage risks to the Council's operations and for compliance with applicable legal, ethical, and regulatory requirements)	Established in accordance with section 139 of the Act. ✓ Date of establishment: 01/01/1997
15 Internal audit (independent accounting professionals engaged by the Council to provide analyses and recommendations aimed at improving Council's governance, risk and management controls)	Engaged ✓ Date of engagement of current provider: 01/07/2019
16 Performance reporting framework (a set of indicators measuring financial and non-financial performance, including the performance indicators referred to in section 131 of the Act)	Framework ✓ Date of operation of current framework: 01/02/2019
17 Council Plan reporting (report reviewing the performance of the Council against the Council Plan, including the results in relation to the strategic indicators, for the first six months of the financial year)	Council Plan Reports: ✓ Q1 2018/19 - 26/11/2018; Q2 2018/19 - 25/02/2019; Q3 2018/19 – 27/05/2019 LGPRF Half-Year Update 2018/19: 04/03/2019
18 Financial reporting (quarterly statements to Council under section 138 of the Act comparing budgeted revenue and expenditure with actual revenue and expenditure)	Statements presented to Council in accordance with section 138(1) of the Act: ✓ Dates statements presented: June 2018: 27/08/2018 September 2018: 26/11/2018; December 2018: 25/02/2019; March 2019: 27/05/2019
19 Risk reporting (six-monthly reports of strategic risks to Council's operations, their likelihood and consequences of occurring and risk minimisation strategies)	Reports ✓ Date of reports: 12/11/18 and 06/05/19

Governance and Management Checklist 2018/19

Column 1 Governance and Management Items	Column 2 Assessment
20 Performance reporting (six-monthly reports of indicators measuring the results against financial and non-financial performance, including performance indicators referred to in section 131 of the Act)	Reports ✓ Date of reports: LGPRF Half Year Update 2018/19: 04/03/2019 Kingston Performance Report and Quarterly Financial Statements December 2018: 25/02/2019
21 Annual report (annual report under sections 131, 132 and 133 of the Act to the community containing a report of operations and audited financial performance statements)	Considered at a meeting of council in accordance with section 134 of the Act. ✓ Annual Report 2017/18 considered at a meeting of Council: 22/10/2018.
22 Councillor Code of Conduct (Code under section 76C of the Act setting out the conduct principles and the dispute resolution processes to be followed by Councillors)	Reviewed in accordance with section 76C of the Act: ✓ Date of review: 26/6/2017.
23 Delegations (a document setting out the powers, duties and functions of Council and the Chief Executive Officer that have been delegated to members of staff)	Reviewed in accordance with section 98(6) of the Act: ✓ Instrument of Delegation by Council to CEO 23/04/2019; Instrument of Delegation by Council to Staff 15/03/2019
24 Meeting procedures (a local law governing the conduct of meetings of Council and special committees)	Meeting procedures local law made in accordance with section 91(1) of the Act: ✓ Date local law made: 24/7/2017 Amended by Council: 24/09/2018

I certify that this information presents fairly the status of council's governance and management arrangements.

Julie Reid
 Chief Executive Officer
 Dated:

Cr Georgina Oxley
 Mayor
 Dated:



City of
KINGSTON

Performance Statement

For the Year Ended 30 June 2019

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Certification of the Performance Statement

In my opinion, the accompanying performance statement has been prepared in accordance with the *Local Government Act 1989* and the Local Government (Planning and Reporting) Regulations 2014.

Principal Accounting Officer
P.A. Franklin

Dated:

In our opinion, the accompanying performance statement of the Kingston City Council for the year ended 30 June 2019 presents fairly the results of council's performance in accordance with the *Local Government Act 1989* and the Local Government (Planning and Reporting) Regulations 2014.

The performance statement contains the relevant performance indicators, measures and results in relation to service performance, financial performance and sustainable capacity.

At the date of signing, we are not aware of any circumstances that would render any particulars in the performance statement to be misleading or inaccurate.

We have been authorised by the Council and by the Local Government (Planning and Reporting) Regulations 2014 to certify this performance statement in its final form.

Mayor
Cr G. Oxley

Dated:

Councillor
Cr G. Gledhill

Dated:

J. Reid
Chief Executive Officer

Dated:

Victorian Auditor-General's Report

Page reserved for VAGO report – to be inserted when available.

Performance Statement

For the year ended 30 June 2019

The Local Government Performance Reporting Framework (LGPRF) was introduced in 2014/15. The primary objective of the LGPRF is to provide comprehensive performance information that meets the needs of stakeholders. This is an objective that seeks to balance the needs and expectations of a number of audiences. In meeting this objective:

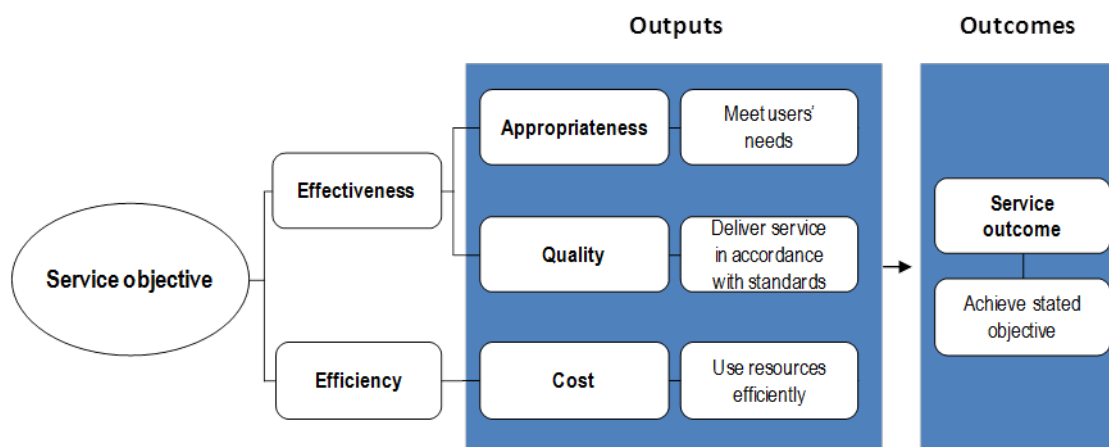
- Councils will have information to support strategic decision-making and continuous improvement;
- Communities will have information about council performance and productivity;
- Regulators will have information to monitor compliance with relevant reporting requirements; and
- State and Commonwealth Governments will be better informed to make decisions that ensure an effective, efficient and sustainable system of local government.

To provide a comprehensive picture of council performance, four indicator sets covering service performance, financial performance, sustainable capacity and governance & management have been developed across three thematic areas: service performance, financial performance and sustainability.

The indicators will cover the Council service areas of:

- Governance;
- Statutory Planning;
- Economic Development;
- Roads;
- Libraries;
- Waste Collection;
- Aquatic Facilities;
- Animal Management;
- Food Safety;
- Home and Community Care;
- Maternal and Child Health.

Service Performance Framework



Dimensions of the Service Performance Indicator Framework

Dimension	Definition	Indicators/Measures
Appropriateness	Output indicators that measure the extent to which services <i>meet users' needs</i>	Participation rate Response time
Quality	Output indicators that measure the extent to which a service is delivered <i>in accordance with defined standards</i>	Resource standard Service standard
Cost	Output indicators that measure how <i>efficiently services use their resources</i> (inputs) to produce outputs	Average cost per unit (unit cost)
Service Outcome	Outcome indicators that measure how well <i>the outcomes of the service have achieved the stated objective</i>	Community satisfaction Health and safety

It is intended that measures that cover additional areas of Council Service will be added to the data requirements in future years.

Other measures included in the framework have been developed to examine:

- Overall Financial Performance;
- Sustainable Capacity; and
- Governance and Management.

Other Information

For the year ended 30 June 2019

Basis of preparation

Council is required to prepare and include a Performance Statement within its annual report. The Performance Statement includes the results of the prescribed sustainable capacity, service performance and financial performance indicators and measures together with a description of the municipal district and an explanation of material variations in the results. This statement has been prepared to meet the requirements of the *Local Government Act 1989* and Local Government (Planning and Reporting) Regulations 2014.

Where applicable the results in the Performance Statement have been prepared on an accounting basis consistent with those reported in the Financial Statements. The other results are based on information drawn from Council Information systems or from third parties (e.g. Australian Bureau of Statistics and the Community Satisfaction Survey).

The Performance Statement presents the actual results for the current year and for the prescribed financial performance indicators, the forecast results as adopted in Council's Strategic Resource Plan which forms part of the Council Plan. The Local Government (Planning and Reporting) Regulations 2014 requires explanation of any material variations in the results contained in the Performance Statement. The Strategic Resource Plan includes estimates based on key assumptions about the future that were relevant at the time of adoption and aimed at achieving sustainability over the long term. Detailed information on the actual financial results is contained in the General Purpose Financial Statements. Council has adopted materiality thresholds relevant to each indicator and measure and explanations have not been provided for variations below the materiality thresholds unless the variance is considered to be material because of its nature.

Our City

The City of Kingston is located in the middle southern suburbs of Melbourne, approximately 15km south of the Melbourne CBD and covers an area of 91 square kilometres. Every suburb in Kingston offers something different, from diverse businesses, housing, shops and restaurants, to beaches, bushland, parks and playgrounds. Kingston is also home to over 114 parks and playgrounds; including the magnificent award winning Bicentennial Park in Chelsea, Kingston Heath in Cheltenham and the UFO Park at Grange Reserve in Clayton South.

Kingston is one of the state's main employment centres, having one of the largest and most concentrated industrial sectors in Victoria. There are approximately 16,000 businesses with over 93,000 people employed throughout the City of Kingston. Our significant industrial sector generates an annual economic output of about \$22.0 billion per annum.

Community and business networks play an important role in linking and supporting local businesses. Almost 30% of the community work locally and are able to enjoy shorter travel times and an improved work-life balance.

Kingston's shopping amenities range from local neighbourhood shops and friendly village strips, to Southland Shopping Centre, DFO Moorabbin and major activity centres in Moorabbin, Cheltenham, Mentone, Mordialloc and Chelsea.

Our suburbs

Kingston's suburbs include Aspendale, Aspendale Gardens, Bonbeach, Braeside, Carrum, Chelsea, Chelsea Heights, Cheltenham, Clarinda, Clayton South, Dingley Village, Edithvale, Heatherton, Highett, Mentone, Moorabbin, Moorabbin Airport, Mordialloc, Oakleigh South, Parkdale, Patterson Lakes and Waterways.

Population

Kingston is a diverse community with a current estimate resident population in excess of 163,000 spanning a wide range of ages, household types and cultures. Our community is constantly growing; by 2036 Kingston's population is expected to reach 185,000, making up an anticipated 77,000 dwellings.

Consistent with national trends, Kingston's oldest residents comprise the fastest growing population group in the municipality. Future planning will explore how services will cope with the greater demand caused by this increase.

Kingston is a culturally diverse city with residents from over 153 countries who speak over 132 languages. About 37% of Kingston's population was born overseas, with 26% from non-English speaking backgrounds including Vietnamese, Indian, Sri Lankan, Greek, Italian and Chinese societies.

For the purpose of this report we are using a population of 163,431 as at 30 June 2019.

A copy of the Council Plan including the Strategic Resource Plan can be obtained from www.kingston.vic.gov.au.

The formulas used to determine the Results for 2018/19 are shown in the following tables.

Sustainable Capacity Indicators

For the year ended 30 June 2019

<i>Indicator/measure</i>	Results 2016	Results 2017	Results 2018	Results 2019	Material Variations and Comments
Own-source revenue <i>Own-source revenue per head of municipal population</i>	\$1,152.22	\$1,059.19	\$1,062.00	\$1,080.61	<i>The 2018/19 result is in line with prior years and consistent with budget expectations. The 2015/16 result contained a one-off \$13.5 million net gain on disposal of property and bed licences.</i>
[Own-source revenue / Municipal population]					
Recurrent grants <i>Recurrent grants per head of municipal population</i>	\$209.29	\$234.07	\$209.65	\$230.91	<i>The 2018/19 result is in line with expectations and reflects a continued strong level of operating grants.</i>
[Recurrent grants / Municipal population]					
Population <i>Expenses per head of municipal population</i>	\$1,095.61	\$1,087.86	\$1,132.57	\$1,146.86	<i>The 2018/19 result is in line with expectations.</i>
[Total expenses / Municipal population]					

<i>Indicator/measure</i>	Results 2016	Results 2017	Results 2018	Results 2019	Material Variations and Comments
<i>Infrastructure per head of municipal population</i>	\$5,429.19	\$5,250.27	\$4,961.23	\$5,567.22	The 2018/19 result is in line with budget expectations.
[Value of infrastructure / Municipal population]					
<i>Population density per length of road</i>	252.00	254.71	261.75	264.72	The results demonstrate a gradual increase in population density as Kingston's population increases when compared to an already established road network.
[Municipal population / Kilometres of local roads]					
Disadvantage <i>Relative Socio-Economic Disadvantage</i>	9	9	9	9	The result reflects a relatively low average level of socio-economic disadvantage within Kingston's diverse communities, which is in line with results for neighbouring municipalities and prior year results.
[Index of Relative Socio-Economic Disadvantage by decile]					

Note that definitions are at the end of this document

Service Performance Indicators

For the year ended 30 June 2018

Service/indicator/measure	Results 2016	Results 2017	Results 2018	Results 2019	Material Variations and Comments
Governance					
Satisfaction					
<i>Satisfaction with council decisions</i>	58.00	60.00	53.00	56.00	This rating is sourced from the annual Local Government Community Satisfaction Survey conducted by an independent research company. With an average score of 57 over the past four years, Council continues to explore ways to improve community consultation and assist the community to understand the reasons for decisions.
[Community satisfaction rating out of 100 with how council has performed in making decisions in the interest of the community]					
Statutory Planning					
Decision making					
<i>Council planning decisions upheld at VCAT</i>	44.44%	35.71%	30.00%	41.18%	Only a small percentage 51 of 901 (5.6%) of Council's planning decisions were referred to VCAT in 2018/19. A number of these decisions were resolved at VCAT through consent or at mediation and, while these are reflected as decisions 'not upheld', Council considers this a good outcome as agreement was reached in mediation by all parties.
[Number of VCAT decisions that did not set aside council's decision in relation to a planning application / Number of VCAT decisions in relation to planning applications] x100					

Service/indicator/measure	Results 2016	Results 2017	Results 2018	Results 2019	Material Variations and Comments
Roads Satisfaction <i>Satisfaction with sealed local roads</i>	67.00	67.00	69.00	69.00	This rating is sourced from the annual Local Government Community Satisfaction Survey conducted by an independent research company. Kingston's result is in line with other metropolitan councils.
[Community satisfaction rating out of 100 with how council has performed on the condition of sealed local roads.]					
Libraries Participation <i>Active library members</i>	17.81%	16.88%	17.16%	16.61%	The slight decrease in the percentage of active members can be related to the closure of Dingley Village Library for renovations from December 2018, combined with an increase in the municipal population.
[Number of active library members / Municipal population] x100					
Waste Collection Waste diversion <i>Kerbside collection waste diverted from landfill</i>	48.85%	50.09%	50.85%	49.53%	The kerbside waste collection diverted from landfill decreased slightly due to EPA's closure of the recycling facility used by Kingston. This resulted in approximately 2% of Kingston annual tonnage of recyclable material being sent to landfill in early 2019.
[Weight of recyclables and green organics collected from kerbside bins / Weight of garbage, recyclables and green organics collected from kerbside bins] x100					

Service/indicator/measure	Results 2016	Results 2017	Results 2018	Results 2019	Material Variations and Comments
Aquatic Facilities Utilisation <i>Utilisation of aquatic facilities</i>	4.33	4.55	5.49	5.47	Despite growth in general attendance, memberships, learn to swim and school swimming enrolments all contributing to an increase in attendance across both centres, the growth in municipal population means there has been a slight drop in this measure.
[Number of visits to aquatic facilities / Municipal population]					
Animal Management Health and safety <i>Animal management prosecutions</i>	17.00	11.00	13.00	7.00	Council officers proactively resolved animal-related issues directly with those involved, reducing the number of cases prosecuted in the Magistrates Court.
[Number of successful animal management prosecutions]					
Food Safety Health and safety <i>Critical and major non-compliance outcome notifications</i>	100.00%	100.00%	98.96%	100.00%	Major and critical non-compliances continue to be treated as a priority. Environmental Health Officers ensure that any high risk issues identified during the assessments are attended to immediately and action taken to remove or reduce the risk.
[Number of critical non-compliance outcome notifications and major non-compliance notifications about a food premises followed up / Number of critical non-compliance outcome notifications and major non-compliance notifications about a food premises] x100					

Service/indicator/measure	Results 2016	Results 2017	Results 2018	Results 2019	Material Variations and Comments
Home and Community Care (HACC) Participation <i>Participation in HACC service</i>	30.00%	Reporting Ceased 1 July 2016	Reporting Ceased 1 July 2016	Reporting Ceased 1 July 2016	Reporting on HACC ceased on 1 July 2016 due to the introduction of the Commonwealth Government's NDIS and CHSP programs
Number of people that received a HACC service / Municipal target population for HACC services] x100					
Participation <i>Participation in HACC service by CALD people</i>	24.82%	Reporting Ceased 1 July 2016	Reporting Ceased 1 July 2016	Reporting Ceased 1 July 2016	Reporting on HACC ceased on 1 July 2016 due to the introduction of the Commonwealth Government's NDIS and CHSP programs
Number of CALD people who receive a HACC service / Municipal target population in relation to CALD people for HACC services] x100					
Maternal and Child Health (MCH) Participation <i>Participation in the MCH service</i>	78.59%	78.12%	77.56%	73.97%	The participation rate is within expectations. Those not attending Council's Maternal and Child Health services may be choosing to attend the 4-year visit offered by a General Practitioner instead of Council's 3.5-year assessment.
[Number of children who attend the MCH service at least once (in the year) / Number of children enrolled in the MCH service] x100					
Participation <i>Participation in the MCH service by Aboriginal children</i>	75.56%	71.21%	64.52%	63.72%	While disclosure of Aboriginal and Torres Strait Islander status is voluntary, Maternal and Child Health nurses continue to encourage disclosure and encourage attendance by reminding all families of appointments and offering access to an enhanced service where needed.
[Number of Aboriginal children who attend the MCH service at least once (in the year) / Number of Aboriginal children enrolled in the MCH service] x100					

Note that definitions are at the end of this document

Dimension/indicator/measure	Results 2015/16	Results 2016/17	Results 2017/18	Results 2018/19	Forecasts				Material Variations and Comments
					2019/20	2020/21	2021/22	2022/23	
Unrestricted cash Unrestricted cash compared to current liabilities [Unrestricted cash / Current liabilities] x100	209.26%	321.73%	332.51%	326.63%	182.43%	159.19%	156.83%	172.20%	The 2018/19 result is consistent with the prior year driven by consistent strong cash reserves. The outlook forecasts this trend to be in the range of 156% to 183% in the future.
Obligations Loans and borrowings Loans and borrowings compared to rates [Interest bearing loans and borrowings / Rate revenue] x100	15.76%	14.50%	9.75%	3.61%	1.20%	0.23%	0.00%	0.00%	The result for 2018/19 is better than expected as Council made an extra loan repayment during the year. The decreasing forecast trend reflects the scheduled repayment of external debt with Council expected to be debt free by July 2021.
Loans and borrowings repayments compared to rates [Interest and principal repayments on interest bearing loans and borrowings / Rate revenue] x100	3.97%	3.60%	4.64%	5.76%	2.56%	0.96%	0.23%	0.00%	The result for 2018/19 is in line with expectations and the future years reflect the debt reduction strategy with the Long Term Financial Strategy.
Indebtedness Non-current liabilities compared to own source revenue [Non-current liabilities / Own source revenue] x100	9.73%	9.65%	6.00%	1.78%	1.07%	0.87%	0.88%	0.89%	The result for 2018/19 is in line with expectations and the future years reflect the debt reduction strategy with the Long Term Financial Strategy.

Dimension/indicator/measure	Results 2015/16	Results 2016/17	Results 2017/18	Results 2018/19	Forecasts				Material Variations and Comments
					2019/20	2020/21	2021/22	2022/23	
Asset renewal Asset renewal compared to depreciation [Asset renewal expense / Asset depreciation] x100	116.59%	109.29%	108.19%	117.11%	143.92%	149.73%	127.69%	115.42%	The 2018/19 result is consistent with the prior year with Council continuing to maintain current assets in line with expectations. The trend reflects Council's decisions to bring forward important Asset renewal projects to the next two years.
Stability Rates concentration Rates compared to adjusted underlying revenue [Rate revenue / Adjusted underlying revenue] x100	59.45%	62.45%	62.16%	63.23%	68.56%	68.07%	68.31%	68.54%	The 2018/19 result is consistent with preceding years and in line with expectations. The 2015/16 result was influenced by the one-off gain on sale of assets.
Rates effort Rates compared to property values [Rate revenue / Capital improved value of rateable properties in the municipality] x100	0.29%	0.25%	0.25%	0.21%	0.22%	0.23%	0.23%	0.24%	The 2018/19 result is in line with preceding years and reflects budget expectations. The forecast reflects the Long Term projections of rate revenue.
Efficiency Expenditure level Expenses per property assessment [Total expenses / Number of property assessments]	\$2,361.13	\$2,343.03	\$2,470.70	\$2,496.74	\$2,617.36	\$2,670.15	\$2,714.34	\$2,762.40	The 2018/19 result is in line with expectations and reflects the 3% increase in expenditure to \$187 million and an increase in number of assessments.

Dimension/indicator/measure	Results 2015/16	Results 2016/17	Results 2017/18	Results 2018/19	Forecasts				Material Variations and Comments
					2019/20	2020/21	2021/22	2022/23	
Revenue level Average residential rate per residential property assessment [Residential rate revenue / Number of residential property assessments]	\$1,658.81	\$1,716.68	\$1,743.52	\$1,840.48	\$1,852.57	\$1,877.79	\$1,908.26	\$1,939.02	The 2018/19 result is in line with expectations and the forecast years reflect the Long Term Financial Strategy.
Workforce turnover Resignations and terminations compared to average staff [Number of permanent staff resignations and terminations / Average number of permanent staff for the financial year] x100	28.31%	13.00%	13.56%	13.71%	13.06%	13.06%	13.06%	13.06%	The 2018/19 result is line with prior year and with expectations. The forecast years are expected to be stable and reflect average trends.

Note that definitions are at the end of this document

Definitions

Aboriginal child	means a child who is an Aboriginal person
Aboriginal person	has the same meaning as in the Aboriginal Heritage Act 2006
active library member	means a member of a library who has borrowed a book from the library
adjusted underlying revenue	means total income other than— (a) non-recurrent grants used to fund capital expenditure; and (b) non-monetary asset contributions; and (c) contributions to fund capital expenditure from sources other than those referred to in paragraphs (a) and (b)
adjusted underlying surplus (or deficit)	means adjusted underlying revenue less total expenditure
annual report	means an annual report prepared by a council under sections 131, 132 and 133 of the Act
asset renewal expenditure	means expenditure on an existing asset or on replacing an existing asset that returns the service capability of the asset to its original capability
class 1 food premises	means food premises, within the meaning of the <i>Food Act 1984</i> , that have been declared as class 1 food premises under section 19C of that Act
class 2 food premises	means food premises, within the meaning of the <i>Food Act 1984</i> , that have been declared as class 2 food premises under section 19C of that Act
Community Care Common Standards	means the Community Care Common Standards for the delivery of HACC services, published from time to time by the Commonwealth
critical non-compliance outcome notification	means a notification received by council under section 19N(3) or (4) of the <i>Food Act 1984</i> , or advice given to council by an authorized officer under that Act, of a deficiency that poses an immediate serious threat to public health
Culturally and Linguistically Diverse (CALD)	Means Culturally and Linguistically Diverse people born outside Australia in a country whose national language is not English
current assets	has the same meaning as in the Australian Accounting Standards (AAS)
current liabilities	has the same meaning as in the AAS
expenses	means expenses including employee costs, materials and services, bad and doubtful debts, depreciation and amortization, borrowing costs and other expenses.
food premises	has the same meaning as in the <i>Food Act 1984</i> and includes all street trader notifications
HACC program	means the Home and Community Care program established under the Agreement entered into for the purpose of the Home and Community Care Act 1985 of the Commonwealth
HACC service	means home help, personal care or community respite provided under the HACC program
infrastructure	means non-current property, plant and equipment excluding land
local road	means a sealed or unsealed road for which the council is the responsible road authority under the <i>Road Management Act 2004</i>
MCH	means the Maternal and Child Health Service provided by a council to support the health and development of children within the municipality from birth until school age
major non-compliance outcome notification	means a notification received by a council under section 19N(3) or (4) of the <i>Food Act 1984</i> , or advice given to council by an authorised officer under that Act, of a deficiency that does not pose an immediate serious threat to public health but may do so if no remedial action is taken
non-current assets	means all assets other than current assets

non-recurrent grant	means a grant obtained on the condition that it be expended in a specified manner and is not expected to be received again during the period covered by a council's Strategic Resource Plan
non-current liabilities	means all liabilities other than current liabilities
own-source revenue	means adjusted underlying revenue other than revenue that is not under the control of council (including government grants)
population	means the resident population estimated by council
rate revenue	means revenue from general rates, municipal charges, service rates and service charges
recurrent grant	means a grant other than a non-recurrent grant
relative socio-economic disadvantage	in relation to a municipality, means the relative socio-economic disadvantage, expressed as a decile for the relevant financial year, of the area in which the municipality is located according to the Index of Relative Socio-Economic Disadvantage (Catalogue Number 2033.0.55.001) of the Socio-Economic Indexes for Areas (SEIFA) published from time to time by the Australian Bureau of Statistics on its Internet website
residential rates	means revenue from general rates, municipal charges, service rates and service charges levied on residential properties
restricted cash	means cash and cash equivalents, within the meaning of the AAS, that are not available for use other than for a purpose for which it is restricted, and includes cash to be used to fund capital works expenditure from the previous financial year
target population	has the same meaning as in the Agreement entered into for the purposes of the Home and Community Care Act 1985 of the Commonwealth
unrestricted cash	means all cash and cash equivalents other than restricted cash.
WorkSafe reportable aquatic facility safety incident	means an incident relating to a council aquatic facility that is required to be notified to the Victorian WorkCover Authority under Part 5 of the <i>Occupational Health and Safety Act 2004</i> .



City of
KINGSTON

Annual Financial Report

For the Year Ended 30 June 2019

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Certification of the Financial Statements

In my opinion the accompanying financial statements have been prepared in accordance with the *Local Government Act 1989*, the *Local Government (Planning and Reporting) Regulations 2014*, Australian Accounting Standards and other mandatory professional reporting requirements.

P A Franklin
Principal Accounting Officer

Date:

Location:

In our opinion, the accompanying financial report presents fairly the financial transactions of Kingston City Council for the year ended 30 June 2019 and the financial position of the Council as of that date.

As at the date of signing, we are not aware of any circumstances that would render any particulars in the financial report to be misleading or inaccurate. We have been authorised by the Council and by the *Local Government (Planning and Reporting) Regulations 2014* to certify the financial statements in their final form.

G Oxley
Mayor

Date:

Location:

G Gledhill
Councillor

Date:

Location:

Julie Reid
Chief Executive Officer

Date:

Location:

Victorian Auditor-General's Report

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Comprehensive Income Statement

For the Year Ended 30 June 2019

	Note	2019 \$'000	2018 \$'000
Income			
Rates and charges	3.1	141,953	134,353
Statutory fees and fines	3.2	9,895	9,468
User fees	3.3	20,446	22,548
Grants – operating	3.4	37,157	33,772
Grants – capital	3.4	4,841	4,631
Contributions – monetary	3.5	10,084	11,101
Contributions – non-monetary	3.5	199	2,626
Other income	3.7	4,263	4,707
Net Gain on disposal of property, infrastructure, plant and equipment	3.6	49	-
Total Income		228,887	223,206
Expenses			
Employee costs	4.1	80,016	74,611
Materials and services	4.2	81,149	81,045
Depreciation and amortisation	4.3	25,392	24,568
Bad and doubtful debts	4.4	43	32
Borrowing costs	4.5	210	439
Other expenses	4.6	623	608
Net Loss on disposal of property, infrastructure, plant and equipment	3.6	-	843
Fair value adjustment for investment property	6.3	-	296
Total Expenses		187,433	182,442
Surplus for the year		41,454	40,764
Other comprehensive income			
Items that will not be reclassified to surplus or deficit in future periods:			
Net asset revaluation increment/(decrement)	6.2	(80,315)	140,692
Total comprehensive result		(38,861)	181,456

The above comprehensive income statement should be read in conjunction with the accompanying notes.

Balance Sheet

As at 30 June 2019

	Note	2019 \$'000	2018 \$'000
Assets			
Current assets			
Cash and cash equivalents	5.1	8,067	16,601
Trade and other receivables	5.1	9,170	9,327
Other financial assets	5.1	136,046	120,026
Non-current assets classified as held for sale	6.1	-	885
Other assets	5.2	1,652	590
Total Current assets		154,935	147,429
Non-current assets			
Trade and other receivables	5.1	-	-
Property, infrastructure, plant and equipment	6.2	2,366,620	2,416,983
Investment property	6.3	4,473	4,473
Intangible assets	5.2	882	699
Total Non-current assets		2,371,975	2,422,155
Total Assets		2,526,910	2,569,584
Liabilities			
Current liabilities			
Trade and other payables	5.3	15,370	15,041
Trust funds and deposits	5.3	6,310	5,752
Provisions	5.5	19,389	15,756
Interest bearing loans and borrowings	5.4	3,052	4,261
Total Current liabilities		44,121	40,810
Non-current liabilities			
Provisions	5.5	1,070	1,446
Interest bearing loans and borrowings	5.4	2,073	8,821
Total Non-current liabilities		3,143	10,267
Total Liabilities		47,264	51,077
Net Assets		2,479,646	2,518,507
Equity			
Accumulated surplus		1,418,060	1,377,984
Asset revaluation reserve	9.1	1,025,000	1,105,315
Other reserves	9.1	36,586	35,208
Total Equity		2,479,646	2,518,507

The above balance sheet should be read in conjunction with the accompanying notes.

Statement of Changes in Equity

For the Year Ended 30 June 2019

2019		Total	Accumulated Surplus	Asset Revaluation Reserve	Asset Replacement Reserve	Asset Development Reserve	Other Reserves
	Note	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Balance as at 1 July 2018		2,518,507	1,377,984	1,105,315	1,483	16,688	17,037
Surplus for the year		41,454	41,454	-	-	-	-
Net asset revaluation increment/ (decrement)	9.1	(80,315)	-	(80,315)	-	-	-
Transfers to other reserves	9.1	-	(13,568)	-	-	8,852	4,716
Transfer from other reserves	9.1	-	12,190	-	(972)	(7,514)	(3,704)
Balance as at 30 June 2019		2,479,646	1,418,060	1,025,000	511	18,026	18,049

2018		Total	Accumulated Surplus	Asset Revaluation Reserve	Asset Replacement Reserve	Asset Development Reserve	Other Reserves
	Note	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Balance as at 1 July 2017		2,337,051	1,342,370	964,623	2,075	14,487	13,496
Surplus for the year		40,764	40,764	-	-	-	-
Net asset revaluation increment/ (decrement)	9.1	140,692	-	140,692	-	-	-
Transfers to other reserves	9.1	-	(12,989)	-	-	8,457	4,532
Transfer from other reserves	9.1	-	7,839	-	(592)	(6,256)	(991)
Balance as at 30 June 2018		2,518,507	1,377,984	1,105,315	1,483	16,688	17,037

The above statement of changes in equity should be read in conjunction with the accompanying notes.

Statement of Cash Flows

For the Year Ended 30 June 2019

	Note	2019 Inflows/ (Outflows) \$'000	2018 Inflows/ (Outflows) \$'000
Cash flows from operating activities			
Rates and charges		141,574	134,096
Grants – operating		34,628	33,772
Grants – capital		4,841	4,631
Contributions – monetary		10,084	11,102
Statutory fees and fines		9,895	9,468
User fees		22,794	21,968
Interest received		3,417	2,973
Other receipts		845	728
Trust funds and deposits taken		4,826	11,300
Repayment of trust funds and deposits		(4,268)	(9,311)
Employee costs		(78,338)	(75,668)
Materials and services		(80,251)	(77,220)
Net cash provided by operating activities	9.1	70,047	67,839
Cash flows from investing activities			
Payments for property, infrastructure, plant and equipment		(54,492)	(39,407)
Proceeds from sale of property, infrastructure, plant and equipment	3.6	98	62
Payments for investments		(151,150)	(120,550)
Proceeds from sale of investments		135,130	103,550
Net cash used in investing activities		(70,414)	(56,345)
Cash flows from financing activities			
Finance costs		(210)	(439)
Repayment of borrowings		(7,957)	(5,783)
Net cash provided by financing activities		(8,167)	(6,222)
Net (decrease)/increase in cash and cash equivalents		(8,534)	5,272
Cash and cash equivalents at the beginning of the financial year		16,601	11,329
Cash and cash equivalents at the end of the financial year	5.1	8,067	16,601
Restrictions on cash assets	5.1	6,310	5,752

The above statement of cash flows should be read in conjunction with the accompanying notes.

Statement of Capital Works

For the Year Ended 30 June 2019

	2019 \$'000	2018 \$'000
Property		
Land	8,061	2,694
Land improvements	1,060	582
Total Land	9,121	3,276
Building	24,668	16,699
Total Buildings	24,668	16,699
Total Property	33,809	19,975
Plant and equipment		
Plant, machinery and equipment	90	-
Fixtures, fittings and furniture	27	-
Computers and telecommunications	2,845	865
Library books	1,053	1,041
Total Plant and equipment	4,015	1,906
Infrastructure		
Roads	6,187	9,772
Footpaths and cycleways	1,811	1,554
Drainage	4,421	4,962
Recreational, leisure and community facilities	4,213	5,317
Parks, open space and streetscapes	5,436	4,544
Off street car parks	60	904
Other infrastructure	1,889	648
Total Infrastructure	22,317	27,701
Total Capital works expenditure	60,141	49,582
Represented by:		
New asset expenditure	11,012	6,845
Asset renewal expenditure	29,401	27,766
Asset expansion expenditure	5,705	4,543
Asset upgrade expenditure	14,023	10,428
Total Capital works expenditure	60,141	49,582

The above statement of capital works should be read in conjunction with the accompanying notes

Notes to the Financial Report

For the Year Ended 30 June 2019

Overview

Kingston City Council was established by an Order of the Governor in Council on 15th December 1994 and is a body corporate. The Council's main office is located at 1230 Nepean Highway, Cheltenham Victoria.

Statement of compliance

These financial statements are a general purpose financial report that consists of a Comprehensive Income Statement, Balance Sheet, Statement of Changes in Equity, Statement of Cash Flows, Statement of Capital Works and Notes accompanying these financial statements. The general purpose financial report complies with the Australian Accounting Standards (AAS), other authoritative pronouncements of the Australian Accounting Standards Board, the Local Government Act 1989, and the Local Government (Planning and Reporting) Regulations 2014.

Significant accounting policies

Basis of accounting

The accrual basis of accounting has been used in the preparation of these financial statements, whereby assets, liabilities, equity, income and expenses are recognised in the reporting period to which they relate, regardless of when cash is received or paid.

Judgements, estimates and assumptions are required to be made about the carrying values of assets and liabilities that are not readily apparent from other sources. The estimates and associated judgements are based on professional judgement derived from historical experience and various other factors that are believed to be reasonable under the circumstances. Actual results may differ from these estimates.

Revisions to accounting estimates are recognised in the period in which the estimate is revised and also in future periods that are affected by the revision. Judgements and assumptions made by management in the application of Australian Accounting Standards that have significant effects on the financial statements and estimates relate to:

- the fair value of land, buildings and infrastructure, plant and equipment and intangibles (refer to note 6.2)
- the determination of depreciation for buildings, property, infrastructure, plant and equipment (refer to note 6.2)
- the determination of amortisation of intangible assets (refer note 5.2 b)
- the determination of employee provisions (refer to note 5.5).

Unless otherwise stated, all accounting policies are consistent with those applied in the prior year. Where appropriate, comparative figures have been amended to accord with current presentation, and disclosure has been made of any material changes to comparatives.

Notes to the Financial Report

For the Year Ended 30 June 2019

NOTE 1 Performance against budget

The performance against budget notes compare Council's financial plan, expressed through its annual budget, with actual performance. The *Local Government (Planning and Reporting) Regulations 2014* requires explanation of any material variances. Council has adopted a materiality threshold of 10 percent and/or over \$2 million where further explanation is warranted. Explanations have not been provided for variations below the materiality threshold unless the variance is considered to be material because of its nature.

The budget figures detailed below are those adopted by Council on 25 June 2018. The Budget was based on assumptions that were relevant at the time of adoption of the Budget. Council sets guidelines and parameters for income and expense targets in this budget in order to meet Council's planning and financial performance targets for both the short and long-term. The budget did not reflect any changes to equity resulting from asset revaluations, as their impacts were not considered predictable.

These notes are prepared to meet the requirements of the *Local Government Act 1989* and the *Local Government (Planning and Reporting) Regulations 2014*.

1.1 Income and Expenditure

	Budget 2019 \$'000	Actual 2019 \$'000	Variance 2019 \$'000	Variance %	F/ U	Ref
Income						
Rates and charges	139,367	141,953	2,586	1.9	F	1
Statutory fees and fines	9,705	9,895	190	2.0	F	
User fees	20,113	20,446	333	1.6	F	
Grants – Operating	33,027	37,157	4,130	12.5	F	2
Grants – Capital	3,697	4,841	1,144	30.9	F	3
Contributions – monetary	389	10,084	9,695	2,492.3	F	4
Contributions – non-monetary	-	199	199	-	F	
Other income	2,494	4,263	1,769	70.9	F	5
Net profit on disposal of property, infrastructure, plant and equipment	-	49	49	-	F	
Total Income	208,792	228,887	20,095	9.6	F	
Expenses						
Employee costs	79,960	80,016	(56)	-	U	
Materials and services (includes other expenses)	80,469	81,772	(1,303)	(1.6)	U	
Bad and doubtful debts	50	43	7	14.0	F	6
Depreciation and amortisation	27,000	25,392	1,608	6.0	F	7
Borrowing costs	396	210	186	47.0	F	8
Total Expenses	187,875	187,433	442	0.2	F	
Surplus (deficit) for the year	20,917	41,454	20,537	98.2	F	

* F = Favourable, U = Unfavourable

Notes to the Financial Report

For the Year Ended 30 June 2019

NOTE 1 Performance against budget (cont'd)

1.1 Income and Expenditure (cont'd)

(i) Explanation of material variances

Ref	Item	Explanation
1	Rates and Charges	Rates and Charges of \$142.0 million are \$2.6 million favourable to budget due to higher supplementary rates during the year than budgeted and include \$1.6 million in back rates for Kingswood Golf Course.
2	Grants - Operating	Operating grants of \$37.2 million are \$4.1 million favourable to budget mainly due to home care grants \$1.8 million favourable and Family Youth and Children's department \$1.8 million favourable with better than expected utilisation in childcare, before and after school and family day care.
3	Grants – Capital	Capital grants of \$4.8 million are \$1.1 million favourable to budget due to budgeted projects receiving funding ahead of schedule – Acacia Ave Pre School (\$293k) and the Soppett Pavilion Redevelopment (\$250k). Funding was also received for the following projects – Edithvale Life Saving Club \$750k, Roy Dore Pavilion (\$320k), Dales Park Pavilion (\$200k), Bay Trail Shared Path (\$135k), Dales Park Playground (\$125k), Moorabbin Lawn Bowls (\$113k), Le Page Master Plan (\$113k), Chelsea Kinder Renewal (\$100k), Chapel Rd & Perry Street Moorabbin Traffic Management (\$91k) and Sportsground Lighting Renewal (\$86k). \$750k of funding that was budgeted for the Dingley Village Neighbourhood House was not received but is expected in 2019/20.
4	Contributions - Monetary	Monetary contributions of \$10.1 million are \$9.7 million favourable due to \$8.8 million in unbudgeted cash contributions from developers which are transferred to a reserve for use on open space and stormwater projects at a later date.
5	Other Income	Other income of \$4.3 million is \$1.8 million favourable to budget due to strong interest income earned on higher than expected cash holdings.
6	Bad and Doubtful Debts	Bad and doubtful debts of \$43k are slightly below the expected budget of \$50k due to a strong level of debt recovery.
7	Depreciation and Amortisation	Depreciation of \$25.4 million was \$1.6 million lower than budget which reflects Council's asset register.
8	Borrowing Costs	Borrowing costs of \$210k are lower than the budget of \$396k due to an extra loan repayment of \$1.8m made during the year.

Notes to the Financial Report

For the Year Ended 30 June 2019

NOTE 1 Performance against budget (cont'd)

1.2 Capital Works

	Budget 2019 \$'000	Actual 2019 \$'000	Variance 2019 \$'000	Variance 2019 %	F/U	Ref
Property						
Land	1,000	8,061	(7,061)	(706.1)	U	1
Land improvements	2,020	1,060	960	47.5	F	2
Total Land	3,020	9,121	(6,101)	(202.0)	U	
Buildings	24,193	24,688	(495)	(2.0)	U	
Total Buildings	24,193	24,688	(495)	(2.0)	U	
Total Property	27,213	33,809	(6,596)	(24.2)	U	
Plant and equipment						
Plant, machinery and equipment	400	90	310	77.5	F	3
Fixtures, fittings and furniture	-	27	-	-		
Computers and telecommunications	2,605	2,845	(240)	(9.2)	U	
Library books	1,056	1,053	3	0.3	F	
Total Plant and equipment	4,061	4,015	73	1.8	F	
Infrastructure						
Roads	5,701	6,187	(486)	(8.5)	U	
Footpaths and cycleways	6,150	1,811	4,339	70.6	F	4
Drainage	4,560	4,421	139	3.0	F	
Off street car parks	170	60	110	64.7	F	6
Recreational, leisure and community facilities	4,273	4,213	60	1.4	F	
Parks, open space and streetscapes	6,441	5,436	1,005	15.6	F	5
Other infrastructure	420	189	231	55.0	F	7
Total Infrastructure	27,715	22,317	5,398	19.5	F	
Total Capital Works expenditure	58,989	60,141	(1,152)	(2.0)	U	
Represented by:						
New asset expenditure	8,733	11,012	(2,279)	(26.1)	U	
Asset renewal expenditure	27,272	27,568	(296)	(1.1)	U	
Asset expansion expenditure	5,371	5,705	(334)	(6.2)	U	
Asset upgrade expenditure	15,229	14,023	1,206	7.9	F	
Non Asset	2,384	1,833	551	23.1	F	
Total Capital Works Expenditure	58,989	60,141	(1,152)	(2.0)	U	

Notes to the Financial Report

For the Year Ended 30 June 2019

NOTE 1 Performance against budget (cont'd)

1.2 Capital Works (cont'd)

(i) Explanation of material variances

Ref	Item	Explanation
1	Land	Expenditure of \$8.1 million is \$7.1 million unfavourable to adopted 2018/19 Budget due to Council resolutions to purchase properties during 2018/19 in Charman Rd, Cheltenham, Victory Road, Clayton South, Spring Road, Dingley Village and Horsecroft Place, Moorabbin. These purchases were funded from Developer Open Space contributions made in prior years.
2	Land Improvements	Land Improvements are associated to management and remediation of former Landfill Sites. Sourcing appropriate quantities and quality of capping and top soils caused delays to delivery. At 30 June 2019 there are \$0.9 million of contractual commitments for works in progress but not yet commenced.
3	Plant, machinery and equipment	Expenditure is less than forecast expenditure due to delivery lag for imported trucks. Vehicle replacements valued at \$260k are on order pending delivery early in 2019/20.
4	Footpaths & cycle ways	Expenditure is less than forecast following VCAT appeals and delays in obtaining necessary approvals for the Bay Trail Shared Path project, requiring a Carry Over of funds totalling to 2019/20 \$3.2 million. This contract has now been awarded noting that VCAT and regulatory matters are now resolved. The link between Henry St and Elder St Park has been delayed requiring a \$0.5 million carry over of funds to 2019/20 while land acquisition and design issues are resolved.
5	Parks, open space and streetscapes	Less than forecast variance of \$1.0 million is due to delays commencing the Mentone Piazza Project. Works are well advanced and due for completion August 2019
6	Off street car parks	Less than forecast expenditure is due to \$170k for Foreshore Ticket Parking machine replacements being carried over to 2019/20
7	Other infrastructure	Less than forecast expenditure of \$0.23 million is due to \$60k program savings with Parks Victoria assuming maintenance responsibilities in Mordialloc Creek, \$60k for Smart City Initiative and \$100k for Christmas decorations being carried over to 2019/20 for planned implementation.

Notes to the Financial Report

For the Year Ended 30 June 2019

Note 2.1 Analysis of Council results by Division

Planning and Development Division

Planning and Development comprises 4 departments. The City Strategy Department is responsible for developing, managing and guiding Council's Strategic land use planning and policy functions across a broad range of social, economic and environmental issues. The City Development Department is responsible for providing an integrated development service to meet the needs of residents, ratepayers, the development industry and internal clients including the decisions in relation to subdivisions. City Economy and Innovation is responsible for supporting and assisting Kingston's 10,000+ strong business community including manufacturers, retailers, business and personal service providers and home-based businesses. The Compliance and Amenity Department works with the community to provide a safer and more liveable municipality through compliance and awareness. Responsibilities include the education and enforcement of local laws; parking, animal management for over 22,000 registered animals, providing 75 schools with crossing supervisors and reducing pollution and fire risks.

City Assets and Environment Division

The City Assets and Environment division comprises 5 departments. The Property and Arts Department manages Council's property portfolio and arts facilities. Property functions include commercial and community leases, acquisitions, disposals, title management, lease register, the provision of valuations for open spaces, pre-sale and purchase activities and land and buildings asset insurance and management of the Arts Program. The Parks Department manages, maintains and develops Council's Public Places, including the 13 kilometres of Kingston's foreshore, parks, reserves and gardens, sports grounds, shopping centres and streetscapes. The Infrastructure Department is responsible for all civil infrastructures. This includes the asset management, condition assessment and planning for the upgrading and renewal of road, footpath, drainage, bridges and other infrastructure. The Traffic and Transport Department has a strong focus on the strategic response to major transport infrastructure projects including grade separations, activity centre planning and active transport provision. The Active Kingston Department encourages community participation in sport and leisure activities to increase physical and mental health and wellbeing including the operation of Council's two leisure centres.

Community Sustainability Division

Community Sustainability comprises 4 areas of responsibility. Libraries and Social Development are responsible for the provision of library and information services and Council community hubs to the Kingston community. The Social Development team works directly with the community to foster strong community networks by supporting the work of a diverse range of community organisations to identify and address the needs of vulnerable community members.

The AccessCare department's purpose is to encourage and support a connected community with enhanced health, wellbeing and independence of individuals, groups and communities. Family, Youth and Children's Services is responsible for the planning and delivery of community based support services within the municipality including Long Day Care, Maternal Child Health and immunisation programs. The purpose of the Community Buildings service is to facilitate the provision of 'fit for purpose' community buildings and facilities, that support the delivery of services to the Kingston community.

Corporate Services Division

Corporate Services comprises 6 departments. The Finance and Corporate Performance team is responsible for the reporting and management of Council's finances and ensuring Council's compliance with statutory financial and reporting obligations, accounts receivable, accounts payable, payroll and banking functions as well as the management and maintenance of Council's property and rating database along with the overseeing of the general revaluation. The role of Information Services and Strategy is to provide information systems and services that ensure the quality, security and accessibility of data and information to Council. The objective of the Procurement and Contracts Department is to drive excellence in procurement and contracting. The department is responsible for providing information and specialist advice to the organisation on procurement and contracts, overseeing tendering and contract compliance, reporting organisational activity and driving best value outcomes from procurement. People Support is responsible for all employment related issues, including policy development and provision of advice and support on

Notes to the Financial Report

For the Year Ended 30 June 2019

Note 2.1 Analysis of Council results by Division (cont'd)

workplace relations issues; training and professional development; performance management; risk management; occupational health and safety and injury management and rehabilitation for the organisation. The role of the Governance Department is to support the function of democratic local government through the Council and Councillors by promoting and assisting effective decision making and the implementation of those decisions. The Communications and Community Relations Department provides the Kingston community with timely, relevant and accurate information and service through creative communication, multiple contact and service channels, engagement opportunities as well as delivery of family-friendly festivals and events.

	Income	Expenses	Surplus/ (Deficit)	Grants included in income	Total assets
2019	\$'000	\$'000	\$'000	\$'000	\$'000
Planning and Development	10,383	17,991	(7,608)	548	590
City Assets and Environment	13,671	52,406	(38,735)	659	1,176,945
Community Sustainability	38,913	58,793	(19,880)	31,331	1,194,149
Corporate Services	846	20,933	(20,087)	-	155,226
Central Executive Services	165,074	37,310	127,764	4,618	-
	228,887	187,433	41,454	37,156	2,526,910
2018	\$'000	\$'000	\$'000	\$'000	\$'000
Planning and Development	9,689	15,807	(6,118)	123	580
City Assets and Environment	14,303	48,705	(34,402)	488	1,227,345
Community Sustainability	37,139	55,746	(18,607)	28,531	1,194,111
Corporate Services	1,132	20,231	(19,099)	-	147,549
Central Executive Services	160,943	41,953	118,990	4,631	-
	223,206	182,442	40,764	33,773	2,569,585

Notes to the Financial Report

For the Year Ended 30 June 2019

NOTE 3 Funding for the delivery of our services

3.1 Rates and charges

Council uses Capital Improved Value (CIV) as the basis of valuation of all properties within the municipal district. CIV approximates the market value of land and improvements.

The valuation base used to calculate general rates for 2018/19 was \$65.4 billion (2017/18 \$52.6 billion). The 2018/19 declared rate in the dollar was 0.18018 cents (2017/18 0.21580 cents).

A Municipal charge is levied at the rate of \$100 (2017/18 \$100) per rateable property and a waste service fee (choices A to F) is levied at the rate of \$160 to \$255 (2017/18 \$137 to \$230) per rateable property.

	2019 \$'000	2018 \$'000
General Rates	118,095	112,358
Municipal charge	7,359	7,249
Waste service fee	13,846	12,197
Special rates and charges	118	116
Supplementary rates	2,073	1,931
Interest on rates and charges	462	502
Total rates and charges	141,953	134,353

The date of the latest general revaluation of land for rating purposes within the municipal district was 1 January 2019 and the valuation will be first applied in the rating year commencing 1 July 2019.

Annual rates and charges are recognised as revenue when Council issues annual rates notices.

Supplementary rates are recognised when a valuation and reassessment is completed and a supplementary rate notice issued.

3.2 Statutory fees and fines

	2019 \$'000	2018 \$'000
Infringements and Costs	1,480	1,984
Parking infringements	3,418	3,518
Permits	460	454
Town planning fees	3,644	2,665
Family day care and school age care	539	491
Land Information Certificates	143	168
Other	211	188
Total Statutory fees and fines	9,895	9,468

Statutory fees and fines (including parking fees and fines) are recognised as revenue when the service has been provided, the payment is received, or when the penalty has been applied, whichever first occurs.

Notes to the Financial Report

For the Year Ended 30 June 2019

NOTE 3 Funding for the delivery of our services (cont'd)

3.3 User fees

	2019	2018
	\$'000	\$'000
Aged and health services	2,021	2,027
Building services	989	1,263
Family and Children	4,689	5,746
Leisure centre and recreation	7,600	7,396
Registration and other permits	864	708
Waste management services	170	639
Rental income	3,630	4,004
Other	483	765
Total user fees	20,446	22,548

User fees are recognised as revenue when the service has been provided or Council has otherwise earned the income.

3.4 Funding from other levels of government

Grants were received in respect of the following:

	2019	2018
	\$'000	\$'000
Summary of grants		
Commonwealth funded grants	29,874	27,041
State funded grants	12,124	11,362
Total Grants Received	41,998	38,403

a) Operating grants

Recurrent - Commonwealth Government

Financial Assistance Grants (i)	4,618	4,631
Access Care Southern	8,884	8,590
Home and Community Care	7,410	6,872
Family and Children	7,800	5,705
Other	582	70

Recurrent - State Government

AccessCare Southern	3,667	3,902
Family and Children	2,066	2,183
Libraries and Education	1,451	1,208
Beach cleaning	272	194
Community Safety and Education	214	76
Other	193	340

Total Recurrent grants

37,157

33,772

Total Operating grants

37,157

33,772

There were no non-recurrent operating grants in 2017/18 or 2018/19

b) Capital grants

Recurrent - Commonwealth Government

Roads to Recovery	581	1,172
Total Recurrent grants	581	1,172

Notes to the Financial Report

For the Year Ended 30 June 2019

NOTE 3 Funding for the delivery of our services (cont'd)

3.4 Funding from other levels of government (cont'd)

	2019 \$'000	2019 \$'000
Non-recurrent – State Government		
Sporting facilities	2,018	1,598
Foreshore Environment	12	172
Civil Infrastructure	383	482
Community Facilities	1,847	1,207
Total Non-recurrent grants	4,260	3,459
Total Capital grants	4,841	4,631

- (i) Victorian Grants Commission funding for 2018/19 includes \$2.1 million received in advance being 50% of the next year's payment. This also occurred in 2017/18 in that the first two instalments for 2018/19 were received in June 2018.

c) Unspent grants received on condition that they be spent in a specific manner

	2019 \$'000	2018 \$'000
Balance at start of year	788	835
Received during the financial year and remained unspent at balance date	1,138	788
Received in prior years and spent during the financial year	(788)	(835)
Balance at year end	1,138	788

Grant income is recognised when Council obtains control of the contribution. This is normally obtained upon their receipt (or acquittal) or upon earlier notification that a grant has been secured.

3.5 Contributions

	2019 \$'000	2018 \$'000
Monetary		
Donations/contributions from developers	9,509	9,185
Various capital projects – contributions	348	1,616
Community sustainability	65	45
Environmental sustainability	129	232
Other	33	23
	10,084	11,101
Non-Monetary (i)		
Asset Contributions from Developers	199	2,626
	199	2,626
Total contributions	10,283	13,727

- (i) There were \$0.2 million received in non-monetary contributions for land under roads in 2019
(ii) Non-monetary contributions in 2018 includes Land Under Roads (\$0.7 million), Transport (\$1.1 million), Drainage (\$0.5 million) and Land (\$0.4 million).

Monetary and non-monetary contributions are recognised as revenue when Council obtains control over the contributed asset.

Notes to the Financial Report

For the Year Ended 30 June 2019

3.6 Net gain / (loss) on disposal of property, infrastructure, plant and equipment

	2019	2018
	\$'000	\$'000
Proceeds from sale	98	62
Written down value of assets disposed	(49)	(905)
Total net gain/(loss) on disposal of property, infrastructure, plant and equipment	49	(843)
Comprising:		
Profit on disposal of property, plant and equipment	49	62
Loss on disposal of property, plant and equipment (i)	-	(905)
	49	(843)

- (i) The loss on disposal in 2018 includes the demolition of 7 buildings. The profit or loss on sale of an asset is determined when control of the asset has passed to the buyer.

3.7 Other Income

	2019	2018
	\$'000	\$'000
<i>Interest Income</i>		
Interest on cash and investments	3,418	3,022
	<u>3,418</u>	<u>3,022</u>
<i>Other Income</i>		
Found assets (i)	-	958
Other	845	727
	<u>845</u>	<u>1,685</u>
Total Other Income	4,263	4,707

(i) There were no found assets in 2018/19. Found assets in FY 2017/18 includes road and drainage of \$0.9 million and land of \$47k. These are not newly constructed or purchased assets for the year, they represent asset additions due to improved accuracy of data since moving to the new asset management system.

Interest is recognised as it is earned. Other income is measured at the fair value of the consideration received or receivable and is recognised when Council gains control over the right to receive the income.

Notes to the Financial Report

For the Year Ended 30 June 2019

NOTE 4 The cost of delivering services

4.1 Employee costs

	2019 \$'000	2018 \$'000
(a) Employee costs		
Wages and salaries	60,475	57,286
Casual staff	8,494	8,014
Fringe benefits tax and WorkCover	1,396	1,260
Superannuation	6,115	5,884
Annual Leave and Long Service Leave	3,536	2,167
Total employee costs	80,016	74,611
(b) Superannuation		
Council made contributions to the following funds:		
Defined Benefit fund		
Employer contributions to Local Authorities Superannuation Fund (Vision Super)	448	568
	448	568
Accumulation funds		
Employer contributions to Local Authorities Superannuation Fund (Vision Super)	4,605	4,382
Employer contributions - other funds	1,776	1,924
Total contributions	6,381	6,306
Employer contributions payable at reporting date.	630	562
Refer to Note 9.3 for further information relating to Council's superannuation obligations.		

4.2 Materials and services

	2019 \$'000	2018 \$'000
Road infrastructure maintenance	14,889	19,218
Building maintenance	4,344	3,466
Waste and cleansing	14,844	12,835
Aged services	8,821	8,321
Parks, gardens and reserves	10,055	9,834
Leisure and culture	5,447	5,052
Accommodation expense	1,183	1,061
Information systems and telecommunications	3,885	3,801
Family services	3,311	3,460
Community engagement	1,964	1,929
Parking, monitoring and enforcement	4,999	3,130
Procurement and fleet management	1,723	1,636
Council business	580	598
People and culture	601	498
Finance and legal	2,268	3,481
Planning and building	1,182	1,228
Other	1,053	1,497
Total materials and services	81,149	81,045

Notes to the Financial Report

For the Year Ended 30 June 2019

NOTE 4 The cost of delivering services (cont'd)

4.3 Depreciation and amortisation

	2019	2018
	\$'000	\$'000
Land improvements	1,663	1,436
Buildings	6,573	6,641
Building improvements	483	372
Leasehold improvements	125	187
Roads/Bridges/Footpaths	10,308	10,176
Drainage	2,907	2,871
Plant and equipment	2,110	1,647
Heritage and culture	17	17
Library books	919	724
Software amortisation	287	497
Total depreciation and amortisation	25,392	24,568

Refer to Note 5.2(b) and 6.2 for a more detailed breakdown of depreciation and amortisation charges and accounting policy.

4.4 Bad and doubtful debts

	2019	2018
	\$'000	\$'000
Other debtors	43	32
Total bad and doubtful debts	43	32

Movement in provisions for doubtful debts

Balance at the beginning of the year	130	160
New Provisions recognised during the year	24	37
Amounts already provided for and written off as uncollectable	-	31
Amounts provided for but recovered during the year	-	(98)
Balance at end of year	154	130

A provision for doubtful debts is recognised when there is objective evidence that an impairment loss has occurred. Bad debts are written off when identified.

4.5 Borrowing costs

	2019	2018
	\$'000	\$'000
Interest – borrowings	210	439
Total borrowing costs	210	439

Borrowing costs are recognised as an expense in the period in which they are incurred, except where they are capitalised as part of a qualifying asset constructed by Council.

Notes to the Financial Report

For the Year Ended 30 June 2019

NOTE 4 The cost of delivering services (cont'd)

4.6 Other expenses

	2019 \$'000	2018 \$'000
Auditors' remuneration (VAGO) – audit of the financial statements, performance statement and grant acquittals	62	61
Auditors' remuneration – internal	182	171
Councillor Allowances	379	376
Total other expenses	623	608

Notes to the Financial Report

For the Year Ended 30 June 2019

NOTE 5 Our financial position

5.1 Financial assets

a) Cash and cash equivalents

	2019 \$'000	2018 \$'000
Cash on hand	13	14
Cash at bank	8,054	9,587
Short term deposits	-	7,000
Total cash and cash equivalents	8,067	16,601

Councils cash and cash equivalents are subject to external restrictions that limit amounts available for discretionary use. These include:

Trust fund and deposits (Note 5.3b)	6,310	5,752
Total restricted funds	6,310	5,752
Total unrestricted cash and cash equivalents	1,757	10,849

b) Other financial assets

Term deposits – current	136,046	120,026
Total Other financial assets	136,046	120,026
Total financial assets	136,046	120,026

Intended allocations

Although not externally restricted, the following amounts have been allocated for specific future purposes by Council. Refer to note 9.1 for a description of individual reserve amounts.

Asset development reserve	18,026	16,688
Green wedge and foreshore reserves	9,158	10,241
Aged care reserve	6,625	4,842
Asset replacement reserve	511	1,483
Defined benefit call reserve	1,000	1,000
Other reserves	1,266	954
Total funds subject to intended allocations	36,586	35,208

Cash and cash equivalents include cash on hand, deposits at call, and other highly liquid investments with original maturities of 90 days or less, net of outstanding bank overdrafts.

Other financial assets are valued at fair value at balance date. Term deposits are measured at original cost. Any unrealised gains and losses on holdings at balance date are recognised as either a revenue or expense.

Notes to the Financial Report

For the Year Ended 30 June 2019

NOTE 5 Our financial position (cont'd)

5.1 Financial assets (cont'd)

c) Trade and other receivables

	2019 \$'000	2018 \$'000
Current		
<i>Statutory receivables</i>		
Rate debtors	4,769	4,387
Net GST receivable	1,800	1,507
Infringement debtors	6,267	4,542
Provision for doubtful debts - infringements	(5,677)	(3,962)
	<u>7,159</u>	<u>6,474</u>
<i>Non statutory receivables</i>		
Other debtors	2,165	2,983
Provision for doubtful debts – other debtors	(154)	(130)
	<u>2,011</u>	<u>2,853</u>
Total current trade and other receivables	<u>9,170</u>	<u>9,327</u>
Total trade and other receivables	<u>9,170</u>	<u>9,327</u>

Short term receivables are carried at invoice amount. A provision for doubtful debts is recognised when there is objective evidence that an impairment has occurred. Long term receivables are carried at amortised cost using the effective interest rate method.

Notes to the Financial Report

For the Year Ended 30 June 2019

NOTE 5 Our financial position (cont'd)

5.1 Financial assets (cont'd)

(d) Trade and other receivables (cont'd)

	2019	2018
	\$'000	\$'000

(i) Ageing of Receivables

The ageing of the Council's trade and other receivables (excluding statutory receivables) that are not impaired was:

Current (not yet due)	797	1,509
Past due by up to 30 days	654	155
Past due between 31 and 180 days	280	595
Past due between 181 and 365 days	224	476
Past due by more than 1 year	56	119
Total Trade and other receivables	2,011	2,854

(i) Ageing of individually impaired Receivables

At balance date, other debtors representing financial assets with a nominal value of \$153k (2018: \$130k) were impaired. The amount of the provision raised against these debtors was \$153k (2018: \$130k). They individually have been impaired as a result of their doubtful collection. Many of the long outstanding past due amounts have been lodged with Council's debt collectors or are on payment arrangements. The ageing of receivables that have been individually determined as impaired at reporting date was:

Current (not yet due)	-	-
Past due by up to 30 days	-	-
Past due between 31 and 180 days	-	-
Past due between 181 and 365 days	-	11
Past due by more than 1 year	154	119
Total Trade and other receivables	154	130

5.2 Non-financial assets

(a) Other assets

	2019	2018
	\$'000	\$'000
Prepayments	614	519
Accrued income	1,038	71
Total other assets	1,652	590

(b) Intangible assets

	2019	2018
	\$'000	\$'000
Software	882	699
Total intangible assets	882	699

Notes to the Financial Report

For the Year Ended 30 June 2019

NOTE 5 Our financial position (cont'd)

5.2 Non-financial assets (cont'd)

(c) Movement in gross carrying amount

	Software \$'000	Total \$'000
Gross carrying amount		
Balance at 1 July 2018	5,474	5,474
Additions from internal developments	470	470
Balance at 1 July 2019	5,944	5,944
Accumulated amortisation and impairment		
Balance at 1 July 2018	4,776	4,776
Amortisation expense	287	287
Balance at 1 July 2019	5,063	5,063
Net book value at 30 June 2018	699	699
Net book value at 30 June 2019	882	882

Intangible assets with finite lives are amortised as an expense on a systematic basis over the asset's useful life. Amortisation is generally calculated on a straight line basis, at a rate that allocates the asset value, less any estimated residual value over its estimated useful life. Estimates of the remaining useful lives and amortisation method are reviewed at least annually, and adjustments made where appropriate.

Software

Purchased software is recognised as an intangible asset if it meets the recognition threshold of \$50,000. Purchased software is measured at cost less accumulated amortisation and impairment costs over a finite life not exceeding five years. The purchase price and any directly attributable costs of preparing the software for operation are included in the cost of the intangible asset. All expenditure below the threshold and ongoing maintenance and fees related to the software is expensed when incurred. Operating software integral to the operation of a personal computer is recorded as Property, Plant and Equipment.

Notes to the Financial Report

For the Year Ended 30 June 2019

NOTE 5 Our financial position (cont'd)

5.3 Payables

a) Trade and other payables

	2019	2018
<i>Unsecured</i>	\$'000	\$'000
Trade payables	10,709	8,874
Salary accruals	1,234	1,424
Other accruals	3,427	4,743
Total Trade and other payables	15,370	15,041

b) Trust funds and deposits

Refundable deposits	53	227
Fire services levy	534	635
Retention amounts	5,723	4,890
Total Trust funds and deposits	6,310	5,752

Amounts received as deposits and retention amounts controlled by Council are recognised as trust funds until they are returned, transferred in accordance with the purpose of the receipt, or forfeited. Trust funds that are forfeited, resulting in council gaining control of the funds, are to be recognised as revenue at the time of forfeit.

Purpose and nature of items

Refundable deposits – Deposits are taken by council as a form of surety in a number of circumstances, including in relation to building works, tender deposits, contract deposits and the use of civic facilities.

Fire Service Levy - Council is the collection agent for fire services levy on behalf of the State Government. Council remits amounts received on a quarterly basis. Amounts disclosed here will be remitted to the state government in line with that process.

Retention amounts – Council has a contractual right to retain certain amounts until a contractor has met certain requirements or a related warrant or defect period has elapsed. Subject to the satisfactory completion of the contractual obligations, or the elapsing of time, these amounts will be paid to the relevant contractor in line with Council's contractual obligations.

Notes to the Financial Report

For the Year Ended 30 June 2019

NOTE 5 Our financial position (cont'd)

5.4 Interest-bearing liabilities

	2019 \$'000	2018 \$'000
Current		
Loans – secured (i)	3,052	4,261
	3,052	4,261
Non-current		
Loans – secured (i)	2,073	8,821
	2,073	8,821
Total	5,125	13,082

Loans/borrowings are secured over the general rates of the Kingston City Council.

(a) The maturity profile for Council's loans is:

Not later than one year	3,052	4,261
Later than one year and not later than five years	2,073	8,821
Later than five years	-	-
	5,125	13,082

Borrowings are initially measured at fair value, being the cost of the interest bearing liabilities, net of transaction costs. The measurement basis subsequent to initial recognition depends on whether the Council has categorised its interest-bearing liabilities as either financial liabilities designated at fair value through the profit and loss, or financial liabilities at amortised cost. Any difference between the initial recognised amount and the redemption value is recognised in net result over the period of the borrowing using the effective interest method.

The classification depends on the nature and purpose of the interest bearing liabilities. The Council determines the classification of its interest bearing liabilities at initial recognition.

Notes to the Financial Report

For the Year Ended 30 June 2019

NOTE 5 Our financial position (cont'd)

5.5 Provisions

	Employee Leave	Landfill restoration	Enterprise Agreement	Parking Refunds (i)	Total
2019	\$'000	\$'000	\$'000	\$'000	\$'000
Balance at the beginning of the financial year	15,870	1,332	-	-	17,202
Additional Provisions	-	-	-	2,048	2,048
Amounts Used	-	(140)	-	(329)	(469)
Change in the discounted amount arising because of the time and the effect of any change in the discount rate	1,678	-	-	-	1,678
Balance at the end of the financial year	17,548	1,192	-	1,719	20,459
2018					
Balance at the beginning of the financial year	15,373	392	1,553	-	17,318
Additional Provisions	-	1,023	-	-	1,023
Amounts Used	-	(83)	(1,553)	-	(1,636)
Change in the discounted amount arising because of the time and the effect of any change in the discount rate	497	-	-	-	497
Balance at the end of the financial year	15,870	1,332	-	-	17,202

A new provision was created in 2019 to reflect parking fines issued in the City of Kingston between 2006 and 2016 that were appealed under the Infringements Act 2006 where unsuccessful appeals were reviewed by a third party.

	2019 \$'000	2018 \$'000
(a)Employee leave provisions		
Current provisions expected to be wholly settled within 12 months		
Annual leave	4,002	4,754
Long service leave	845	684
	4,847	5,438
Current provisions expected to be wholly settled after 12 months		
Annual leave	1,786	758
Long service leave	9,845	8,228
	11,631	8,986
Total current employee leave provisions	16,478	14,424
Other provisions		
Current provisions expected to be wholly settled within 12 months		
Landfill restoration	1,192	1,332
Parking Refunds	1,719	-
	2,911	1,332
Total current provisions	19,389	15,756

Notes to the Financial Report

For the Year Ended 30 June 2019

NOTE 5 Our financial position (cont'd)

5.5 Provisions (cont'd)

	2019 \$'000	2018 \$'000
Non-current employee provisions		
Long Service Leave	1,070	1,446
Total non-current provisions	1,070	1,446
Aggregate carrying amount of provisions:		
Current	19,389	15,756
Non-current	1,070	1,446
Total aggregate carrying amount of provisions	20,459	17,202

The calculation of employee costs and benefits includes all relevant on costs and are calculated as follows at reporting date:

Wages and salaries and annual leave

Liabilities for wages and salaries, including non-monetary benefits, annual leave and accumulated personal leave expected to be wholly settled within 12 months of the reporting date are recognised in the provision for employee benefits in respect of employee services up to the reporting date, classified as current liabilities and measured at their nominal values.

Liabilities that are not expected to be wholly settled within 12 months of the reporting date are recognised in the provision for employee benefits as non-current liabilities, measured at present value of the amounts expected to be paid when the liabilities are settled using the remuneration rate expected to apply at the time of settlement.

Long service leave

Liability for Long Service Leave (LSL) is recognised in the provision for employee benefits.

LSL is measured at present value. Unconditional LSL is disclosed as a current liability. Conditional LSL that has been accrued, where an employee is yet to reach a qualifying term of employment (7 years of service), is disclosed as a non-current liability. Our key assumptions use discount rates issued by the Department of Treasury and Finance for Long Service Leave. The discount rates range from 1.035% in year 1 to 1.32% in year 10.

Landfill restoration

Council is obligated to restore landfill sites to a particular standard. The forecast life of the site is based on current estimates of remaining capacity and the forecast rate of infill.

Key Assumptions:

The provision for landfill restoration has been calculated based on the current value of the expected cost of works to be undertaken.

The expected cost of works has been estimated based on the current understanding of work required to reinstate the site to a suitable standard. Accordingly, the estimation of the provision required is dependent on the accuracy of the forecast timing of the work, work required and related costs.

Parking Refunds

Council has raised a provision to correct the consequences of an administrative process error that has occurred between 2006 and 2016 in processing of parking infringement reviews under the Infringements Act 2006. This provision will fund a reimbursement scheme for individuals who sought an internal review of a parking infringement issued under the Infringements Act 2006 and were unsuccessful in having it overturned.

Notes to the Financial Report

For the Year Ended 30 June 2019

generally between 1 July 2006 and 26th December 2016. Analysis has identified that 21,851 infringements were impacted and the total value of the infringements issued that fall within this category was \$2 million.

NOTE 5 Our financial position (cont'd)

5.6 Financing arrangements

	2019 \$'000	2018 \$'000
Bank overdraft	5,000	5,000
Credit card facilities	150	150
Loans	5,125	13,082
Total facilities	10,275	18,232
Used facilities – credit cards	27	32
Used facilities – loans	5,125	13,082
Unused facilities	5,152	13,114

The municipality has an arrangement for offset of overdraft against bank balances including on-call accounts. As at balance date there was no use of the overdraft facility. Bank Overdraft and Credit Card facilities are held with the Commonwealth Bank with security mortgage over rates revenue. Loans are held with the CBA, ANZ and NAB.

5.7 Commitments

The Council has entered into the following commitments. Commitments are not recognised in the Balance Sheet. Commitments are disclosed at their nominal value and presented inclusive of the GST payable.

	Not later than 1 year \$'000	Later than 1 year and not later than 2 years \$'000	Later than 2 not later than 5 years \$'000	Later than 5 years \$'000	Total \$'000
2019					
Operating					
- Infrastructure works	2,674	403	-	-	3,077
- Parks, gardens, reserves	3,949	3,208	1,036	-	8,193
- Waste and cleansing	7,155	6,232	16,948	22,113	52,448
- Community sustainability	1,296	1,117	-	-	2,413
- Corporate services	560	322	-	-	882
	15,634	11,282	17,984	22,113	67,013
Capital					
- Buildings (i)	13,763	-	-	-	13,763
- Transport (i)	8,817	-	-	-	8,817
	22,580	-	-	-	22,580
Total	38,214	11,282	17,984	22,113	89,593

- (i) Major capital expenditure commitments as at 30 June 2019 include: Soppett Pavillion (\$4.8 million); Edithvale Life Saving Club (\$2.7 million); and Dingley Village Neighbourhood House precinct (\$2.8 million).

Notes to the Financial Report

For the Year Ended 30 June 2019

5.7 Commitments (cont'd)

	Not later than 1 year \$'000	Later than 1 year and not later than 2 years \$'000	Later than 2 not later than 5 years \$'000	Later than 5 years \$'000	Total \$'000
2018					
Operating					
- Infrastructure works	2,166	222	-	-	2,388
- Parks, gardens, reserves	7,723	764	-	-	8,487
- Waste and cleansing	3,424	-	-	-	3,424
- Community sustainability	1,833	159	139	-	2,131
- Corporate services	1,848	237	-	-	2,085
	16,994	1,382	139	-	18,515
Capital					
- Buildings (i)	5,883	-	-	-	5,883
- Transport (i)	4,123	-	-	-	4,123
	10,006	-	-	-	10,006
Total	27,000	1,382	139	-	28,521

Operating lease commitments (incl GST)

At the reporting date, the Council had the following obligations under non-cancellable operating leases for the lease of equipment, motor vehicles and land and buildings for use within Council activities (these obligations are not recognised as liabilities):

	2019 \$'000	2018 \$'000
Not later than one year	1,450	2,482
Later than one year and not later than five years	2,333	2,568
Later than five years	1,076	997
	4,859	6,047

Lease payments for operating leases are required by the accounting standard to be recognised on a straight line basis, rather than expensed in the years in which they are incurred.

Notes to the Financial Report

For the Year Ended 30 June 2019

NOTE 6 Assets we manage

6.1 Non-current assets classified as held for sale

	2019 \$'000	2018 \$'000
Cost of acquisition (property)	-	885
Total non-current assets classified as held for sale	-	885

Non-current assets classified as held for sale (including disposal groups) are measured at the lower of its carrying amount and fair value less costs of disposal, and are not subject to depreciation. Non-current assets, disposal groups and related liabilities and assets are treated as current and classified as held for sale if their carrying amount will be recovered through a sale transaction rather than through continuing use. This condition is regarded as met only when the sale is highly probable and the asset's sale (or disposal group sale) is expected to be completed within 12 months from the date of classification.

Notes to the Financial Report

For the Year Ended 30 June 2019

NOTE 6 Assets we manage (cont'd)

6.2 Property, infrastructure, plant and equipment

6.2a Summary of property, infrastructure, plant and equipment

	At Fair Value 30 June 2018	Acquisitions	Contributions	Revaluation	Depreciation	Disposal	Transfers	At Fair Value 30 June 2019
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Land	1,617,784	12,646	199	(172,687)	(1,663)	(49)	536	1,456,766
Buildings	249,437	16,278	-	1,099	(7,181)	-	4,109	263,742
Plant and equipment	9,376	6,009	-	-	(3,046)	-	-	12,339
Infrastructure	536,626	8,699	-	91,273	(13,215)	-	-	623,383
Works in progress	3,760	10,390	-	-	-	-	(3,760)	10,390
	2,416,983	54,022	199	(80,315)	(25,105)	(49)	885	2,366,620

Summary of works in progress

	Opening WIP	Additions	Transfers	Write Offs	Closing WIP
	\$'000	\$'000	\$'000	\$'000	\$'000
Buildings	3,760	9,853	(3,760)	-	9,583
Plant and Equipment	-	90	-	-	90
Infrastructure	-	447	-	-	447
	3,760	10,390	(3,760)	-	10,390

Notes to the Financial Report

For the Year Ended 30 June 2019

NOTE 6 Assets we manage (cont'd)

6.2a Property, infrastructure, plant and equipment (cont'd)

a) Property	Land under roads \$'000	Land - specialised \$'000	Land - non specialised \$'000	Land improvements \$'000	Total Land & Improvements \$'000	Heritage buildings \$'000	Buildings – specialised \$'000	Building improvements \$'000	Leasehold improvements \$'000	Total Buildings \$'000	Works in Progress \$'000	Total Property \$'000
At fair value 1 July 2018	679,443	637,016	260,861	47,726	1,625,046	8,156	460,460	9,937	1,867	480,420	3,760	2,109,226
Accumulated depreciation at 1 July 2018	-	-	-	(7,262)	(7,262)	(4,198)	(223,980)	(1,516)	(1,289)	(230,983)	-	(238,245)
	679,443	637,016	260,861	40,464	1,617,784	3,958	236,480	8,421	578	249,437	3,760	1,870,981
Movements in fair value												
Acquisition of assets at fair value	-	5,459	2,862	4,325	12,646	-	13,780	2,498	-	16,278	9,853	38,777
Contributed Assets	199	-	-	-	199	-	-	-	-	-	-	199
Revaluation increments/decrements	(70,987)	(79,687)	(22,013)	-	(172,687)	(602)	6,717	-	-	6,115	-	(166,572)
Fair value of assets disposed	-	(49)	-	-	(49)	-	-	-	-	-	-	(49)
Transfers	-	536	-	-	536	-	4,404	-	-	4,404	(3,760)	1,180
	(70,788)	(73,741)	(19,151)	4,325	(159,355)	(602)	24,900	2,498	-	26,796	6,093	(126,466)
Movements in accumulated depreciation												
Depreciation and amortisation	-	-	-	(1,663)	(1,663)	(113)	(6,460)	(483)	(125)	(7,181)	-	(8,844)
Revaluation increments/decrements	-	-	-	-	-	240	(5,256)	-	-	(5,016)	-	(5,016)
Accumulated depreciation of disposals	-	-	-	-	-	-	-	-	-	-	-	-
Transfers	-	-	-	-	-	-	(294)	-	-	(294)	-	(294)
	-	-	-	(1,663)	(1,663)	127	(12,010)	(483)	(125)	(12,492)	-	(14,154)
At fair value 30 June 2019	608,655	563,275	241,710	44,789	1,465,691	7,554	485,360	12,435	1,867	507,216	9,853	1,982,760
Accumulated depreciation at 30 June 2019	-	-	-	(8,925)	(8,925)	(4,071)	(235,990)	(1,999)	(1,414)	(243,474)	-	(252,399)
	608,655	563,275	241,710	43,126	1,456,766	3,483	249,370	10,436	453	263,742	9,853	1,730,361

Notes to the Financial Report

For the Year Ended 30 June 2019

NOTE 6 Assets we manage (cont'd)

6.2b Property, infrastructure, plant and equipment (cont'd)

b) Plant and Equipment	Heritage plant and equipment \$'000	Plant machinery and equip \$'000	Library books \$'000	Work In Progress \$'000	Total plant and equipment \$'000
At fair value 1 July 2018	1,821	26,285	18,122	-	46,228
Accumulated depreciation at 1 July 2018	(523)	(20,779)	(15,550)	-	(36,852)
	1,298	5,506	2,572	-	9,376
Movements in fair value					
Acquisition of assets at fair value	-	5,051	958	90	6,099
	-	5,051	958	90	6,099
Movements in accumulated depreciation					
Depreciation and amortization	(17)	(2,110)	(919)	-	(3,046)
	(17)	(2,110)	(919)	-	(3,046)
At fair value 30 June 2019	1,821	31,336	19,080	90	52,327
Accumulated depreciation at 30 June 2019	(540)	(22,889)	(16,469)	-	(39,898)
	1,281	8,447	2,611	90	12,429

Notes to the Financial Report

For the Year Ended 30 June 2019

NOTE 6 Assets we manage (cont'd)

6.2 Property, infrastructure, plant and equipment (cont'd)

c) Infrastructure	Roads	Bridges	Footpaths and cycleways	Drainage	Other Infrastructure	Work In Progress	Total Infrastructure
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
At fair value 1 July 2018	560,694	10,516	101,914	289,580	13,468	-	976,172
Accumulated depreciation at 1 July 2018	(196,908)	(8,431)	(70,665)	(150,075)	(13,468)	-	(439,547)
	363,786	2,085	31,249	139,505	-	-	536,626
Movements in fair value							
Acquisition of assets at fair value	5,265	53	1,073	2,309	-	447	9,147
Found Assets	-	-	-	-	-	-	-
Revaluation increments/decrements	74,065	-	12,678	61,906	-	-	148,649
Fair value of assets disposed	-	-	-	-	-	-	-
Transfers	-	-	-	-	-	-	-
	79,330	53	13,751	64,215	-	447	157,796
Movements in accumulated depreciation							
Depreciation and amortization	(8,495)	(105)	(1,708)	(2,907)	-	-	(13,215)
Revaluation increments/decrements	(18,146)	-	(8,239)	(30,991)	-	-	(57,376)
Found Assets	-	-	-	-	-	-	-
	(26,641)	(105)	(9,947)	(33,898)	-	-	(70,591)
At fair value 30 June 2019	640,024	10,569	115,665	353,795	13,468	447	1,133,968
Accumulated depreciation at 30 June 2019	(223,549)	(8,536)	(80,612)	(183,973)	(13,468)	-	(510,138)
	416,475	2,033	35,053	169,822	-	447	623,830

Notes to the Financial Report

For the Year Ended 30 June 2019

NOTE 6 Assets we manage (cont'd)

6.2 Property, infrastructure, plant and equipment (cont'd)

Acquisition

The purchase method of accounting is used for all acquisitions of assets, being the fair value of assets provided as consideration at the date of acquisition plus any incidental costs attributable to the acquisition. Fair value is the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date.

Where assets are constructed by Council, cost includes all materials used in construction, direct labour, borrowing costs incurred during construction, and an appropriate share of directly attributable variable and fixed overheads.

In accordance with Council's policy, the threshold limits detailed previously in this note have applied when recognising assets within an applicable asset class and unless otherwise stated are consistent with the prior year.

Asset recognition thresholds and depreciation periods:

	Depreciation Period Years	Purchase/ Construction \$`000	Asset Improvement \$`000
Property			
Land	N/A	-	N/A
Land under roads	N/A	10	N/A
Land improvements (excluding building)	10-50	N/A	20
Buildings			
Buildings	20-150	-	20
Leasehold improvements	10	-	20
Plant and equipment			
Plant and machinery	3-10	5	N/A
Equipment	3-5	2	N/A
Infrastructure			
Road pavements and seals	25-100	-	50
Road kerb, channel and minor culverts	80	-	50
Bridges	100	-	50
Footpaths and cycleways	60	-	50
Drainage	100	-	25
Street furniture	10	10	10
Traffic control	10	10	10
Heritage and culture	100	1	25
Library books	5	-	-
Intangibles – software	5	50	N/A

Land under roads

Council recognises land under roads it controls at fair value.

Depreciation and amortisation

Buildings, land improvements, plant and equipment, infrastructure and other assets having limited useful lives are systematically depreciated over their useful lives to the Council in a manner which reflects consumption of the service potential embodied in those assets. Estimates of remaining useful lives and

Notes to the Financial Report

For the Year Ended 30 June 2019

residual values are made on a regular basis with major asset classes reassessed annually. Depreciation rates and methods are reviewed annually.

NOTE 6 Assets we manage (cont'd)

6.2 Property, infrastructure, plant and equipment (cont'd)

Where assets have separate identifiable components that are subject to regular replacement, these components are assigned distinct useful lives and residual values and a separate depreciation rate is determined for each component.

Road earthworks are not depreciated on the basis that they are assessed as not having a limited useful life.

Straight line depreciation is charged based on the residual useful life as determined each year. Depreciation periods used are listed below and are consistent with the prior year unless otherwise stated.

Repairs and maintenance

Routine maintenance, repair costs, and minor renewal costs are expensed as incurred. Where the repair relates to the replacement of a component of an asset and the cost exceeds the capitalisation threshold the cost is capitalised and depreciated. The carrying value of the replaced asset is expensed.

Leasehold improvements

Leasehold improvements are recognised at cost and are amortised over the unexpired period of the lease or the estimated useful life of the improvement, whichever is the shorter.

Valuation of land and buildings

Valuation of land and buildings was undertaken by a qualified independent valuer Opteon Solutions. The valuation of land and buildings is at fair value, being market value based on highest and best use permitted by relevant land planning provisions. Where land use is restricted through existing planning provisions the valuation is reduced to reflect this limitation. This adjustment is an unobservable input in the valuation. The adjustment has no impact on the comprehensive income statement.

Specialised land is valued at fair value using site values adjusted for englobo (undeveloped and/or unserviced) characteristics, access rights and private interest of other parties and entitlements of infrastructure assets and services. This adjustment is an unobservable input in the valuation. The adjustment has no impact on the comprehensive income statement.

Any significant movements in the unobservable inputs for land and land under roads will have a significant impact on the fair value of these assets.

Notes to the Financial Report

For the Year Ended 30 June 2019

NOTE 6 Assets we manage (cont'd)

6.2 Property, infrastructure, plant and equipment (cont'd)

The most recent valuation of land and buildings was 30 June 2019.

Details of the Council's land and buildings and information about the fair value hierarchy as at 30 June 2019 are as follows.

	Level 1 \$'000	Level 2 \$'000	Level 3 \$'000	Date of Valuation
Land under roads	-	-	608,655	June 2019
Land - specialised	-	-	563,275	June 2019
Land - non-specialised	-	241,710	-	June 2019
Land improvements	-	-	43,126	June 2019
Heritage buildings	-	-	3,483	June 2019
Buildings - specialised	-	-	249,370	June 2019
Building improvements	-	-	10,436	June 2019
Leasehold improvements	-	-	455	June 2019
Total	-	241,710	1,478,800	

Valuation of infrastructure

Valuation of infrastructure assets was performed by qualified engineers at Council.

The date of the current valuation is detailed in the following table. The valuation is at fair value based on replacement cost less accumulated depreciation as at the date of valuation.

Details of the Council's infrastructure and information about the fair value hierarchy as at 30 June 2019 are as follows:

	Level 1 \$'000	Level 2 \$'000	Level 3 \$'000	Date of Valuation
Roads	-	-	416,475	June 2019
Bridges	-	-	2,033	June 2019
Footpaths and cycleways	-	-	35,053	June 2019
Drainage	-	-	169,822	June 2019
Total	-	-	623,383	

Description of significant unobservable inputs into level 3 valuations

Specialised land and land under roads is valued using a market based direct comparison technique.

Significant unobservable inputs include the extent and impact of restriction of use and the market cost of land per square metre. The extent and impact of restrictions on use varies and results in a reduction to surrounding land values between 5% and 90%. The market value of land varies significantly depending on the location of the land and the current market conditions. Current land values range from \$8 to \$6,000 per square metre.

Specialised buildings are valued using a depreciated replacement cost technique. Significant unobservable inputs include the current replacement cost and remaining useful lives of buildings. Current replacement costs are calculated on a square metre basis ranging from \$20 to \$33,583. The remaining useful lives of buildings are determined on the basis of the current condition of buildings and vary from 20 years to 150 years. Replacement cost is sensitive to changes in market conditions with any increase or decrease in cost flowing through to the valuation. Useful lives of buildings are sensitive to changes in expectations or requirements that could either shorten or extend the useful lives of buildings.

Notes to the Financial Report

For the Year Ended 30 June 2019

NOTE 6 Assets we manage (cont'd)

6.2 Property, infrastructure, plant and equipment (cont'd)

Infrastructure assets are valued based on the depreciated replacement cost. Significant unobservable inputs include the current replacement cost and remaining useful lives of infrastructure. The remaining useful lives of infrastructure assets are determined on the basis of the current condition of the asset and vary from 10 years to 100 years. Replacement cost is sensitive to changes in market conditions, with any increase or decrease in cost flowing through to the valuation. Useful lives of infrastructure are sensitive to changes in use, expectations or requirements that could either shorten or extend the useful lives of infrastructure assets.

	2019 \$'000	2018 \$'000
Reconciliation of specialised land		
Land under roads	608,655	679,443
Parks and reserves	563,275	622,727
Total specialised land	1,171,930	1,302,170

6.3 Investment property

	2019 \$'000	2018 \$'000
Balance at beginning of financial year	4,473	4,769
Fair value adjustments	-	(296)
Balance at the end of financial year	4,473	4,473

Investment property is held to generate long-term rental yields. Investment property is measured initially at cost, including transaction costs. Costs incurred subsequent to initial acquisition are capitalised when it is probable that future economic benefit in excess of the originally assessed performance of the asset will flow to the Council. Subsequent to initial recognition at cost, investment property is carried at fair value, determined annually by independent valuers. Changes to fair value are recorded in the comprehensive income statement in the period that they arise.

Investment Property Assets consist of buildings at Peter Scullin Reserve, Mordialloc that are leased by a third party to operate a commercial restaurant and land and buildings at 42 Florence Street Mentone that are leased by a third party for office accommodation.

Valuation of investment property

Valuation of investment property has been determined in accordance with an independent valuation by Opteon Solutions who has recent experience in the location and category of the property being valued. The valuation is at fair value, based on the current market value for the property.

Notes to the Financial Report

For the Year Ended 30 June 2019

NOTE 7 People and relationships

7.1 Council and key management remuneration

(a) Related Parties

Kingston Council is a stand-alone entity.

(b) Key Management Personnel

Details of persons holding the position of Councillor or other members of key management personnel at any time during the year are:

Councillors	Councillor S Staikos	(Mayor – 01 July 2018 – 15 Nov 2018)
	Councillor G Oxley	(Mayor – 16 Nov 2018 – 30 June 2019)
	Councillor T Barth	
	Councillor T Bearsley	
	Councillor R Brownlees OAM	
	Councillor D Eden	
	Councillor G Gledhill	
	Councillor R A West OAM	
CEO	Mr John Nevins	
General Managers	Mr Paul Franklin (General Manager Corporate Services)	
	Mr Mauro Bolin (General Manager Community Sustainability)	
	Mr Daniel Freer (General Manager City Assets and Environment)	
	Mr Jonathan Guttman (General Manager Planning and Development)	

	2019 No.	2018 No.
Total Number of Councillors	9	9
Chief Executive Officer and other Key Management Personnel	5	5
Total Key Management Personnel	14	14

(c) Key Management Personnel

Total remuneration of key management personnel was as follows:

	2019 \$'000	2018 \$'000
Short-term benefits	1,722	1,675
Long-term benefits	146	142
Total	1,868	1,817

Total remuneration includes total salary package and superannuation but excludes accrued leave.

Notes to the Financial Report

For the Year Ended 30 June 2019

NOTE 7 People and relationships (cont'd)

7.1 Council and key management remuneration (cont'd)

(c) Remuneration of Key Management Personnel (cont'd)

The numbers of Key Management Personnel whose total remuneration from Council and any related entities, fall within the following bands:

	2019 No.	2018 No.
\$ 30,000- \$ 39,999	7	7
\$ 50,000- \$ 59,999	-	1
\$ 60,000- \$ 69,999	1	-
\$ 70,000- \$ 79,999	-	1
\$ 80,000- \$ 89,999	1	-
\$250,000- \$259,999	-	1
\$260,000- \$269,999	1	1
\$270,000- \$279,999	1	2
\$280,000- \$289,999	2	-
\$380,000- \$389,999	-	1
\$390,000- \$399,999	1	-
	14	14

(d) Senior officer remuneration

A Senior Officer is an officer of Council, other than Key Management Personnel, who:

- (a) has management responsibilities and reports directly to the Chief Executive Officer; or
- (b) whose total annual remuneration exceeds \$148,000.

The number of Senior Officers are shown below in the relevant income bands.

	2019 No.	2018 No.
\$150,000-\$159,999	1	4
\$160,000-\$169,999	5	5
\$170,000-\$179,999	4	2
\$180,000-\$189,999	7	4
\$190,000-\$199,999	1	2
	18	17
	\$'000	\$'000

Total Remuneration for the reporting year of Senior Officers included above amounted to:

3,172	2,918
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Notes to the Financial Report

For the Year Ended 30 June 2019

NOTE 7 People and relationships (cont'd)

7.2 Related party disclosure

(a) Transactions with related parties

During the period Council entered into no transactions with related parties.

(b) Outstanding balances with related parties

No balances are outstanding at the end of the reporting period in relation to transactions with related parties.

(c) Loans to/from related parties

No loans were made to/from related parties of Council during the financial year.

(d) Commitments to/from related parties

No commitments were made to/from related parties of Council during the financial year.

Notes to the Financial Report

For the Year Ended 30 June 2019

NOTE 8 Managing uncertainties

8.1 Contingent assets and liabilities

(a) Contingent assets

Operating lease receivables

The Council has entered into commercial property leases. These properties held under operating leases have remaining non-cancellable lease terms of between 1 and 50 years. All leases include a CPI based revision of the rental charge annually.

Future minimum rentals under non-cancellable operating leases are as follows:

	2019 \$'000	2018 \$'000
Not later than one year	1,451	2,722
Later than one year and not later than five years	2,333	7,380
Later than five years	1,075	3,332
	4,859	13,434

(b) Contingent liabilities

Superannuation

Council has obligations under a defined benefit superannuation scheme that may result in the need to make additional contributions to the scheme; matters relating to this potential obligation are outlined in Note 9.3. As a result of the volatility in financial markets, the likelihood of making such contributions in future periods exists.

Future superannuation contributions

In addition to the disclosed contributions, Council has paid unfunded liability payments to Vision Super totalling nil. There were no contributions outstanding and no loans issued from or to the above schemes as at 30 June 2019. The expected contributions to be paid to the Defined Benefit category of Vision Super for the year ending 30 June 2020 are \$0.4 million. At this point in time it is not known if additional contributions will be required, their timing or potential amount. 28 Council staff (2018: 37) are members of Vision Super's multi-employer defined benefits fund. Council established a Defined Benefit Call Reserve in 2014 to help provide for possible future calls on any unfunded liability of the fund. This reserve currently has a balance of \$1 million (2018: \$1 million).

Contingent liabilities arising from public liability

As a local authority with ownership of numerous parks, reserves, roads and other land holdings, the Council is regularly met with claims and demands allegedly arising from incidents which occur on land belonging to the Council. There are a number of outstanding claims against the Council in this regard. The Council carries \$120 million of public liability insurance and the maximum liability of the Council in any single claim is the extent of its excess. The primary insurer is CGU Insurance Limited. There are no claims, which Council is aware of which would fall outside the terms of the Council's policy.

Contingent liability arising from professional indemnity

As a local authority with statutory regulatory responsibilities, including the responsibility of issuing permits and approvals, the Council is met with claims and demands for damages allegedly arising from the actions of Council or its officers. The Council carries \$50 million of professional indemnity insurance and the maximum liability of the Council in any single claim is the extent of its excess. The primary insurer is CGU Insurance Limited. There are no instances or claims, which Council is aware of which would fall outside the terms of the Council's policy.

Notes to the Financial Report

For the Year Ended 30 June 2019

NOTE 8 Managing uncertainties (cont'd)

8.1 Contingent assets and liabilities (cont'd)

b) Contingent liabilities (cont'd)

Other Contingent Liabilities

The Council is presently involved in several confidential legal matters which are being conducted through Council's solicitors. As these matters are yet to be finalised and the financial outcomes are unable to be reliably estimated, no allowance for these contingencies has been made in the financial statements.

Insurance claims

Council has no major insurance claims that could have a material impact on future operations. Maximum liability per claim is \$20,000 excess (earlier claims \$10,000). Public Liability coverage of \$120 million is maintained. Various under excess claims are also under consideration, for which an annual budgetary provision is approved.

Legal matters

Council has no major legal matters that could have a material impact on future operations.

Building cladding

Council has no potential contingent liabilities in relation to rectification works or other matters associated with building cladding that may have the potential to adversely impact on Council.

Liability Mutual Insurance (where applicable)

Council was a participant of the MAV Liability Mutual Insurance (LMI) Scheme up until 2014. The LMI scheme provides public liability and professional indemnity insurance cover. The LMI scheme states that each participant will remain liable to make further contributions to the scheme in respect of any insurance year in which it was a participant to the extent of its participant's share of any shortfall in the provision set aside in respect of that insurance year, and such liability will continue whether or not the participant remains a participant in future insurance years.

(c) Guarantees for loans to other entities

Financial guarantee contracts are not recognised as a liability in the balance sheet unless the lender has exercised their right to call on the guarantee or Council has other reasons to believe that it is probable that the right will be exercised. There are no financial guarantees that have been granted by the Council.

Notes to the Financial Report

For the Year Ended 30 June 2019

NOTE 8 Managing uncertainties (cont'd)

8.2 Change in accounting standards

The following new Australian Accounting Standards (AAS's) have been issued that are not mandatory for the 30 June 2019 reporting period. Council has assessed these pending standards and has identified the following potential impacts will flow from the application of these standards in future reporting periods.

Revenue from contracts with customers (AASB 15) (applies 2019/20 for LG sector)

The standard shifts the focus from the transaction-level to a contract-based approach. Recognition is determined based on what the customer expects to be entitled to (rights and obligations), while measurement encompasses estimation by the entity of the amount expected to be entitled for performing under the contract. The full impact of this standard is not known however it is most likely to impact where contracts extend over time, where there are rights and obligations that may vary the timing or amount of the consideration, or where there are multiple performance elements. This has the potential to impact on the recognition of certain grant income.

Amendments to Australian Accounting Standards – Deferral of AASB 15 for Not-for-Profit Entities (AASB 2016-7) (applies 2019/20)

This Standard defers the mandatory effective date of AASB 15 for not-for-profit entities from 1 January 2018 to 1 January 2019.

Leases (AASB 16) (applies 2019/20)

The classification of leases as either finance leases or operating leases is eliminated for lessees. Leases will be recognised in the Balance Sheet by capitalising the present value of the minimum lease payments and showing a 'right-of-use' asset, while future lease payments will be recognised as a financial liability. The nature of the expense recognised in the profit or loss will change. Rather than being shown as rent, or as leasing costs, it will be recognised as depreciation on the 'right-of-use' asset, and an interest charge on the lease liability. The interest charge will be calculated using the effective interest method, which will result in a gradual reduction of interest expense over the lease term.

Council has elected to adopt the modified retrospective approach to the transition to the new lease standard. This will mean that only existing operating leases for non low value assets, with remaining terms greater than 12 months, will be recognised on transition (1 July 2019). Based on our current lease commitments and an assumption of a continuation of the current leasing arrangements Council expects that the transition to the new standard will see the initial recognition of \$4.8 million in lease related assets and an equivalent liability

Income of Not-for-Profit Entities (AASB 1058) (applies 2019/20)

This standard is expected to apply to certain transactions currently accounted for under AASB 1004 Contributions and establishes revenue recognition principles for transactions where the consideration to acquire an asset is significantly less than fair value to enable a not-for-profit entity to further its objectives.

8.3 Financial instruments

(a) Objectives and policies

The Council's principal financial instruments comprise cash assets, term deposits, receivables (excluding statutory receivables), payables (excluding statutory payables) and bank borrowings. Details of the significant accounting policies and methods adopted, including the criteria for recognition, the basis of measurement and the basis on which income and expenses are recognised, in respect of each class of financial asset, financial liability and equity instrument is disclosed in the notes of the financial statements. Risk management is carried out by senior management under policies approved by the Council. These policies include identification and analysis of the risk exposure to Council and appropriate procedures, controls and risk minimisation.

(b) Market risk

Market risk is the risk that the fair value or future cash flows of council financial instruments will fluctuate because of changes in market prices. The Council's exposure to market risk is primarily through interest rate risk with only insignificant exposure to other price risks and no exposure to foreign currency risk.

Notes to the Financial Report

For the Year Ended 30 June 2019

NOTE 8 Managing uncertainties (cont'd)

8.3 Financial instruments (cont'd)

Interest rate risk

Interest rate risk refers to the risk that the value of a financial instrument or cash flows associated with the instrument will fluctuate due to changes in market interest rates. Council's interest rate liability risk arises primarily from long term loans and borrowings at fixed rates which exposes council to fair value interest rate risk / Council does not hold any interest bearing financial instruments that are measured at fair value, and therefore has no exposure to fair value interest rate risk. Cash flow interest rate risk is the risk that the future cash flows of a financial instrument will fluctuate because of changes in market interest rates. Council has minimal exposure to cash flow interest rate risk through its cash and deposits that are at floating rates.

Investment of surplus funds is made with approved financial institutions under the *Local Government Act 1989*. Council manages interest rate risk by adopting an investment policy that ensures:

- diversification of investment product;
- monitoring of return on investment; and
- benchmarking of returns and comparison with budget.

There has been no significant change in the Council's exposure, or its objectives, policies and processes for managing interest rate risk or the methods used to measure this risk from the previous reporting period.

Interest rate movements have not been sufficiently significant during the year to have an impact on the Council's year end result.

(c) Credit risk

Credit risk is the risk that a contracting entity will not complete its obligations under a financial instrument and cause Council to make a financial loss. Council have exposure to credit risk on some financial assets included in the balance sheet. Particularly significant areas of credit risk exist in relation to outstanding fees and fines as well as loans and receivables from sporting clubs and associations. To help manage this risk:

- council have a policy for establishing credit limits for the entities council deal with;
- council may require collateral where appropriate; and
- council only invest surplus funds with financial institutions which have a recognised credit rating specified in council's investment policy.

Receivables consist of a large number of customers, spread across the ratepayer, business and government sectors. Credit risk associated with the council's financial assets is minimal because the main debtor is secured by a charge over the rateable property.

There are no material financial assets which are individually determined to be impaired.

Council may also be subject to credit risk for transactions which are not included in the balance sheet, such as when council provide a guarantee for another party. Details of our contingent liabilities are disclosed in Note 8.1(b).

The maximum exposure to credit risk at the reporting date to recognised financial assets is the carrying amount, net of any provisions for impairment of those assets, as disclosed in the balance sheet and notes to the financial statements. Council does not hold any collateral.

Notes to the Financial Report

For the Year Ended 30 June 2019

NOTE 8 Managing uncertainties (cont'd)

8.3 Financial instruments (cont'd)

(d) Liquidity risk

Liquidity risk includes the risk that, as a result of council's operational liquidity requirements, it will not have sufficient funds to settle a transaction when required or will be forced to sell a financial asset at below value or may be unable to settle or recover a financial asset.

To help reduce these risks Council:

- has a liquidity policy which targets a minimum and average level of cash and cash equivalents to be maintained;
- has readily accessible standby facilities and other funding arrangements in place;
- has a liquidity portfolio structure that requires surplus funds to be invested within various bands of liquid instruments;
- monitors budget to actual performance on a regular basis; and
- sets limits on borrowings relating to the percentage of loans to rate revenue and percentage of loan principal repayments to rate revenue.

The Council's maximum exposure to liquidity risk is the carrying amounts of financial liabilities as disclosed on the face of the balance sheet and the amounts related to financial guarantees disclosed in Note 8.1, and is deemed insignificant based on prior periods' data and current assessment of risk.

There has been no significant change in Council's exposure, or its objectives, policies and processes for managing liquidity risk or the methods used to measure this risk from the previous reporting period.

With the exception of borrowings, all financial liabilities are expected to be settled within normal terms of trade. Details of the maturity profile for borrowings are disclosed at Note 5.4.

Unless otherwise stated, the carrying amounts of financial instruments reflect their fair value.

(e) Sensitivity disclosure analysis

Taking into account past performance, future expectations, economic forecasts, and management's knowledge and experience of the financial markets, the Council believes the following movements are 'reasonably possible' over the next 12 months (Base rates are sourced from Reserve Bank of Australia):

- A parallel shift of +1% and -1% in market interest rates (AUD).

These movements will not have a material impact on the valuation of Council's financial assets and liabilities, nor will they have a material impact on the results of Council's operations.

Notes to the Financial Report

For the Year Ended 30 June 2019

NOTE 8 Managing uncertainties (cont'd)

8.4 Fair value measurement

Fair value hierarchy

Council's financial assets and liabilities are not valued in accordance with the fair value hierarchy, Council's financial assets and liabilities are measured at amortised cost.

Council measures certain assets and liabilities at fair value where required or permitted by Australian Accounting Standards. AASB 13 Fair value measurement, aims to improve consistency and reduce complexity by providing a definition of fair value and a single source of fair value measurement and disclosure requirements for use across Australian Accounting Standards.

AASB 13 defines fair value as the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date. Fair value under AASB 13 is an exit price regardless of whether that price is directly observable or estimated using another valuation technique.

All assets and liabilities for which fair value is measured or disclosed in the financial statements are categorised within a fair value hierarchy, described as follows, based on the lowest level input that is significant to the fair value measurement as a whole:

- Level 1 — Quoted (unadjusted) market prices in active markets for identical assets or liabilities
- Level 2 — Valuation techniques for which the lowest level input that is significant to the fair value measurement is directly or indirectly observable; and
- Level 3 — Valuation techniques for which the lowest level input that is significant to the fair value measurement is unobservable.

For the purpose of fair value disclosures, Council has determined classes of assets and liabilities on the basis of the nature, characteristics and risks of the asset or liability and the level of the fair value hierarchy as explained above.

In addition, Council determines whether transfers have occurred between levels in the hierarchy by re-assessing categorisation (based on the lowest level input that is significant to the fair value measurement as a whole) at the end of each reporting period.

Revaluation

Subsequent to the initial recognition of assets, non-current physical assets, other than plant and equipment, are measured at their fair value, being the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date. At balance date, the Council reviewed the carrying value of the individual classes of assets measured at fair value to ensure that each asset materially approximated its fair value. Where the carrying value materially differed from the fair value at balance date, the class of asset was revalued.

Fair value valuations are determined in accordance with a valuation hierarchy. Changes to the valuation hierarchy will only occur if an external change in the restrictions or limitations of use of an asset result in changes to the permissible or practical highest and best use of the asset. Further details regarding the fair value hierarchy are disclosed at Note 5.2 Property, infrastructure, plant and equipment. In addition, Council usually undertakes a formal valuation of land, buildings and infrastructure assets on a regular basis ranging from 2 to 4 years. The valuation is performed either by experienced council officers or independent experts.

Where the assets are revalued, the revaluation increments are credited directly to the asset revaluation reserve except to the extent that an increment reverses a prior year decrement for that class of asset that had been recognised as an expense in which case the increment is recognised as revenue up to the amount of the expense. Revaluation decrements are recognised as an expense except where prior increments are included in the asset revaluation reserve for that class of asset in which case the decrement is taken to the reserve to the extent of the remaining increments. Within the same class of assets, revaluation increments and decrements within the year are offset.

Notes to the Financial Report

For the Year Ended 30 June 2019

NOTE 8 Managing uncertainties (cont'd)

8.4 Fair value measurement (cont'd)

Impairment of assets

At each reporting date, the Council reviews the carrying value of its assets to determine whether there is any indication that these assets have been impaired. If such an indication exists, the recoverable amount of the asset, being the higher of the asset's fair value less costs to sell and value in use, is compared to the assets carrying value. Any excess of the assets carrying value over its recoverable amount is expensed to the comprehensive income statement unless the asset is carried at the revalued amount in which case, the impairment loss is recognised directly against the revaluation surplus in respect of the same class of asset to the extent that the impairment loss does not exceed the amount in the revaluation surplus for that same class of asset.

8.5 Events Occurring After Balance Date

No matters have occurred after balance date that require disclosure in the financial report.

Notes to the Financial Report

For the Year Ended 30 June 2019

NOTE 9 Other matters

9.1 Reserves

	Balance at beginning of reporting period \$'000	Increment (decrement) \$'000	Balance at end of reporting period \$'000
(a) Asset revaluation reserve			
2019			
Property (i):			
- Land	310,549	(101,700)	208,849
- Land under roads	278,512	(70,987)	207,525
- Buildings	107,209	1,099	108,308
	696,270	(171,588)	524,682
Infrastructure (ii):			
- Transport	292,087	60,359	352,446
- Drainage	111,687	30,914	142,601
	403,774	91,273	495,047
Other:			
- Heritage and culture	1,305	-	1,305
- Other	3,966	-	3,966
	5,271	-	5,271
Total Asset revaluation reserve	1,105,315	(80,315)	1,025,000
2018			
Property:			
- Land	239,454	71,095	310,549
- Land under roads	178,828	99,684	278,512
- Buildings	141,098	(33,889)	107,209
	559,380	136,890	696,270
Infrastructure:			
- Transport	287,745	4,342	292,087
- Drainage	112,216	(529)	111,687
	399,961	3,813	403,774
Other:			
- Heritage and culture	1,316	(11)	1,305
- Other	3,966	-	3,966
	5,282	(11)	5,271
Total Asset revaluation reserve	964,623	140,692	1,105,315

The Asset revaluation reserve is used to record the increased (net) value of Council's assets over time.

- (i) Valuation of property was performed by qualified independent valuers. Land and buildings were valued by Opteon Solutions and land under roads by K.A Reed Group.
- (ii) Valuation of Infrastructure assets was performed by qualified engineers at Council. The valuation is at fair value based on replacement cost less accumulated depreciation as at the date of valuation. Valuation levels can fluctuate depending on contract rates incurred by Council during each year.

Notes to the Financial Report

For the Year Ended 30 June 2019

NOTE 9 Other matters (cont'd)

9.1 Reserves (cont'd)

	Balance at beginning of reporting period \$'000	Transfer from Accumulated Surplus \$'000	Transfer to Accumulated Surplus \$'000	Balance at end of reporting period \$'000
(b) Other reserves				
2019				
Asset replacement reserve	1,483	-	(972)	511
Asset development reserve	16,688	8,852	(7,514)	18,026
Drainage contributions	88	-	-	88
Special rates	128	1	-	129
Aged care	4,842	1,783	-	6,625
Foreshore	1,488	1,366	(544)	2,310
Green wedge	8,753	1,043	(2,948)	6,848
Defined benefit call	1,000	-	-	1,000
Stormwater Quality reserve	470	506	(120)	856
Other	268	17	(92)	193
Total Other reserves	35,208	13,568	(12,190)	35,586
2018				
Asset replacement reserve	2,075	-	(592)	1,483
Asset development reserve	14,487	8,457	(6,256)	16,688
Drainage contributions	88	-	-	88
Special rates	127	1	-	128
Aged care	3,148	1,694	-	4,842
Foreshore	559	1,336	(407)	1,488
Green wedge	8,317	1,020	(584)	8,753
Defined benefit call	1,000	-	-	1,000
Stormwater Quality reserve	-	470	-	470
Other	257	11	-	268
Total Other reserves	30,058	12,989	(7,839)	35,208

The Asset replacement reserve is an appropriation to partially fund future costs associated with Council's buildings.

The Asset development reserve recognises the cash contributions made by developers, pursuant to the requirements of the *Subdivision of Land Act*. Total open space cash contributions of \$8.8m were received in 2018/19 (2017/18: \$8.5m). Council has elected to utilise these contributions for open space purchase and development.

Drainage contributions relate to contributions from developers for drainage related levies to be used for wider drainage projects.

Special rates reserve include special charges for traders in Mordialloc and Chelsea to be used for specific purposes.

Aged care reserves include funds for home care clients that have not fully spent their Linkages packages.

The Foreshore and Green Wedge reserves were reserves created in 2011 via Council resolution which are used to accelerate the renewal and improvement to Council's foreshore and non-urban green wedge area.

The Defined benefit call reserve was established in 2014 to provide for possible future calls on any unfunded liability of the Defined benefit superannuation fund. Council ceased making contributions into this reserve in 2014/15.

The Stormwater Quality reserve was first established in 2017/18 to help fund various stormwater improvement projects throughout Council.

Other reserves represent appropriations provided by the community to be used for specific purposes.

Other reserves include reserves created in 2012 for Sundowner Neighbourhood House and Chelsea Senior Citizens Centre due to Council taking over the operation of these facilities.

Notes to the Financial Report

For the Year Ended 30 June 2019

NOTE 9 Other matters (cont'd)

9.2 Reconciliation of cash flows from operating activities to surplus / (deficit)

	2019	2018
	\$'000	\$'000
Surplus/(deficit) for the year	41,454	40,764
Depreciation/amortisation	25,392	24,568
(Profit)/Loss on disposal of property, infrastructure, plant and equipment	(49)	843
Found assets / other	-	(958)
Fair value adjustments for investment property	-	296
Borrowing costs	210	439
Developer Asset Contributions (non-cash)	(199)	(2,626)
Changes in assets and liabilities:		
(Increase)/decrease in trade and other receivables	156	(1,120)
(Increase)/decrease in accrued income	(967)	(120)
Increase/(decrease) in trade and other payables	235	3,879
Increase/(decrease) in trust funds and deposits	558	1,990
Increase/(decrease) in other liabilities and provisions	1,579	940
Increase/(decrease) in employee benefits	1,678	(1,056)
Net cash provided by / (used in) operating activities	70,047	67,839

Notes to the Financial Report

For the Year Ended 30 June 2019

NOTE 9 Other matters (cont'd)

9.3 Superannuation

Council makes the majority of its employer superannuation contributions in respect of its employees to the Local Authorities Superannuation Fund (the Fund). This Fund has two categories of membership, accumulation and defined benefits, each of which is funded differently. Obligations for contributions to the Fund are recognised as an expense in the Comprehensive Income Statement when they are made or due.

Accumulation

The Fund's accumulation categories, Vision MySuper/ Vision Super Saver, receive both employer and employee contributions on a progressive basis. Employer contributions are normally based on a fixed percentage of employee earnings (for the year ending 30 June 2019, this was 9.5% as required under Superannuation Guarantee legislation).

Defined Benefit

Council does not use defined benefit accounting for its defined benefit obligations under the Fund's Defined Benefit category. This is because the Fund's Defined Benefit category is a pooled multi-employer sponsored plan. There is no proportional split of the defined benefit liabilities, assets or costs between the participating employers as the defined benefit obligation is a floating obligation between the participating employers and the only time that the aggregate obligation is allocated to specific employers is when a call is made. As a result, the level of participation of Council in the Fund cannot be measured as a percentage compared with other participating employers. Therefore, the Fund Actuary is unable to allocate benefit liabilities, assets and costs between employers for the purposes of AASB 119.

Funding arrangements

Council makes employer contributions to the Defined Benefit category of the Fund at rates determined by the Trustee on the advice of the Fund's Actuary.

As at 30 June 2018, an interim actuarial investigation was held as the Fund provides lifetime pensions in the Defined Benefit category. The vested benefit index (VBI) of the Defined Benefit category of which Council is a contributing employer was 106.0%.

The financial assumptions used to calculate the VBIs were:

Net investment returns 6.0% pa
Salary information 3.5% pa
Price inflation (CPI) 2.0% pa.

Vision Super has advised that the actual VBI at June 2019 was 107.1%. The VBI is used as the primary funding indicator. Because the VBI was above 100%, the 30 June 2018 interim actuarial investigation determined the Defined Benefit category was in a satisfactory financial position and that no change was necessary to the Defined Benefit category's funding arrangements from prior years.

Employer contributions

Regular contributions

On the basis of the results of the 2018 interim actuarial investigation conducted by the Fund Actuary, Council makes employer contributions to the Fund's Defined Benefit category at rates determined by the Fund's Trustee. For the year ended 30 June 2019, this rate was 9.5% of members' salaries (9.5% in 2017/2018). This rate will increase in line with any increases in the SG contribution rate. In addition, Council reimburses the Fund to cover the excess of the benefits paid as a consequence of retrenchment above the funded resignation or retirement benefit.

Funding calls

If the Defined Benefit category is in an unsatisfactory financial position at an actuarial investigation or the Defined Benefit category's VBI is below its shortfall limit at any time other than the date of the actuarial investigation, the Defined Benefit category has a shortfall for the purposes of SPS 160 and the Fund is required to put a plan in place so that the shortfall is fully funded within three years of the shortfall occurring. The Fund monitors its VBI on a quarterly basis and the Fund has set its shortfall limit at 97%.

Notes to the Financial Report

For the Year Ended 30 June 2019

In the event that the Fund Actuary determines that there is a shortfall based on the above requirement, the Fund's participating employers (including Council) are required to make an employer contribution to cover the shortfall.

Using the agreed methodology, the shortfall amount is apportioned between the participating employers based on the pre-1 July 1993 and post-30 June 1993 service liabilities of the Fund's Defined Benefit category, together with the employer's payroll at 30 June 1993 and at the date the shortfall has been calculated.

Due to the nature of the contractual obligations between the participating employers and the Fund, and that the Fund includes lifetime pensioners and their reversionary beneficiaries, it is unlikely that the Fund will be wound up. If there is a surplus in the Fund, the surplus cannot be returned to the participating employers. In the event that a participating employer is wound-up, the defined benefit obligations of that employer will be transferred to that employer's successor.

The 2018 interim actuarial investigation surplus amounts

An actuarial investigation is conducted annually for the Defined Benefit category of which Council is a contributing employer. Generally, a full actuarial investigation conducted every three years and interim actuarial investigations are conducted for each intervening year. An interim investigation was conducted as at 30 June 2018 and a full actuarial investigation was conducted as at 30 June 2017.

The Fund's actuarial investigations identified the following in the defined benefit category of which Council is a contributing employer:

- A VBI surplus of \$131.9 million (2017 \$69.8 million);
- A total service liability surplus of \$218.3 million (2017 \$193.5 million); and
- A discounted accrued benefits surplus of \$249.1 million (2017 \$228.8 million).

The VBI surplus means that the market value of the fund's assets supporting the defined benefit obligations exceed the vested benefits that the defined benefit members would have been entitled to if they had all exited on 30 June 2018.

An interim actuarial investigation will be conducted for the Fund's position as at 30 June 2019 as the Fund provides lifetime pensions in the Defined Benefit category. It is anticipated that this actuarial investigation will be completed in October 2019.

Ordinary Meeting of Council

26 August 2019

Agenda Item No: 11.2

QUICK RESPONSE GRANTS

Contact Officer: Gabrielle Pattenden, Governance Officer

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:

- Cheltenham Chinese Cultural Group C/- Southern Community Church of Christ - \$200.00
- Oakleigh Coptic Senior Social Club - \$500.00
- Dingley Primary School - \$250.00

That Council not approve the following grant applications:

- Citizen Theatre
- Horn of Africa Welfare and Development

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?

4. Applications

Name:	Citizen Theatre	
Amount requested:	\$1500.00	
Description of Project/Event:	Forgotten Places is an immersive theatre and art experience that is inspired by the unique history of UFO sightings in the City of Kingston. The Citizen Theatre team will transform the Kingston Arts Centre into a living gallery filled with visual art, music, poetry, movement and interactive activities, suitable for all ages. Forgotten Places offers audiences a new perspective on their local area - and beyond - by capturing the beauty of Kingston, its unique history and its place in universe. Citizen Theatre is led by 2 local Kingston artists, Jayde Kirchert & Stu Brown, and is taking the Melbourne Theatre scene by storm. After a critically acclaimed season of Forgotten Places for the City of Stonnington, the team were inspired to bring their unique form of interactive immersive art to Kingston residents.	
How the funds will be used:	The funds will be used to cover part of the Kingston Arts Centre venue hire. Currently, Citizen Theatre is contributing more cash than the City of Kingston, because a large portion of the \$5000 Arts Grant is going back to Kingston to pay for venue hire costs (current quote is \$3752 including Tech Supervisor). Covering part of the venue hire will mean more money can be spent on ensuring the quality of the costumes, props, set and interactive elements, giving locals a richer, higher quality, more transformative and memorable experience.	
Assessment Criteria:	<ul style="list-style-type: none"> • The applicant meets the eligibility criteria • Funds are needed at short notice • The activity/event/project benefits the City of Kingston residents • The applicant has demonstrated a clear need for funds • The applicant has not received any other funding from Council • The applicant is an individual or not for profit organisation • The project cannot be funded under any other Council Grant program 	<ul style="list-style-type: none"> ✓ ✓ ✓ ✓ ✓ ✓
Grants received in current or last financial year	Nil	
Officer Comment:	This application is not recommended for approval as the organisation has received an Arts Grant of \$5000.00 from the City of Kingston for the same activity.	

**City of Kingston
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Name:	Oakleigh Coptic Senior Social Club	
Amount requested:	\$2000.00	
Description of Project/Event:	The club is celebrating its 30th anniversary. To mark the anniversary we are trying to integrate with other ethnic clubs to promote our social group. We intend inviting 80 club members plus others to introduce and welcome them to our club.	
How the funds will be used:	The funds will be required mainly for hall hire and catering. Our aim is to provide each attendee a 3-course lunch or dinner. The costs of this include food, beverages, plates and cutlery, music and advertising.	
Assessment Criteria:	<ul style="list-style-type: none"> • The applicant meets the eligibility criteria • Funds are needed at short notice • The activity/event/project benefits the City of Kingston residents • The applicant has demonstrated a clear need for funds • The applicant has not received any other funding from Council • The applicant is an individual or not for profit organisation • The project cannot be funded under any other Council Grant program 	<ul style="list-style-type: none"> ✓ ✓ ✓ ✓ ✓ ✓ ✓
Grants received in current or last financial year		
June 2019 – Seniors Festival Grant - \$400.00		
March 2019 – Cultural Diversity Week Grant - \$400.00		
Officer Comment:		
This organisation is located outside the City of Kingston municipality, however more than 50% of its members reside within Kingston. The application is recommended for approval for an amount of \$500.00.		

Name:	Cheltenham Chinese Cultural Group C/- Southern Community Church of Christ	
Amount requested:	\$200.00	
Description of Project/Event:	To run an event for Chinese members of the community in the Cheltenham area. The event will be held on September 13, 2019 to celebrate the Moon Festival, one of the three main Chinese Festivals held annually. The focus of the Moon Festival is to celebrate the bringing in of the harvest. Regional Chinese customs such food (Mooncakes), dance and cultural music will be demonstrated. we are expecting that at least 100 people of all age groups will attend	
How the funds will be used:	To assist in the purchase Food, drinks, Chinese Lanterns, banners and Chinese decorations and signage in Mandarin	
Assessment Criteria:	<ul style="list-style-type: none"> • The applicant meets the eligibility criteria • Funds are needed at short notice • The activity/event/project benefits the City of Kingston residents • The applicant has demonstrated a clear need for funds • The applicant has not received any other funding from Council • The applicant is an individual or not for profit organisation • The project cannot be funded under any other Council Grant program 	<ul style="list-style-type: none"> ✓ ✓ ✓ ✓ ✓ ✓ ✓
Grants received in current or last financial year		
May 2019 – Seniors Club Network Meeting Venue - \$120.00		
May 2019 – Room Hire/Tea/Coffee - \$120.00		
January 2019 – Hire of Kitchen/Foyer \$130.00		
September 2018 – Rental of Kitchen Space - \$80.00		
Officer Comment:		
This application meets the assessment criteria and is recommended for approval for an amount of \$200.00.		

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Name:	Horn of Africa Welfare and Development	
Amount requested:	\$1500.00	
Description of Project/Event:	We are an organisation that has been helping youth of horn of Africa descent. We have been doing this voluntarily, helping the youth by organising camping, football matches, Sunday school, etc	
How the funds will be used:	Admin Costs -website, consumer affairs Victoria registration fees, pamphlets, cards Venue Hire Costs, Meeting Costs - Refreshments	
Assessment Criteria:		
• The applicant meets the eligibility criteria		✓
• Funds are needed at short notice		✓
• The activity/event/project benefits the City of Kingston residents		✓
• The applicant has demonstrated a clear need for funds		✓
• The applicant has not received any other funding from Council		✓
• The applicant is an individual or not for profit organisation		✓
• The project cannot be funded under any other Council Grant program		✓
Grants received in current or last financial year		
Nil		
Officer Comment:		
This application is not recommended for approval as the organisation is located outside the City of Kingston municipality.		

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26 August 2019

Name:	Dingley Primary School	
Amount requested:	\$500.00	
Description of Project/Event:	At Dingley Primary School, we believe that language is the common thread that links all people in its written, spoken and visual forms. Language enables us to access information, enhance intellectual growth, foster communication, develop social skills, as well as reflect and maintain culture and examine who we are. Over 46% of our current student population speak a language other than English at home. There are thirty-five different mother tongues spoken in our school community. The predominant mother-tongue languages at Dingley PS are: Vietnamese, Chinese (not further defined), Mandarin, Greek, Japanese, Turkish and Khmer. As a candidate to become an International Baccalaureate World Primary Years Programme School, we value the diverse backgrounds of the families in our school community and place importance on language learning, including mother tongue, host country language and other languages. We believe it is important to honour each student's mother-tongue as a necessary component of respecting and learning about each student's culture. In order to do so, we would like to purchase mother-tongue picture story books in a variety of languages to reflect the languages spoken at home by our students. We aim to create a 'mother-tongue' section in our school library where students can be exposed to literature in languages other than English.	
How the funds will be used:	To purchase mother-tongue books to reflect the languages spoken at home by students at our school. This would assist us in developing a dedicated section in our school library.	
Assessment Criteria:		
<ul style="list-style-type: none"> • The applicant meets the eligibility criteria • Funds are needed at short notice • The activity/event/project benefits the City of Kingston residents • The applicant has demonstrated a clear need for funds • The applicant has not received any other funding from Council • The applicant is an individual or not for profit organisation • The project cannot be funded under any other Council Grant program 		<ul style="list-style-type: none"> ✓ ✓ ✓ ✓ ✓ ✓ ✓
Grants received in current or last financial year	October 2018 – School Development Award - \$213	
Officer Comment:	This application meets the assessment criteria and is recommended for approval for an amount of \$250.00	

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: Gabrielle Pattenden, Governance Officer
Reviewed and Approved By: Phil DeLosa, Manager Governance
Paul Franklin, General Manager Corporate Services

Ordinary Meeting of Council

26 August 2019

Agenda Item No: 11.3

APPOINTMENT AND AUTHORISATION OF OFFICERS UNDER THE PLANNING AND ENVIRONMENT ACT 1987

Contact Officer: Sasha Pearson, Governance and FOI Officer

Purpose of Report

The purpose of this report is to seek a Council resolution to appoint and authorise officers for the purposes of the *Planning and Environment Act 1987* (the Act) and the regulations made under that Act.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

1. That Council, in the exercise of the powers conferred by s 224 of the *Local Government Act 1989* and by s147(4) of the *Planning and Environment Act 1987*, resolves that Gavin Davies, Luisa Makris, Ceinwyn Jane Ubrihien and Madeleine Grant be appointed and authorised as set out in the attached Instruments of Appointment and Authorisation.
2. Each Instrument comes into force immediately on resolution and remains in force until such time as the officer is no longer employed, contracted or otherwise engaged to undertake the duties on behalf of Kingston City Council, unless varied or revoked earlier.

1. Executive Summary

A resolution of Council is sought to appoint and authorise four council officers under the *Planning and Environment Act 1987* (the Act). The Instruments of Appointment and Authorisation can only be approved by resolution of Council.

2. Background

Council is the authority for appointing authorised officers under the *Planning and Environment Act 1987*. The authorisation of officers under other Acts, including the *Local Government Act 1989* and Council's Local Laws is delegated to the Chief Executive Officer.

At the ordinary meeting of Council on 29 January 2019, Council appointed and authorised a number of officers to exercise powers under the *Planning and Environment Act 1987* and the regulations made under that Act.

The Manager Compliance and Amenity requests the authorisation of four further officers:

1. Gavin Davies, Construction Compliance Officer (as per Appendix 1)
2. Luisa Makris, Acting Construction Liaison Officer (as per Appendix 2)
3. Ceinwyn Jane Ubrihien, Landscape Compliance Officer (as per Appendix 3)
4. Madeleine Grant, Student Vegetation Management Officer (as per Appendix 4)

The first two officers have already been authorised by the CEO under the *Local Government Act 1989* and the local laws made under that Act. The third officer is a new employee, commenced on 4 August 2019 in a new position. The fourth officer is an existing staff member who now requires authorisation.

3. Discussion

3.1 Council Plan Alignment

Goal 5 - Our well-governed and responsive organisation
Direction 5.1 - Support decision making to provide an efficient and effective council which embodies the principles of democracy

3.2 Consultation/Internal Review

The administration for appointing Authorised Officers is centralised within the Governance Department. Governance produces the draft Instruments for approval by the relevant authority and, upon approval, organises the issuing of authorised officer identity cards. The appointments are requested by the Manager Compliance and Amenity and approved by the General Manager Planning and Development.

3.3 Operation and Strategic Issues

The proper appointment and authorisation of officers is an essential governance requirement for Council enforcement functions. New authorisations are required when new staff join Council or existing staff are appointed to roles requiring authorisation. Reviews will continue to be undertaken regularly to ensure all Officers have the appropriate authorisations to carry out their roles effectively.

4. Conclusion


Authorisation under the *Planning and Environment Act 1987* is essential to allow these Officers to carry out their roles appropriately. It is recommended that Council resolve at the Ordinary Meeting on 26 August 2019 to appoint and authorise the officers as per the attached Instruments.


4.1 Legal / Risk Implications


The proper appointment and authorisation of officers is important. These instruments are often the subject of legal scrutiny and may be used in Court to demonstrate that a person purporting to be an authorised officer was duly authorised to take the action or make the decision they made.

Appendices

Appendix 1 - Draft Instrument of Appointment and Authorisation - Planning and Environment Act 1987 - Gavin Davies (Ref 19/159882)  [↓](#)

Appendix 2 - Draft Instrument of Appointment and Authorisation - Planning and Environment Act 1987 - Luisa Makris (Ref 19/159894)  [↓](#)

Appendix 3 - Draft Instrument of Appointment and Authorisation - Planning and Environment Act 1987 - Ceinwyn Jane Ubrihien (Ref 19/169505)  [↓](#)

Appendix 4 - Draft Instrument of Appointment and Authorisation - Planning and Environment Act 1987 - Madeleine Grant (Ref 19/173975)  [↓](#)

**City of Kingston
Ordinary Meeting of Council**

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26 August 2019

Author/s: Sasha Pearson, Governance and FOI Officer
Reviewed and Approved By: Phil DeLosa, Manager Governance
Paul Franklin, General Manager Corporate Services

11.3

APPOINTMENT AND AUTHORISATION OF OFFICERS UNDER THE PLANNING AND ENVIRONMENT ACT 1987

- 1 Draft Instrument of Appointment and Authorisation -
Planning and Environment Act 1987 - Gavin Davies..... 407
- 2 Draft Instrument of Appointment and Authorisation -
Planning and Environment Act 1987 - Luisa Makris..... 409
- 3 Draft Instrument of Appointment and Authorisation -
Planning and Environment Act 1987 - Ceinwyn Jane Ubrihien411
- 4 Draft Instrument of Appointment and Authorisation -
Planning and Environment Act 1987 - Madeleine Grant 413

**Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)**



In this instrument "**officer**" means -

Gavin Davies

By this instrument of appointment and authorisation Kingston City Council -

1. under s 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an **authorised officer** for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under s 232 of the *Local Government Act 1989* authorises the officer generally to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon resolution of Council;
- (b) remains in force until such time as the officer is no longer employed, contracted or otherwise engaged to undertake the duties on behalf of Kingston City Council, unless varied or revoked earlier.

This instrument is authorised by a resolution of the **Kingston City Council** on 26 August 2019.

**Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)**



In this instrument "**officer**" means -

Luisa Makris

By this instrument of appointment and authorisation Kingston City Council -

1. under s 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an **authorised officer** for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under s 232 of the *Local Government Act 1989* authorises the officer generally to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon resolution of Council;
- (b) remains in force until such time as the officer is no longer employed, contracted or otherwise engaged to undertake the duties on behalf of Kingston City Council, unless varied or revoked earlier.

This instrument is authorised by a resolution of the **Kingston City Council** on 26 August 2019.

**Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)**



In this instrument "officer" means -

Ceinwyn Jane Ubrhien

By this instrument of appointment and authorisation Kingston City Council -

1. under s 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under s 232 of the *Local Government Act 1989* authorises the officer generally to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon resolution of Council;
- (b) remains in force until such time as the officer is no longer employed, contracted or otherwise engaged to undertake the duties on behalf of Kingston City Council, unless varied or revoked earlier.

This instrument is authorised by a resolution of the **Kingston City Council** on 29 August 2019.

Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*)



In this instrument "officer" means -

Madeleine Grant

By this instrument of appointment and authorisation Kingston City Council -

1. under s 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under s 232 of the *Local Government Act 1989* authorises the officer generally to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon resolution of Council;
- (b) remains in force until such time as the officer is no longer employed, contracted or otherwise engaged to undertake the duties on behalf of Kingston City Council, unless varied or revoked earlier.

This instrument is authorised by a resolution of the Kingston City Council on 26 August 2019.

Ordinary Meeting of Council

26 August 2019

Agenda Item No: 11.4

ASSEMBLY OF COUNCILLORS RECORD REPORT

Contact Officer: Stephanie O'Gorman, 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 - Planning Councillor Information Session
5 August 2019 (Ref 19/192996)  
- Appendix 2 - Assembly of Councillors Record - Strategic Councillor Information Session
12 August 2019 (Ref 19/204205)  
- Appendix 3 - Assembly of Councillors Record - Strategic Councillor Information Session
19 August 2019 (Ref 19/204968)  

Author/s: Stephanie O'Gorman, Governance Officer
Reviewed and Approved By: Phil DeLosa, Manager Governance
Paul Franklin, General Manager Corporate Services

11.4

ASSEMBLY OF COUNCILLORS RECORD REPORT

1	Assembly of Councillors Record - Planning Councillor Information Session 5 August 2019.....	421
2	Assembly of Councillors Record - Strategic Councillor Information Session 12 August 2019.....	425
3	Assembly of Councillors Record - Strategic Councillor Information Session 19 August 2019.....	429

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:

Date: 5 August 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 6.37pm)
 Cr Geoff Gledhill
 Cr George Hua
 Cr Steve Staikos
 Cr Rosemary West OAM

Officer/s:

John Nevins, 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
 Paul Marsden, Manager City Strategy
 Ian Nice, Manager City Development
 Stephanie O'Gorman, Governance Officer
 Jeremy Hopkins, Team Leader Statutory Planning
 Jennifer Pippo, Team Leader Statutory Planning
 Ross Gregory, Manager Traffic and Transport

Apologies:

Nil

Matter/s Discussed:

1. Apologies
2. Disclosures by Councillors, Officers and Contractors of any Conflict of Interest
3. Notes of the Planning CIS Meeting of 1 July 2019
4. Individual Ward Briefings
5. Planning Delegation Policy Emails - July 2019

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.

6. Business and Economic Development Advisory Committee Meeting Notes 4 July 2019
7. Draft Agenda - Planning Committee –
 - 4.1 KP-2019/90 - Bay Trail (Crown Land adjacent Rennison Street Parkdale to Main Street Mordialloc)
 - 4.2 KP-2019/48 - 11 Powlett Street Mordialloc
 - 4.3 KP-2017/149 - 13 - 15 Taylor Street Moorabbin
8. Kingston Commons Project - Delta Presentation
9. Footpath Activities Policy
10. C180 - Hawthorn Football Club proposed amendment and planning permit
11. Commercial Use of Land Application - Street Eatz
12. Level Crossing Removal Project Briefing - Edithvale, Bonbeach and Chelsea projects
13. Cardinia Airport Project
14. Ward Committee Meeting Outcomes
15. Report on Legal Advice
16. Invitations
17. Other Business
 - Recycling Update
 - Properties in Charman Road

Conflict of Interest Disclosures:

Did senior officer present ask for disclosure of Conflicts of Interest? Yes

Councillor Disclosures: (refer 2 over page)

Cr Gledhill disclosed an indirect interest by residential amenity in item 4.1 of the Draft Agenda Planning Committee KP-2019/90 - Bay Trail (Crown Land adjacent Rennison Street Parkdale to Main Street Mordialloc) as he resides in close proximity to the site

Record if a Councillor left the meeting during the discussion.

Cr Gledhill left the meeting at 6.06pm prior to any discussion on Item 4.1 of the Draft Agenda Planning Committee KP-2019/90 - Bay Trail (Crown Land adjacent Rennison Street Parkdale to Main Street Mordialloc)

Officer Disclosures: (refer 4 over page)

Nil

Completed by: Stephanie O’Gorman, Governance Officer
Date: 6 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;
- (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:

Date: 12 August 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 Tamsin Bearsley
 Cr Ron Brownlees OAM
 Cr David Eden
 Cr Geoff Gledhill
 Cr George Hua
 Cr Steve Staikos
 Cr Rosemary West OAM

Officer/s:

Daniel Freer, Acting Chief Executive Officer
 Mauro Bolin, General Manager Community Sustainability
 Paul Franklin, General Manager Corporate Services
 Bridget Draper, Acting General Manager City Assets and Environment
 Paul Marsden, Acting General Manager Planning and Development
 Phil De Losa, Manager Governance
 Michelle Devanny, Communications Advisor
 Tania Asper, Manager City Economy and Innovation
 Steve Lewis, Manager Community Buildings
 Fiona Baxter, Acting Team Leader – Capital Projects
 Mark Patterson, Manager Family, Youth and Children's Services
 Zorica Djuric, Team Leader Youth & Family Services
 Ross Gregory, Manager Traffic and Transport

Apologies:

Cr Tamara Barth

Matter/s Discussed:

1. Apologies
2. Disclosures by Councillors, Officers and Contractors of any Conflict of Interest
3. Notes of the Planning CIS Meeting of 5 August 2019
4. **Draft Agenda - Ordinary Meeting of Council - See Separate Agenda**
 - 8.1 Footpath Activities Policy
 - 8.2 C180 - Hawthorn Football Club Proposed Amendment and Planning Permit

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.

- 8.3 Mentone Station and Gardens - Heritage Victoria Submission
- 9.1 2019 Youth Awards Nominations
- 9.2 Refurbishment of Former Masonic Lodge - Award of Contract
- 10.1 Outdoor Velodrome, Edithvale Recreation Reserve
- 10.2 Response to Notice of Motion No. 29/2019 - Waste and Debris - Mordialloc Creek
- 10.3 Response to Notice of Motion No. 38/2019 - Cr Gledhill - Traffic and Parking - Nepean Highway, Parkdale
- 10.4 Formation of a Section 223 Committee Proposed Discontinuance and Sale of Road Golden Lane
- 10.5 Response to Notice of Motion No. 5/2018 - Cr. Staikos - Kingston City Hall Masterplan - Stage 2
- 10.6 Response to Notice of Motion No. 15/2016 - Cr Brownlees - Planning Policy (Parking and Rear Setbacks) and to Notice of Motion No. 20/2018 Cr Hua - Impact of Multi-Unit Development on Parking
- 11.1 Appointment and Authorisation of Officers under the Planning and Environment Act 1987
- 11.2 Quick Response Grants
- 11.3 Assembly of Councillors Record Report
- 12.1 Notice of Motion No. 40/2019 - Cr Gledhill - Level Crossing Funding
- 12.2 Notice of Motion No. 41/2019 - Cr Gledhill - Baytrail Works Over Summer
- 1. Confidential Items
- 14.1 Implementing the removal of fees at the Governor Road boat ramp

5. 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)

Nil

Completed by: Stephanie O’Gorman, Governance Officer

Date: 19 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;
- (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:

Date: 19 August 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 5.55pm)
Cr Tamsin Bearsley (arrived at 6.11pm)
Cr Ron Brownlees OAM
Cr David Eden (arrived at 6.23pm)
Cr Geoff Gledhill
Cr Steve Staikos
Cr Rosemary West OAM

Officer/s:

Daniel Freer, Acting Chief Executive Officer
Mauro Bolin, General Manager Community Sustainability
Bridget Draper, Acting General Manager City Assets and Environment
Paul Franklin, General Manager Corporate Services
Paul Marsden, Acting General Manager Planning and Development
Natasha Corponi, Communications and Media Advisor
Phil De Losa, Manager Governance
Gabby Pattenden, Governance Officer
Mark Patterson, Manager Family Youth & Children's Services
Emily Boucher, Acting Manager City Strategy
Helen Scott, Principal Environment Officer
David Shepard, Manager Parks and Open Space
Ross Gregory, Manager Traffic and Transport

Apologies:

Cr George Hua

Matter/s Discussed:

1. Apologies
2. Disclosures by Councillors, Officers and Contractors of any Conflict of Interest
3. Notes of the Strategic CIS Meeting of 12 August 2019
4. 3 Year Old Kinder Implementation
5. Elster Creek Catchment Flood Management Plan

Assembly of Councillors Record

This Form MUST be completed by:

- (i) The appropriate attending Council Officer or;
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6. Urban Cooling Strategy - Technical Document
7. Mentone Level Crossing Removal - Heritage Victoria Permit Application Submission
8. Tender Report - Contract 18/96 Foreshore and Public Amenity Cleansing Services
9. Review of Sandbelt Open Space Project Development Plan
10. Parking Management Policy - Review
11. South East Melbourne Advanced Waste Resource Recovery Facility
12. Response to Notice of Motion 26/2019 - Cr Gledhill - Recycling Program
13. Recycling Contractual Update
14. Implementing the Removal of Fees at the Governor Road Boat Ramp
15. Adoption of the Annual Statements to 30 June 2019
16. Recent correspondence from Visy re Victorian Kerbside Recycling Processing Services
17. Final Report to Council: CEO Appointment
18. 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)

Nil

Completed by: Stephanie O'Gorman, Governance Officer

Date: 20 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.

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- 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."

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- 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.

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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.

12. Notices of Motion

Ordinary Meeting of Council

26 August 2019

Agenda Item No: 12.1

NOTICE OF MOTION NO. 40/2019 - CR GLEDHILL - LEVEL CROSSING FUNDING

I move :

That Council review its decision to provide a financial contribution to the Level Crossing Removal Projects at either Cheltenham or Mentone.

Rationale

At the May Ordinary Meeting it was resolved that Council would make a substantial contribution toward the cost of infrastructure and parking, specifically in the Cheltenham precinct. However in light of the LXP failing to provide no net loss of parking at both Cheltenham and Mentone and with doubts remaining over the finished stations at both locations I believe Council should reconsider its decision to commit ratepayers' funds to a state Government project.







Cr Geoff Gledhill

Officer Comment

Attached is a copy of the relevant Council resolution and subsequent correspondence sent to and received from the LXP confirming Council's offer and the LXP's acceptance.

Verbally on 5 August officers have been advised that the LXP have now contractually committed to the additional decking works at Mentone and Cheltenham to which Council is financially contributing. At the time of this discussion the LXP was finalising design details for the additional public multi-deck car parking at Cheltenham.

Appendices

- Appendix 1 - Resolution – Item 8.2 – Ordinary Meeting of Council 27 May 2019 (Ref 19/194832)  
- Appendix 2 - Response to Kevin Devlin, LXP Re Cheltenham and Mentone Level Crossing Removal - Advising LXP of 27 May 2019 resolution for deck extension, parking and maintenance. (Ref 19/109769)  
- Appendix 3 - LXRA Response to Council - Cheltenham and Mentone - Proposed Deck Extensions (Ref 19/168726)  

12.1

NOTICE OF MOTION NO. 40/2019 - CR GLEDHILL - LEVEL CROSSING FUNDING

- 1 Resolution – Item 8.2 – Ordinary Meeting of Council 27 May
2019 439
- 2 Response to Kevin Devlin, LXP Re Cheltenham and
Mentone Level Crossing Removal - Advising LXP of 27 May
2019 resolution for deck extension, parking and
maintenance..... 441
- 3 LXRA Response to Council - Cheltenham and Mentone -
Proposed Deck Extensions 465

Resolution – Item 8.2 – Ordinary Meeting of Council 27 May 2019

8.2 Level Crossing Removal Project Update - Public Realm and Asset Management

Moved: Cr West

Seconded: Cr Staikos

That Council:

1. Make a capital allocation to a maximum value of \$2,000,000 to provide for the construction of additional open space in the form of expanded decking at the Cheltenham and Mentone level crossing removals;
2. Make a capital allocation to a maximum value of \$900,000 to provide for an expansion of the planned carparking as per option 1 as part of the Level Crossing Removal Project at Cheltenham.
3. Authorise the Chief Executive Officer to do all things necessary to implement Recommendations 1 and 2 above including the execution of all required agreements to give effect to these resolutions;
4. Authorise the Chief Executive Officer to formulate with the Level Crossing Removal Program an agreement to maintain the assets following agreed defects liability periods, identified in the table contained in Appendix 1 in this report; and
5. Instruct Officers to present a further report to Council following advice from the Level Crossing Removal Program on the positioning of the eastern (downline) Cheltenham Station Building by the Level Crossing Removal Project.

Cr Gledhill returned to the meeting at 7:45pm.

CARRIED



5 June 2019

Mr Kevin Devlin
Chief Executive Officer
Level Crossing Removal Project
GPO Box 4509
MELBOURNE VIC 3001

Dear Kevin

Re: Cheltenham and Mentone Level Crossing Removal

Further to my email to you of 29 May 2019, I am writing in response to LXP's letter dated 12 March 2019 offering Council an opportunity to make capital contributions to fund deck extensions and subsequent conversations regarding additional car parking and asset maintenance.

On 27 May 2019, Council resolved to make capital contributions to the Level Crossing Removal Projects at Mentone and Cheltenham for the expanded deck areas and additional car parking and to agree to maintain assets in line with the resolution below:

That Council:

1. *Make a capital allocation to a maximum value of \$2,000,000 to provide for the construction of additional open space in the form of expanded decking at the Cheltenham and Mentone level crossing removals;*
2. *Make a capital allocation to a maximum value of \$900,000 to provide for an expansion of the planned carparking as per option 1 as part of the Level Crossing Removal Project at Cheltenham.*
3. *Authorise the Chief Executive Officer to do all things necessary to implement Recommendations 1 and 2 above including the execution of all required agreements to give effect to these resolutions;*
4. *Authorise the Chief Executive Officer to formulate with the Level Crossing Removal Program an agreement to maintain the assets following agreed defects liability periods, identified in the table contained in Appendix 1 in this report; and*
5. *Instruct Officers to present a further report to Council following advice from the Level Crossing Removal Program on the positioning of the eastern (downline) Cheltenham Station Building by the Level Crossing Removal Project.*

A copy of the officer report and resolution are enclosed for your information.

In making this decision Council recognises the benefits of the collaboration between our organisations to facilitate enduring placemaking opportunities for our community. Officers look forward to working with you on the detailed design of the new spaces and will seek to organise a time with the relevant LXP and SPA team members to discuss this next stage.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'John Nevins', with a long horizontal flourish extending to the right.

John Nevins
CHIEF EXECUTIVE OFFICER

Attach

community inspired leadership

TRIM 19/109769

Ordinary Meeting of Council

27 May 2019

Agenda Item No: 8.2

LEVEL CROSSING REMOVAL PROJECT UPDATE - PUBLIC REALM AND ASSET MANAGEMENT

Contact Officer: Jonathan Guttmann, General Manager Planning and Development

Daniel Freer, General Manager City Assets and Environment

Purpose of Report

This report provides details of discussions undertaken with the Level Crossing Removal Project following the resolutions of the Council at the Ordinary Council Meeting on 23 April 2019. The report recommends that Council enter an agreement to fund rail deck extensions at Cheltenham and Mentone, additional expansion of non-commuter parking at Cheltenham and the asset management and maintenance of a range of non-rail related infrastructure assets associated with the removal of level crossings on the Frankston train line.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

OFFICER RECOMMENDATION

That Council:

1. Make a capital allocation to a maximum value of \$2,000,000 to provide for the construction of additional open space in the form of expanded decking at the Cheltenham and Mentone level crossing removals;
2. Make a capital allocation to a maximum value of \$ _____ to provide for an expansion of the planned carparking as per option ___ as part of the Level Crossing Removal Project at Cheltenham.
3. Authorise the Chief Executive Officer to do all things necessary to implement Recommendations 1 and 2 above including the execution of all required agreements to give effect to these resolutions;
4. Authorise the Chief Executive Officer to formulate with the Level Crossing Removal Program an agreement to maintain the assets following agreed defects liability periods, identified in the table contained in Appendix 1 in this report; and
5. Instruct Officers to present a further report to Council following advice from the Level Crossing Removal Program on the positioning of the eastern (downline) Cheltenham Station Building by the Level Crossing Removal Project.

**City of Kingston
Ordinary Meeting of Council**

Agenda**27 May 2019****1. Executive Summary**

Following the announcement of the Level Crossing Removal Program Council has proactively worked with the Victorian State Government to pursue urban design enhancements as part of each project site. Over recent years planning work has been prioritised for Council to have early influence over the urban design fundamentals around the stations to ensure that newly planned rail infrastructure has the broadest possible intergenerational benefits. Council has often cited the crossing removal at Moorabbin in 1959 as an early example where such benefits were not able to be achieved. Council does not want this example replicated.

The level of investment by the Level Crossing Removal Project (LXRP) in Kingston, in excess of \$1B, is the most significant of any municipality and includes a range of actual/possible significant infrastructure investments (some already completed) including:

- New road bridge across the Patterson River connecting Station Street to enhance local traffic flow;
- Realignment of McLeod Road in Carrum and significant land assembly on the beach side of the Nepean Highway and around the station entry to create 1.2 hectares of new community open space;
- Retention of the State Significant Mentone Heritage Station Buildings and scope now to expand the Mentone Station Gardens; and
- At Cheltenham, bridging the rail trench creating a desirable new open space linkage from Station Road into the Cheltenham Park and the ability to work with the LXRP to possibly increase parking provision for the local shopping centre;
- The LXRP have also identified a range of non-rail related assets such as shared user paths, street furniture, public lighting, drainage, landscaping works and heritage buildings / kiosks that are / will be developed as part of its projects in Kingston.

Beyond these opportunities Council has continued to work closely with the LXRP to facilitate other additional community opportunities including new pedestrian and bicycle linkages along the rail corridor. The recent State Government announcements to now also remove the Chelsea Road, Argyle Avenue and Swanpool Avenue crossings present opportunities to use the Chelsea Structure Planning process to identify additional urban design enhancements.

The type of non-rail infrastructure assets LXRP have identified to invest in, in many instances are on Council managed land, or, will be provide to Council for community use. These assets are similar to those, once constructed, Council would otherwise maintain at similar development locations (e.g. Jacksons Green development or the future redevelopment of the Highett Gas Works site). The LXRP as an entity also has a finite purpose to remove level crossings and in a similar vein to a land developer will look to transfer new assets to Council or the relevant Government Agency (e.g. VicRoads or Vic track) as it does not operate a recurrent asset maintenance funding program.

The LXRP have identified that the cost of undertaking Council's requested additional bridging works at Cheltenham and Mentone to provide urban design enhancements is approximately \$6 million. Through further negotiations with the LXRP, they have indicated a willingness to substantially reduce this cost to Council from approximately \$6 million to \$2 million on the basis Council takes on asset management responsibility for the new non-rail assets it creates through its program along the Frankston line in Kingston. The assets would be transferred to Council either as new (following defects periods) or fitted out for a repurposed function (e.g. station building infrastructure).

**City of Kingston
Ordinary Meeting of Council**

Agenda

27 May 2019

The new Carrum Kiosk and repurposed heritage buildings would be provided to Council to generate a commercial rent should it so wish. It is important to note that approximately \$60M of the estimated \$72.7M of new assets proposed for transfer are either on land/sites Council controls and is responsible for or are buildings Council already expects to manage and control.

Given community importance of the expanded deck opportunities at Cheltenham and Mentone and that the broader community use benefits of the non-rail assets that the LXRP are seeking to transfer, the proposed negotiated outcome is seen as reasonable in principle. A preliminary financial analysis has been completed and it has indicated:

1. Incorporating estimated costs and income through to 2030
 - Releasing \$4M of capital saved for the deck contribution in year 1 and phasing in of up to \$95,000 of income from the three buildings (rental escalated by 2% per annum) produces a net present value "benefit" of \$4.85M through to 2030.
 - The (LXRA) maintenance costs of \$535,434 progressively phased in from year 1 (again escalated at 2% per annum) produces a net present cost of \$4.85M over 10 years.
 - This is an Internal rate of return of 4.0% where net present value benefits and costs are equal.
 - Applying a discount rate of 4.5% (which accounts for cost of funds / opportunity cost of capital plus 2% for risk) still results in a positive NPV (of Benefits greater than Costs) as at 2030.
2. Excluding estimated costs associated with assets on Council land/controlled land (Charman Rd Flood Storage, Traffic Signals and Carrum Revitalisation (POS), Commercial/Heritage buildings, Patterson River Bridge) related maintenance expenses through to 2030 excluded from the model
 - At 4.5% discount (as above) results in an approximately \$3M positive NPV benefit to Council.

Council has also explored with the LXRP an expansion of their proposed railway carparking at Cheltenham to allow expansion into the Council owned mortuary carpark immediately south of their site and the potential for additional decking of the planned carpark. The preliminary analysis has indicated that Council is able to expand the number of car parking spaces available for local use by up to approximately 64 spaces. Given the unique opportunity to expand the available car parking in the Cheltenham Activity Centre on the back of the LXRP work, it is recommended that this additional element be supported. While expensive this is a unique and one-off opportunity. This report presents Council with a number of options on how to do this.

Although the State significant heritage buildings are to be returned to the current locations and a 'heritage deck' constructed at Mentone, further work is required to determine how the LXRP may approach the heritage stations at Cheltenham. This report recommends that further advice is provided to Councillors once this analysis is completed by the LXRP.

The LXRP have made clear that decisions regarding the additional decking (Cheltenham and Mentone) and additional carparking at Cheltenham are now 'time critical'. The report therefore recommends that the CEO be delegated authority to enter into agreements within the agreed parameters as resolved by Council.

**City of Kingston
Ordinary Meeting of Council**

Agenda**27 May 2019****2. Background**Council Report 23 April 2019

A detailed report was provided to Council as part of agenda item 8.9 at the Ordinary Council Meeting on 23 April 2019. That report outlined a range of opportunities to deliver some of the enhancements identified in the Mentone Urban Design Framework and Cheltenham Structure Plan Review approved by Council at its Ordinary Council Meeting on 11 December 2017. The Council consequentially resolved:

That Council:

1. *Advocate for the changes and improvements to the LXR plans for Cheltenham and Mentone as outlined under Section 3.3.2 of this report.*
2. *Authorise officers to negotiate for the additional decking at Cheltenham and Mentone up to a maximum financial contribution by Council as set out in Confidential Appendix 4 to this report.*
3. *Receive a further public report once the negotiation is complete.*

This report provides an update on the negotiations with the LXR and seeks direction from the Council on what are now 'time critical' decisions given the advanced stage of construction planning and Cheltenham and Mentone.

3. Discussion**3.1 Council Plan Alignment**

Goal 1 - Our well-planned, liveable city supported by infrastructure to meet future needs
Direction 1.1 - Intergenerational land use planning for a sustainable community

The Level Crossing Removal Project is a significant infrastructure initiative in Kingston given the number of crossings which have been identified for removal.

Council has approached this project seeking to work with the community and LXR to derive urban design enhancements that will provide intergenerational benefits beyond solely removing the level crossings. As a consequence, new urban open space areas, new pedestrian and cycle linkages and the potential for more local car parking in Cheltenham is proposed. All these elements are critical ingredients of Council's land use planning particularly given the land use and broader renewal occurring in many of the areas where level crossings are being removed.

3.2 Consultation/Internal Review

This report follows significant consultation which has and continues to be undertaken by the LXR on its level crossing removal program in Kingston. In 2017 Council undertook a significant community consultation processes to formulate its updated Cheltenham Activity Centre Structure Plan and Mentone Urban Design Framework.

Through the consultation processes undertaken by Council and LXR a range of opportunities beyond the rail / road critical infrastructure have been identified to provide enhanced urban design outcomes. The outcomes presented in this report are significant in terms of 'place making' and reinforce the investment made in what were extensive processes of community engagement by both Council and the LXR.

**City of Kingston
Ordinary Meeting of Council**

Agenda

27 May 2019

3.3 Operation and Strategic Issues

3.3.1 Proposed Rail Deck Extensions The report presented at the Ordinary Council Meeting on 23 April 2019 provided detail on the proposed rail deck extensions. The report followed confirmation from the LXP that the extensions identified through the Mentone Urban Design Framework and Cheltenham Structure Plan Update did not fall within its project scope. The costs of the decks were provided to Council following advice received from LXP by its alliance partner. As reported in the earlier report the costs are:

Site	Area	Details	Cost
Cheltenham	420m ²	15m wide extension of the deck between the station building and kiosk	\$2,006,791
Mentone	540m ²	Approximately 40m extension of the deck from Balcombe Road towards the heritage deck.	\$3,914,994

The costs associated with the construction of the deck extensions are significant given the associated construction complexities. Previous advice has indicated that the costs to pursue the decking of the rail trench at some time in the future, would likely be cost prohibitive given the implications associated with working above an active rail environment. The inability to achieve enhancements is well demonstrated through the completion of grade separation works at Moorabbin Station in 1959 and the frustration held by successive Councils in being unable to advance their strategic plans to encourage building over the rail corridor airspace. The costs are prohibitive and cannot be commercially justified.

3.3.2 Additional non-commuter parking – Cheltenham**3.3.2 (a) Expansion onto Council's Mortuary Carpark Land**

The work undertaken as part of the Cheltenham Structure Plan Review identified the opportunity to utilize the Council owned mortuary carpark to expand car parking capacity for local (non-commuter) parking at Cheltenham. Council resolved on the 11 December 2017 to seek to utilize its land as part of an integrated development to expand the number of car parking spaces in this location for local (non-commuter) uses.

The recent release of the final conceptual design plans for Cheltenham by LXP provides for a new four level 218 space commuter car park but does not respond to the direction of the Council to also explore the utilization of the Council land for additional local carparking. The LXP carpark is restricted to the existing VicTrack land parcel and would be constructed for commuter use to replace lost commuter parking, associated with the crossing removal works.

Officers have subsequently commissioned a broad conceptual design development to see whether it is possible to expand the LXP commuter carpark into Council's carpark land to the immediate south. Three options have been developed, that involve expansion into Council's Mortuary carpark land over the four levels above ground.

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The impact of each of these options on the existing mortuary carpark sees an 'on ground/at grade' reduction offset by an increase over the four levels of carpark. This has been considered at a preliminary level by the LXR and are outlined below:

	Base Case	Option 1	Option 2	Option 3
Council \$ Capital cost	\$0	\$900,000	\$4,600,000	\$5,200,000
LXR Carspaces	218	218	218	218
Council Mortuary Remaining carspaces	38	28	19	14
Council Multideck Additional carspaces	0	36	64	88
Total Council carspaces	38	64	83	102
Total carspaces (LXR + Council)	256	282	301	320
Effective Extra cost to Council / carspace	N/A	\$34,615	\$102,222	\$81,250

	Extra Council Carspaces	\$ Capital Cost to Council	% Increase in Council Carspaces	% increase in Council \$ Capital Cost Relative to Option 1
Base Case vs Option 1	26	\$.9m	68.42%	-
Base Case vs Option 2	45	\$4.6m	118.42%	511.11%
Base Case vs Option 3	64	\$5.2m	168.42%	577.78%

The primary cost drivers are the shape of Council's Mortuary car park land and the need to meet design standards required for a commuter carparking lighting and security.

Although the estimated costs are significant, the opportunity is consistent with Council's adopted Cheltenham Structure Plan Update which in part reflected the following factors:

- Recognition of the increased demand being placed on Cheltenham for carparking to cater for an increasing range of non-commuter related land use activities (retail, residential and commercial).
- Council owns the land in question which removes the 'land purchase' cost to Council to expand the carparking.
- Given the LXR are proposing a four storey car park immediately adjacent to the Council land (on its northern side) the redevelopment potential (even just to increase car parking) over the Council land would be significantly compromised, unless integrated into the LXR work.

- 3.3.2(b) **Option 4: Additional level to LXR 4 Storey Multi Deck Carpark**
In briefing Councillors at the 20 May CIS, on these works and LXR discussions the option of adding an additional level to the LXR's ground/semi-basement plus 4 levels carpark project was raised. After this on Tuesday, 21 May LXR was asked to cost this option.

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As at the time of issuing this report, Friday morning 24 May, LXP were still finalizing and costing this option. The LXP advice was that this information would be provided by COB Friday, 24 May. When received it will be circulated to Councillors and reported by officers to the Council Meeting on Monday, 27 May. This advice may give rise to an amended recommendation regarding additional carparking at Cheltenham.

Council's adopted Structure Plan supports a multi-deck carpark at this location.

In addition to explicitly identifying the need for a multi deck car park in the Station Precinct of the Structure Plan Review, the Structure Plan also provided design and built form guidelines for how this may be pursued. These guidelines are reinforced through Precinct E in the Plan which identified the potential for a structure of maximum height of 20 metres providing for an above ground structure of up to 6 storeys. The existing four level car park plan prepared by the LXP fits well within this envelope and could provide for an expanded carparking area in relation to the height envelope allowed for in the Structure plan review.

The Precinct Concept Plan contained within the Structure Plan also envisaged a broader use of the Council Mortuary Carpark on the basis that additional local carparking could be achieved.

As this report advises after the recent release of the LXP design for Cheltenham, Officers have been working to try and increase the amount of local carparking in the location identified in the structure plan review. Officers are confident that by working with the LXP the recommendations contained within this report regarding the carparking can occur within the broad principles outlined in the structure plan review.

3.3.3 Heritage Station Buildings - reuse

The level crossing removals at Cheltenham and Mentone require the locally (Cheltenham) and state (Mentone) listed buildings to be removed during the crossing removal works following advice received from the LXP.

The LXP have indicated that it is prepared to work with the community on the suitable reinstatement and repurposing of these buildings.

Mentone

Recognising that Heritage Victoria will play a statutory role in evaluating the proposal by the LXP for Mentone, Officers are largely supportive of reinstating the heritage buildings in the manner proposed. It is unfortunate that due to the station and platform locations now being relocated further to the south, LXP have indicated that it will not be possible to obtain access from the proposed 'Heritage Bridge' to the operating commuter platforms. The LXP have indicated a preparedness to appropriately fitout and transfer the heritage buildings to Council to explore opportunities for commercial leasing and/or community use. Officers are supportive of this approach given the potential to expand the relationship of these buildings into the Mentone Station Gardens and incorporate the 'Heritage Bridge and buildings' into the proposed additional rail deck expansion Council is seeking.

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The material produced in the latest community update by the LXP does not show the reintroduction of the locally listed heritage station building(s) into the LXP's plans for the Cheltenham crossing removals. The adopted position of the Council at its Ordinary Council Meeting on 11 December 2017 sought *"That the Cheltenham heritage station buildings be retained within the proposed new central open space (Town Square) with their verandas facing inwards to provide shelter for visitors and community events"*. The Precinct Concept Plan in the Cheltenham Structure Plan Review now illustrates the retention of the station buildings notionally on the expanded rail bridge.

The LXP have recently provided Council Officers with advice regarding the size of the most significant heritage station building and indicated in writing and following a site meeting with Central Ward Councillors, that further analysis is required to determine if it is feasible to put a heritage station building on the proposed deck. Significant considerations that LXP have raised include:

- Fire and life safety considerations with the predominantly timber structure being located over the rail corridor and close to the exit of the station;
- Whether with the current proposed Kiosk, Parkiteer and associated services) the heritage building can fit on the deck and they have indicated that even if this is possible significant adjustment will be required to the façade of the heritage station building; and
- The potential impact placing the building on the station bridge (if possible) would have on the view corridor into Cheltenham Park and gradient.

Mindful of the constraints in relation to space in Cheltenham, Officers have prioritised consideration of the eastern (downline) station building given it is understood to have higher level of significance. On the basis it is not possible to locate a heritage station building on the deck, a range of other locations could be considered but require more detailed design analysis by the LXP and Council. This report recommends a further report providing range of options for consideration by Council. Officers are also mindful that this is ultimately a matter that LXP is responsible for addressing.

Officers have ruled out the carparking land Council owns (Mortuary Carpark) on the basis that the Cheltenham Structure Plan Review and this report recommendation to consolidate additional car parking in this location.

3.3.4 Asset Management

As identified through this report Council has since the introduction of the level crossing removal program, sought to work with the State Government to identify a range of urban design enhancements around and connecting into the proposed new stations. These discussions have led to a range of new infrastructure items being delivered and/or planned including:

- New road bridge across the Patterson River connecting Station Street to enhance local traffic flow;
- Realignment of McLeod Road in Carrum and the significant land assembly on the beach side of the Nepean Highway and around the station entry to create 1.2 hectares of new community open space;

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- Retention of the State Significant Mentone Heritage Station Buildings and scope now to expand the Mentone Station Gardens;
- At Cheltenham, bridging the rail trench creating a desirable new open space linkage from Station Road into the Cheltenham Park and the ability to work with the LXR to an increase to parking provision for the local shopping centre; and
- The LXR have also identified a range of non-rail related assets such as shared user paths, street furniture, public lighting, drainage, landscaping works and heritage buildings / kiosks that are / will be developed as part of its projects in Kingston.

The decisions made in 2018 to remove the Chelsea Road, Argyle Avenue and Swanpool Avenue crossings also presents opportunities to use the Chelsea Structure Planning process to identify additional urban design enhancements.

Types of Assets

The types of new assets that are created through the LXR program that would be generally considered 'standard' items include:

- Shared Use Paths – Walking and cycling;
- Road pavement and new carparking and kerbside carparking;
- Hard landscaping elements as part of public realm expansions with enhancements including street furniture / fencing and screens;
- Additional rail bridging to provide expanded open space areas (excluding critical rail infrastructure);
- Road bridging noting in this instance a range of new bridges are occurring over the rail trenches and the already completed bridge over Patterson River;
- Soft landscaping elements in newly created open space areas;
- Lighting to address community safety;
- Flood storage infrastructure;
- Drainage infrastructure elements including upgrades and/or new pipes; and
- Traffic signal infrastructure required as part of new or relocated intersection treatments.

All the above excluding rail bridging and the Patterson River road bridge infrastructure items would be similar those created through a private development project and often transferred to Council to manage (unless for example VicRoads, Vic track or Melbourne Water were the responsible asset manager). A practical example of where these asset management responsibilities are already shared is the work Council does with the local community and Government Agencies to support the maintenance of the Mentone Station Gardens.

A range of additional building and larger scale open space infrastructure items are proposed as part of the LXR projects and include:

- Mentone – removal and then repurposing of both existing heritage station buildings;
- Cheltenham – removal and then (subject to a suitable location being identified) reinstatement of existing heritage station building(s); and

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- Carrum – a significant new public open space and carparking enhancements on the foreshore side of Nepean Highway including a possible commercial kiosk and changing places toilet.

The assets to be created and their value are detailed below. Also below is a table detailing which of these assets are on Council owned land and/or to be under Council management and control. Council's forward planning has anticipated this.

Asset Type	Estimated Capital Costs \$	Land status
Shared Use Path	5,227,500	Majority State, parts road reserve (Council)
Road pavement, incl. car parking	924,800	State/Council owned and managed
Hard Landscaping (excl. Carrum)	931,770	State/Council owned and managed
Soft landscaping (excl. Carrum)	856,800	State/Council owned and managed
Lighting	510,000	State/Council owned and managed
Flood storage at Charman Road	374,000	Council owned/managed road
Drainage	2,519,400	Council
Furniture (excl. Carrum)	61,880	State/Council owned and managed
Fencing/ Screens	1,140,700	State/Council owned and managed
Commercial building - Carrum Foreshore	1,245,000	State owned and Council managed under lease
Heritage Buildings - Mentone	996,200	State owned and Council managed under lease
Heritage Buildings - Cheltenham	561,000	TBC
Traffic signals	2,312,000	Council owned/managed roads
Carrum Revitalisation Hard landscaping Soft landscaping Furniture Toilets, incl. Changing Places Water feature Canopies Arbor	25,670,000	State owned and Council managed under lease
Paterson River bridge	29,325,000	Council managed road
	\$72,686,050	

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Asset Management – Models / Community Expectation

A range of different models have been pursued by Council in the management of assets transferred by parties undertaking substantial private development. These include:

- Immediate asset transfer to Council or relevant Government Agency following defects liability periods. For example, this approach has been established at the Jacksons Green project in Clayton South.
- Establishment of an Owners Corporation.
This model was tried in some instances for larger greenfield developments on the basis the developer and early residents sought a higher standard of maintenance and or wished to introduce 'non-standard' infrastructure, that the Council of the day was not prepared to commit to maintaining it.

As part of the Caulfield to Dandenong Level Crossing Removals Project the State Government has made available \$15 million to provide to the four Councils to assist with ongoing asset management responsibilities. An agreed position has not been established between the participating Councils and the LXP regarding asset management responsibilities at this time.

Recognising the above represents a range of different approaches to the ongoing management of new assets, a key consideration for Council is what the 'community expectation' around these new LXP created assets may be. From time to time the community holds expectations that are not always met by State Government agencies who may have different maintenance regimes in place, when compared with those Council would otherwise apply.

The 2017 – 2021 Council Plan has a strong focus on customers and it is from this perspective that prioritisation has been given focusing with the LXP on achieving a range of enhanced urban design outcomes through the crossing removal projects. These outcomes will deliver new infrastructure that is not directly rail related but provides enhanced public spaces and connections around the rail corridor. Beyond the expectations held by the community in doing the planning work, the community will also hold expectations that assets are maintained to a standard consistently across the City (e.g. a greenfield development, public park or Council drain). It is for this reason that Officers consider Council is best placed to incorporate new 'non-rail assets' onto its asset register and to be maintained by Council and its appointed contractors.

It is appropriate to ensure however that Council is not placed with the responsibility of managing any assets, that would require permissions from the rail operator to undertake maintenance or replacement works proximate to operating rail infrastructure. These works are necessarily best undertaken by the rail operator or its nominated and appropriate qualified contractor(s) – Officers have clearly conveyed this to the LXP.

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Agenda**27 May 2019***Asset Management – LXR financial contribution*

The LXR have acknowledged that as part of its program a range of 'non-rail assets' are being created and that its role as an organisation is not to be ongoing asset manager and as a consequence it is not provided with recurrent asset management budgets. The LXR have agreed to construct all the 'non-rail assets' with appropriate maintenance periods, but has requested Council take over maintenance and management responsibilities. Through the proposed arrangement the LXR demonstrates their willingness to contribute approximately \$4 million to the construction of the expanded rail decks (open space areas) at Cheltenham and Mentone on the basis Council agreed to take over responsibility for the 'non-rail assets' as identified above and outlined in the appendices to this report.

Officers consider this position to be a reasonable for the following reasons:

- preliminary financial analysis identified in the resource implications section of this report suggests that the cost of undertaking the ongoing management of these assets is manageable within Council's long term financial strategy and has minor impact on Council's asset renewal framework.
- The 'non-rail assets' in question are assets that would otherwise be transferred to Council and the community is likely to hold a view that Council is best placed to manage them to an acceptable standard;
- In many instances the assets are consistent with Council advocated positions given their alignment with objectives Council has sought through the LXR based on local community feedback.
- Council generally has established maintenance contracts for the 'non-rail' asset classes in question which could be readily applied.
- The report identifies that should a capital saving be possible in Council's contribution to decks that these funds could be redirected to deliver additional non-commuter car parking at Cheltenham.
- Some opportunities to assist in funding the maintenance and required renewal of some of the assets could be achieved through commercial returns that may be possible through the repurposed heritage station buildings and commercial building on the Carrum Foreshore.

Officers have undertaken a separate analysis of the estimated asset management costs provided by the LXR against Council's existing contract rates and performance standards. This analysis indicates that the cost of including these assets into existing maintenance arrangements is consistent with Council's long term financial plan with a manageable impact on Council's asset renewal framework.

3.3.5 Time criticality

The LXR have reinforced to Officers that decisions on whether Council wish to proceed with 'additional' aspects of the project that are presently out of scope is required by the end of May. The time critical aspects include:

- Whether or not Council wishes to pursue with the rail deck expansions at Cheltenham and Mentone.
- Whether or not Council wishes to seek to incorporate additional non-commuter carparking as part of the Cheltenham works mindful issues of detailed design will still need to be resolved.
- The financial basis of the above dot points.

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Officers have also raised the issue through this report associated with the challenge the LXR may have with positioning the Cheltenham Station building on the expanded rail bridge (should it be pursued) due to the fire life safety analysis, that is yet to be completed. Officers will continue to work with LXR on this issue and a range of options will be brought back to Council.

3.4 Options

Council resolved at its 23 April 2019 Council Meeting to negotiate to pursue the additional decking at Cheltenham and Mentone. The following options are considered available based on the negotiations.

3.4.1 Option 1 – Pay full cost of decking – \$6 million

The LXR has indicated that the total cost of the additional decking to expand open space areas at Cheltenham and Mentone is approximately \$6M. Under this option a position of the Council regarding the transfer of non-rail related assets could be deferred. It is anticipated however that the issue of maintenance of non-rail infrastructure would still require resolution at a later stage between Council and the LXR. \$60M plus of these assets though will be on Council land it owns or controls and Council is the responsible asset manager for those assets.

Although this option does delay the asset management consideration, it does come at a significant capital cost to Council and one which based on available capital substantially reduces the opportunity to use available capital to pursue the construction of additional non-commuter car parking at Cheltenham.

This option is not recommended.

3.4.2 Option 2 – Accept LXR's offer to contribute \$4M to decking based on asset transfers

The LXR are proposing to contribute \$4M of the approximate \$6M required to pursue the additional decking at Cheltenham and Mentone on the basis Council agree to the maintenance of non-rail assets. The report reinforces that many of the assets in question were either identified by Council as urban design enhancements to the LXR works or are standard assets that would be otherwise be transferred to Council. Under this option Council would have significant additional capital available to fund the carpark expansion works discussed through this report at Cheltenham.

This option is recommended.

4. Conclusion**4.1 Environmental Implications**

Council has prioritised opportunities to work with the LXR and community to enhance the urban design outcomes around the level crossing removal works. At Cheltenham and Mentone significant change has and continues to occur in line with Councils structure planning work and therefore bridging the rail corridor to create new open space has been actively pursued. In Carrum through the creation of new open space areas substantial opportunities are presented to create further shaded recreational areas in proximity to the foreshore.

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Consideration has also been given to pedestrian and cycling connectivity opportunities unlocked by the crossing removal works thus facilitating the options for station and activity centre users, to exploit alternative forms of transport. These initiatives support a range of Councils existing strategies aimed at enhancing the natural and physical environment and are critical to the successful planning of large scale infrastructure projects.

4.2 Social Implications

The process to develop the Mentone Urban Design Framework and Cheltenham Structure Plan Review involved substantial community consultation. The ideas explored through this work to provide more open space and expand the supply of carparking in Cheltenham is consistent with the feedback received from the community. Importantly the expansion of open spaces areas and introduction of new infrastructure (DDA compliant paths / additional lighting etc) also assists in making areas more accessible and safer for more members of the community in parts of the City that are rapidly changing. In undertaking the planning work with the community Council has very much approached this from the perspective of seeking to ensure that genuine intergenerational benefits are able to be achieved.

This report also identifies that the community holds significant expectations regarding the appropriate maintenance and presentation of infrastructure assets the LXR are looking to transfer to Council. On the basis that appropriate compensation is provided to Council, it is considered that community would likely anticipate that Council is best placed to manage the types of infrastructure LXR is looking to transfer.

4.3 Resource ImplicationsAvailable Capital

The LXR are indicating that the bridging costs of the deck are approximately \$6M and the costs of expanding the station car parking provision range with a maximum preliminary price of approximately \$5.2M. LXR are however indicating that if Council take responsibility for ongoing maintenance of non-rail assets for its crossing removals within the municipality along the Frankston Line it will contribute \$4M to the above costs leaving a balance of up to \$7.2M (assuming a substantial investment was made on carparking at Cheltenham by Council).

Council currently has capital allocations within its Capital Works Plan relevant to the envisaged projects as follows:

- CO467 – Mentone Precinct Open Space: \$2m 2019/20 Draft Capital Budget
- C0277 – Activity Centre Upgrades and Improvements

For post 2019/20 refer confidential appendix 3: Forward Capital Works Budget Projections post 2019/20.

Based on these existing allocations, capital is accessible to present Council with the opportunity of achieving the required decking at both locations (Cheltenham and Mentone) and allowing Council to make an investment into additional car parking at Cheltenham.

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Agenda**27 May 2019**Asset Maintenance Costs / Preliminary Financial Modelling

Preliminary analysis has been undertaken on the likely costs of maintenance of the assets the LXR are looking to transfer. This analysis has indicated that:

- 1 Incorporating estimated costs and income through to 2030
 - Releasing \$4M of capital saved for the deck contribution in year 1 and phasing in of up to \$95,000 of income from the three buildings (rental escalated by 2% per annum) produces a net present value "benefit" of \$4.85M through to 2030.
 - The (LXRA) maintenance costs of \$535,434 progressively phased in from year 1 (again escalated at 2% per annum) produces a net present cost of \$4.85M over 10 years.
 - This is an Internal rate of return of 4.0% where net present value benefits and costs are equal.
 - Applying a discount rate of 4.5% (which accounts for cost of funds / opportunity cost of capital plus 2% for risk) still results in a positive NPV (of Benefits greater than Costs) as at 2030.
- 2 Excluding estimated costs associated with assets on Council land/to be controlled land (Charman Rd Flood Storage, Traffic Signals and Carrum Revitalisation (POS), Commercial/Heritage buildings, Patterson River Bridge) related maintenance expenses through to 2030 excluded from the model
 - At 4.5% discount (as above) results in an approximately \$3M positive NPV benefit to Council.

4.4 Legal / Risk Implications

The Council will be required to enter into agreements with the LXR should it wish to progress the recommendations contained within this report.



Such agreements will deal with the specific identification of asset areas and classes to be maintained by Council and where appropriate the identification of areas where committee of management status is required to be afforded to Council. Consideration will also be given to the appropriate zoning of land once new open space assets are created to ensure they are used for their intended purpose.

On the basis that Council proceeds to resolve to support a car parking expansion at Cheltenham an agreement will also be required around land ownership and maintenance responsibilities, associated with the new carparking asset.

All required agreements would be the subject of review by Councils appointed legal advisors.

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Agenda**27 May 2019****Appendices**

- Appendix 1 - Kingston Asset Summary - May 2019 (Ref 19/94708) 
- Appendix 2 - KCC Multi Deck Carpark Options - May 19 (Ref 19/94706) 
- Appendix 3 - Forward Capital Works Budget Projections Post 2019/20 (Ref 19/102104)
- Confidential

Author/s: Jonathan Guttman, General Manager Planning and
Development
Daniel Freer, General Manager City Assets and Environment

Reviewed and Approved By: John Nevins, Chief Executive Officer
Jonathan Guttman, General Manager Planning and
Development
Daniel Freer, General Manager City Assets and Environment

8.2

LEVEL CROSSING REMOVAL PROJECT UPDATE - PUBLIC REALM AND ASSET MANAGEMENT

1	Kingston Asset Summary - May 2019	25
2	KCC Multi Deck Carpark Options - May 19.....	27

Kingston Asset & Maintenance Summary

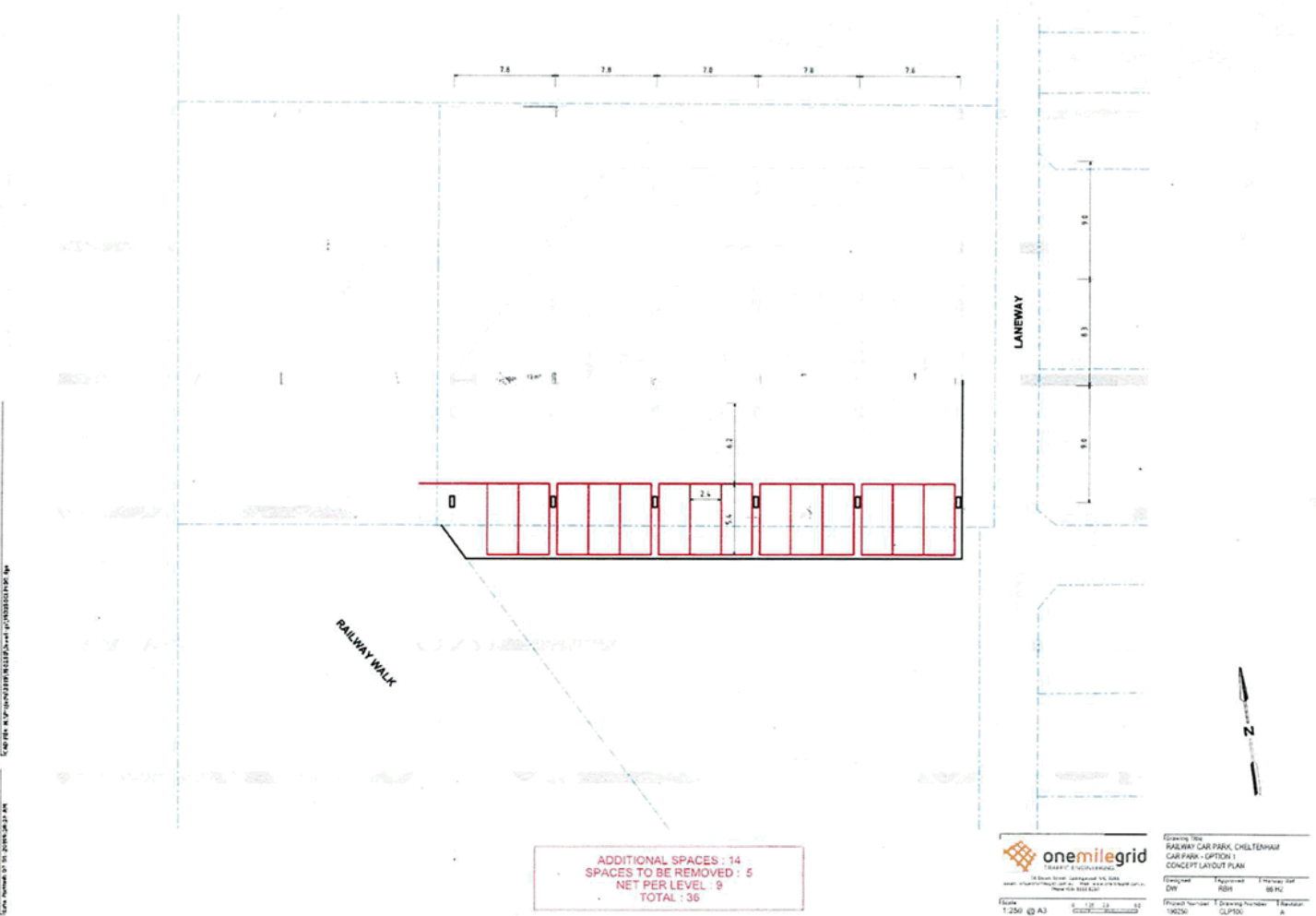
May-19

Total Assets Types	Total Quantities	Unit	Estimated Asset Management Costs (10 year)	Estimated Capital costs	Estimated Fit out Cost	Estimated Commercial Return (10 year)
Shared Use Path	20,500	m2	615,000	5,227,500		
Road pavement, incl. car parking	3,400	m2	272,000	924,800		
Hard Landscaping (excl. Carrum)	1,350	m2	216,000	931,770		
Soft landscaping (excl. Carrum)	3,150	m2	217,350	856,800		
Lighting	40	item	40,000	510,000		
Flood storage at Charman Road	1	item	416,000	374,000		
Drainage	1,900	Lin m	98,800	2,519,400		
Furniture (excl. Carrum)	50	Units	36,400	61,880		
Fencing/ Screens	671	lin m	488,488	1,140,700		
Commercial building - Carrum Foreshore	1	No	39,700	1,275,000	227,000	400,000
Heritage Buildings - Mentone	2	item	119,000	996,200	390,000	400,000
Heritage Buildings - Cheltenham	2	item	119,000	561,000	275,000	150,000
Traffic signals	8	item	262,000	2,312,000		
Carrum revitalisation	Hard landscaping	7,000	m2	1,120,000	25,670,000	
	Soft landscaping	11,000	m2	759,000		
	Furniture	40	Units	145,600		
	Toilets, incl. Changing Places	1	item	50,000		
	Water feature	1	item	15,000		
	Canopies	3	item	45,000		
Arbor	1	item	30,000			
Patterson River bridge	1	item	250,000	29,325,000		
			\$ 5,354,338	\$ 72,686,050	\$ 892,000	\$950,000
		Say	\$5-5.5m	\$70-75m	\$1m	\$1m
		NETT	\$4-4.5m	(asset maintenance cost, less rental return)		

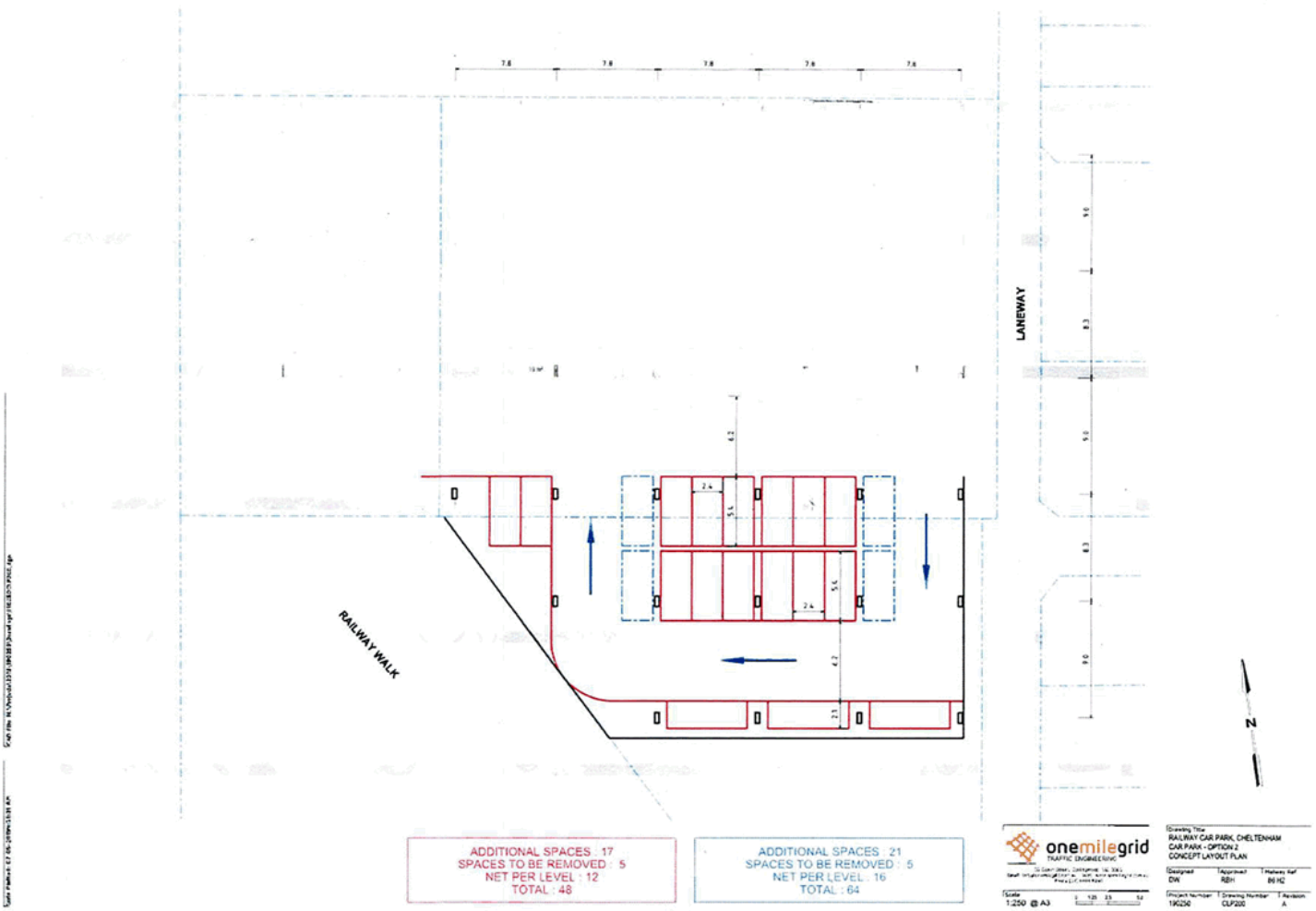
Clarifications;

1. Estimates based on 2018/19 dollars
2. Estimates are order of magnitude only and are not intended to represent exact costs/revenue
3. Quantities are estimates only based on the best available information at this time and are not intended to represent exact figures

Appendix 2 8.2 Level Crossing Removal Project Update - Public Realm and Asset Management - KCC Multi Deck
Carpark Options - May 19

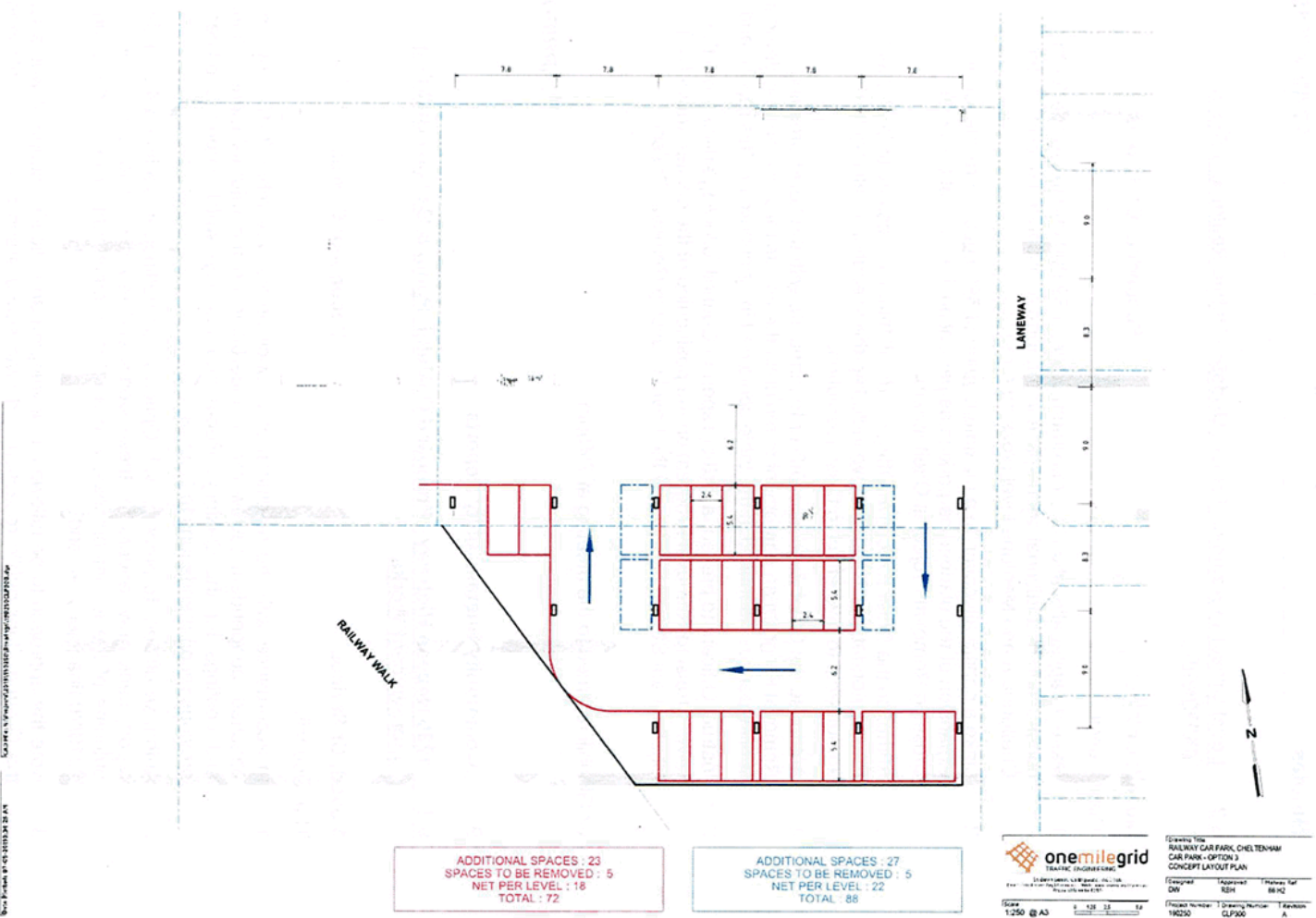


Appendix 2 8.2 Level Crossing Removal Project Update - Public Realm and Asset Management - KCC Multi Deck
 Carpark Options - May 19



Appendix 2

8.2 Level Crossing Removal Project Update - Public Realm and Asset Management - KCC Multi Deck Carpark Options - May 19



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Minutes**27 May 2019**

8.2 Level Crossing Removal Project Update - Public Realm and Asset Management

Moved: Cr West**Seconded: Cr Staikos**

That Council:

1. Make a capital allocation to a maximum value of \$2,000,000 to provide for the construction of additional open space in the form of expanded decking at the Cheltenham and Mentone level crossing removals;
2. Make a capital allocation to a maximum value of \$900,000 to provide for an expansion of the planned carparking as per option 1 as part of the Level Crossing Removal Project at Cheltenham.
3. Authorise the Chief Executive Officer to do all things necessary to implement Recommendations 1 and 2 above including the execution of all required agreements to give effect to these resolutions;
4. Authorise the Chief Executive Officer to formulate with the Level Crossing Removal Program an agreement to maintain the assets following agreed defects liability periods, identified in the table contained in Appendix 1 in this report; and
5. Instruct Officers to present a further report to Council following advice from the Level Crossing Removal Program on the positioning of the eastern (downline) Cheltenham Station Building by the Level Crossing Removal Project.

Cr Gledhill returned to the meeting at 7:45pm.

CARRIED

9. Community Sustainability Reports

9.1 1230 Nepean Highway - Proposed Oakleigh Room & Balcony Building Improvement Works

Moved: Cr Staikos**Seconded: Cr West**

That Council:

1. In accordance with the resolution of Council on 26 November 2018, note the attached independent review report undertaken on the refurbishment options and costings for the Oakleigh Room and balcony, which supports officers' previous recommendations to Council;
2. Authorise officers to proceed with Option 2, as outlined in section 3.4.2 of this report, seek new tenders for these works and report back to Council on the outcome of the tender process, with a view to implementing the works during 2019/20 financial year; and
3. Note the approach to be followed in developing an indicative scope of works for the Ground Floor public reception and civic space areas of the 1230 Nepean Highway building, as outlined in part 3.3.3 of this report, and nominate Councillors Staikos, Brownlees, Eden and Oxley to participate in a proposed ground floor refurbishment working group to guide the refurbishment of customer service and Council chambers areas of the building.

19/168726



CITY OF KINGSTON

19 JUL 2019

 PERMANENT
 1 - 2 YEARS
 3 - 10 YEARS
 11 - 35 YEARS

Ref: COR/19/338283

Mr John Nevins
 Chief Executive Officer
 Kingston City Council
 PO Box 1000
 MENTONE VIC 3194

Dear Mr Nevins

Thank you for your letter of 5 June 2019 confirming Kingston City Council's resolution regarding capital contributions to fund the deck extensions at Mentone and Cheltenham, as well as the carpark expansion at Cheltenham (Council Assets), to be delivered by the Level Crossing Project (LXRP) and the Southern Program Alliance (SPA) as part of the Cheltenham and Mentone Level Crossing Removal Projects (Projects).

I note Council's resolution to provide a capital contribution of \$2,000,000 for the deck extensions at Mentone and Cheltenham, and \$900,000 for the carpark expansion at Cheltenham (both amounts exclusive of GST), and to agree to maintain assets in line with the *Kingston Asset and Maintenance Summary* attached to the Council report.

I am pleased to confirm in-principle agreement to the inclusion of the Council Assets into the scope of works for the Projects, subject to execution by the parties of a Memorandum of Understanding formalising arrangements with respect to the delivery and maintenance of the Council Assets (MOU).

I confirm that the MOU is currently being drafted by LXRP and will be provided to Council for comment soon. LXRP will work closely with Council to finalise the details of the MOU once Council has had a chance to review the draft.

If you have any further queries, please contact Adam Maguire, Project Director SPA on 0418 351 431 or email adam.maguire@levelcrossings.vic.gov.au.

Yours sincerely

Kevin Devlin
 Chief Executive Officer

16/7/2019

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Ordinary Meeting of Council

26 August 2019

Agenda Item No: 12.2

NOTICE OF MOTION NO. 41/2019 - CR GLEDHILL - BAYTRAIL WORKS OVER SUMMER

I move :

That no works be undertaken on the establishment of the Kingston Baytrail between October 31st 2019 and April 6th 2020.

Rationale

The Baytrail project that was resolved on by this Council has been one of the most divisive and damaging issues that the City of Kingston has confronted quite possibly since amalgamation. Whilst there will be differing views on why this is so, the fact remains that it is.

Notwithstanding, Council has resolved to construct a form of the shared pathway that has not been welcomed by the community that will be built. The motivation for this motion is to mitigate the unfavourable impact that the path will have on all stakeholders, at least in the short term. No work should be undertaken on the foreshore precinct unless it is Council's wish to completely deny public access to the entire site; to do anything less is to place at considerable peril that safety of residents and visitors alike which I find unacceptable.

Cr Geoff Gledhill

Officer Comment

Under this motion it is very likely Council would incur holding costs or a claim for compensation for loss of profits. It should also be expected that given the works under this contract have previously been put on hold and then had prices adjusted any further deferral from a probity perspective would likely result in a need to re-tender. This would give rise to a significant delay in works.

Ordinary Meeting of Council

26 August 2019

Agenda Item No: 12.3

NOTICE OF MOTION NO. 42/2019 - CR WEST - LXP TREE REMOVALS AND FAILURE TO REPLACE PARKING SPACES

I move that Council:

1. Expresses deepest concern to the Level Crossings Removal Authority and the State Government for:
 - Failing to honour their undertaking to the communities of Mentone and Parkdale to ensure no net loss of parking facilities for Mentone and Cheltenham Stations;
 - Arbitrarily ordering the removal of hundreds of mature trees, including the flowering gums opposite Mentone Grammar, to make way for parking and other purposes.
2. Respectfully ask the State Government to direct the LXP to:
 - immediately cease the removal of trees pending discussions with Council on alternative means of providing adequate parking;
 - Not remove any more trees than is necessary for the rail under road trench construction for the level crossing north or south of Mordialloc Creek.
 - Note that Council has offered LXP the use of the Kingston Heath Reserve carpark for their staff and construction vehicles during construction.
 - Note that the paved parking LXP is providing alongside the railway line between Mentone and Parkdale does not provide extra or replacement parking as residents were already parking there.
3. Officers urgently consult with residents about removing the four-hour parking restrictions from one side of the roads south of Cheltenham Activity Centre that currently have restrictions on both sides of the road in order to provide more all day parking and prepare a report as soon as possible.

Cr Rosemary West

Officer Comment

Council officers have worked with the Level Crossing Removal Project staff to identify car parking at both Mentone and Cheltenham stations. This is shown in the attached images.

Appendices

Appendix 1 - Revised Car Park Numbers (Ref 19/206962) 

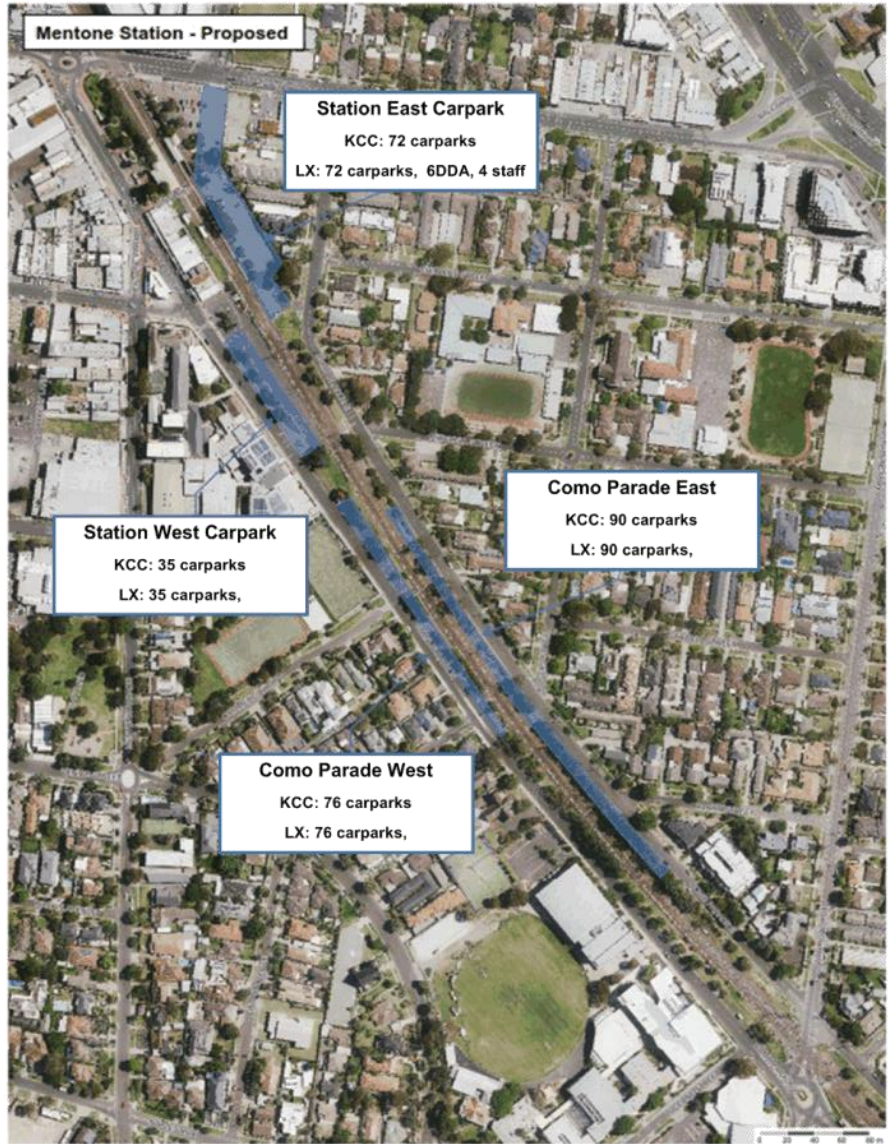
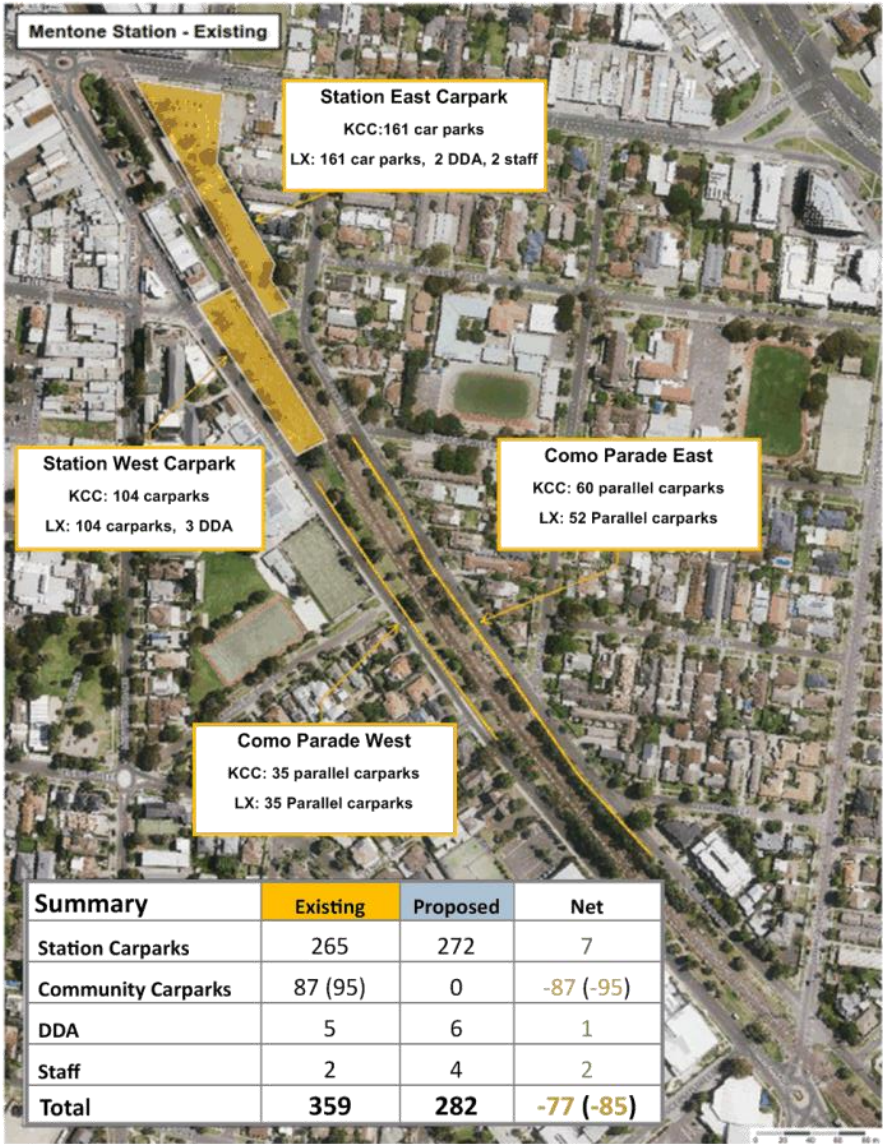
12.3

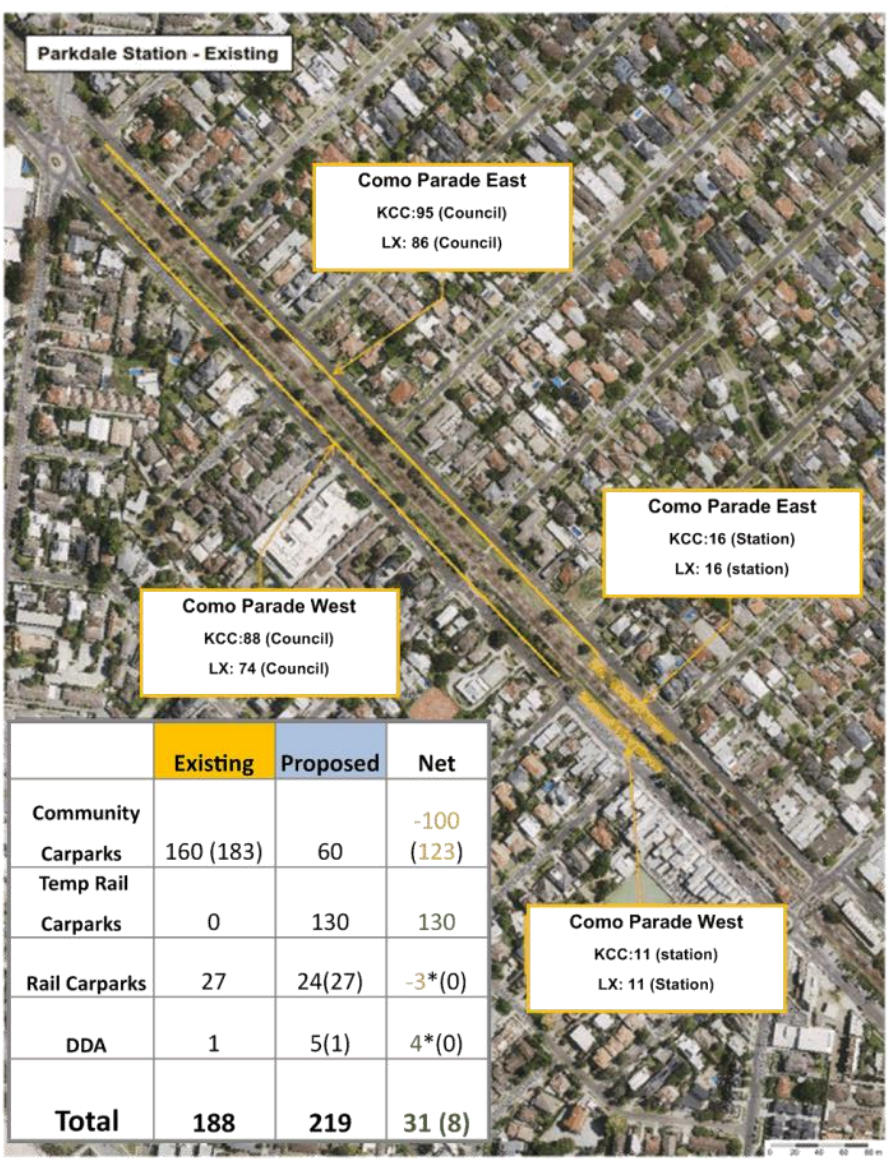
NOTICE OF MOTION NO. 42/2019 - CR WEST - LXRP TREE REMOVALS AND FAILURE TO REPLACE PARKING SPACES

1	Revised Car Park Numbers.....	473
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	Existing	Proposed	Net
Rail Carparks	351	352	1
Community Carparks	38 (113)	68	30(45)
DDA	6	8	2
Staff	2	4	2
Total	359	282	35(-40)





Ordinary Meeting of Council

26 August 2019

Agenda Item No: 12.4

NOTICE OF MOTION NO. 43/2019 - CR GLEDHILL - CCTV CODE OF PRACTICE

I move :

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.

The report should be available within the September cycle.

Cr Geoff Gledhill

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 Final Report to Council: CEO Appointment

Agenda item 14.1 *Final Report to Council: CEO Appointment* is designated confidential as it relates to personnel matters (s89 2a)

14.2 Recycling Contractual Update

Agenda item 14.2 *Recycling Contractual Update* is designated confidential as it relates to contractual matters (s89 2d)

14.3 Notice of Motion No. 44/2019 - Cr West – Proposed Heritage Protection

Agenda item 14.3 *Notice of Motion No. 44/2019 - Cr West – Proposed Heritage Protection* 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)

Confidential Appendices

9.2 Refurbishment of Former Masonic Lodge - Award of Contract

Appendix 1, Tender Evaluation Matrix is designated confidential as it relates to (s89 2d)

9.2 Refurbishment of Former Masonic Lodge - Award of Contract

Appendix 2, Tender Breakdown is designated confidential as it relates to (s89 2d)

10.6 Response to Notice of Motion No. 15/2016 - Cr Brownlees - Planning Policy (Parking and Rear Setbacks) and to Notice of Motion No. 20/2018 Cr Hua - Impact of Multi-Unit Development on Parking

Appendix 2, Car Parking Overlay - Legal Advice is designated confidential as it relates to (s89 2f)

10.8 Response to Notice of Motion No. 26/2019 – Cr Gledhill – Recycling Program

Appendix 2, Confidential Cost Information relating to Recycling Processing

10.9 South East Melbourne Advanced Waste Resource Recovery Facility

Appendix 1, SE Metro Advanced Waste Processing Procurement - Management Deed is designated confidential as it relates to (s89 2d,f)

- 10.9 South East Melbourne Advanced Waste Resource Recovery Facility**
Appendix 2, Maddocks review - AWART Management Deed 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 Final Report to Council: CEO Appointment**
This agenda item is confidential in accordance with the Local Government Act s89(2) as it relates to personnel matters (s89 2a)
- 14.2 Recycling Contractual Update**
This agenda item is confidential in accordance with the Local Government Act s89(2) as it relates to contractual matters (s89 2d)
- 14.3 Notice of Motion No. 44/2019 - Cr West – Proposed Heritage Protection**
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)

Confidential Appendices

- 9.2 Refurbishment of Former Masonic Lodge - Award of Contract Appendix 1, Tender Evaluation Matrix**
This appendix is confidential in accordance with the Local Government Act s89(2) as it relates to (s89 2d)
- 9.2 Refurbishment of Former Masonic Lodge - Award of Contract Appendix 2, Tender Breakdown**
This appendix is confidential in accordance with the Local Government Act s89(2) as it relates to (s89 2d)
- 10.6 Response to Notice of Motion No. 15/2016 - Cr Brownlees - Planning Policy (Parking and Rear Setbacks) and to Notice of Motion No. 20/2018 Cr Hua - Impact of Multi-Unit Development on Parking Appendix 2, Car Parking Overlay - Legal Advice**
This appendix is confidential in accordance with the Local Government Act s89(2) as it relates to (s89 2f)
- 10.8 Response to Notice of Motion No. 26/2019 – Cr Gledhill – Recycling Program Appendix 2, Confidential Cost Information relating to Recycling Processing**
This appendix is confidential in accordance with the Local Government Act s89(2) as it relates to (s89 2d)
- 10.9 South East Melbourne Advanced Waste Resource Recovery Facility Appendix 1, SE Metro Advanced Waste Processing Procurement - Management Deed**

This appendix is confidential in accordance with the Local Government Act s89(2) as it relates to (s89 2d,f)

**10.9 South East Melbourne Advanced Waste Resource Recovery Facility
Appendix 2, Maddocks review - AWART Management Deed**

This appendix is confidential in accordance with the Local Government Act s89(2) as it relates to (s89 2d)