

Agenda

Ordinary Council Meeting

Monday, 24th February 2025

Commencing at 7:00pm
Council Chamber
1230 Nepean Highway, Cheltenham

This is the Agenda for the Council Meeting. For assistance with any agenda items, please call our free interpreting service on 131 450

Αυτή είναι η Ημερήσια Διάταξη της Συνεδρίασης του Δημοτικού Συμβουλίου. Για βοήθεια με οποιοδήποτε θέμα της ημερήσιας διάταξης, καλέστε τη δωρεάν υπηρεσία μας για διερμηνεία στο 131 450

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Это повестка собрания муниципалитета. Если вам нужна помощь с какими-либо пунктами повестки, звоните через бесплатную службу переводчиков по тел. 131 450

Il presente è l'ordine del giorno della seduta di consiglio. Per ricevere assistenza con le voci dell'ordine del giorno, chiamare il nostro servizio di interpretariato gratuito al numero 131 450

Đây là Chương Trình Nghị Sự của buổi Họp Hội Đồng Thành Phố. Để được hỗ trợ về bất kỳ mục nào trong chương trình họp, vui lòng gọi điện thoại đến dịch vụ thông dịch miễn phí theo số 131 450

यह काउंसिल की मीटिंग के लिए एजेंडा है। एजेंडे से जुड़ी किन्हीं चीज़ों के साथ सहायता के लिए, कृपया हमारी निःशुल्क दुभाषिया सेवा को 131 450 पर कॉल करें

Esta es la agenda para la reunión del Ayuntamiento. Para obtener ayuda con los artículos de la agenda, póngase en contacto con nuestro servicio gratuito de interpretación en el 131 450

هذا جدول الأعمال لاجتماع مجلس البلدية. للحصول على المساعدة فيما يتعلق بأي بند من بنود الجدول يُرجى الاتصال بخدمات الترجمة الشفهية المجانية الخاصة بنا على الرقم 131 450

Ito ang Agenda para sa Pagpupulong ng Konseho. Para sa tulong sa anumang item sa agenda, mangyaring tawagan ang aming libreng serbisyo ng interpreting sa 131 450

ACKNOWLEDGEMENT OF COUNTRY

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

Council acknowledges the Bunurong's continuing relationship to the land and waterways and respects that their connection and spiritual identity is maintained through ancient ceremonies, songlines, dance, art and living culture.

Council pays tribute to the invaluable contributions of the Bunurong and other Aboriginal and Torres Strait Island elders who have guided and continue to guide the work we do.

**City of Kingston
Ordinary Council Meeting**

Agenda

24 February 2025

Notice is given that a Meeting of Kingston City Council will be held at Council Chamber, 1230 Nepean Highway, Cheltenham at 7:00pm on Monday, 24 February 2025.

1. Apologies

2. Confirmation of Minutes of Previous Meetings

Minutes of Ordinary Council Meeting 3 February 2025

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

Pickleball Courts

5. Delegates' Reports, Councillor Statements and Presentation of Awards

Nil

6. Question Time

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Explanation of Meeting Procedure



Meeting Procedure is Regulated by the City of Kingston Governance Rules

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

Chairperson

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

Agenda

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

Motions

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

Voting

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

Amendments

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

Speaking at the Meeting

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

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

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

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Explanation of Meeting Procedure



Questions

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

- Submitting an online question form on Council's website by 3.00pm on the day of the Council meeting; or
- Placing a hard copy question form in the Question Box situated in the foyer by 3.00pm on the day of the Council meeting.

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

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

Confidential Business

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

Courtesy to the Mayor

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

Emergency Evacuation of Chamber

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

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

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

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

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Explanation of Meeting Procedure



Do You Have a Hearing Difficulty?

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

Interpreting Service



Recording of Meetings

Council Meetings are recorded and streamed live on the internet.

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

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

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

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Minutes

Ordinary Council Meeting

Monday, 3rd February 2025

kingston.vic.gov.au

Peter Bean
Chief Executive Officer
Kingston City Council



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3 February 2025

The meeting commenced at 7:00pm in the Council Chamber, 1230 Nepean Highway, Cheltenham.

Present: Cr Georgina Oxley (Mayor)
Cr Chris Howe (Deputy Mayor)
Cr Jane Agirtan
Cr Kirralee Ashworth-Collett
Cr Tony Athanasopoulos
Cr Georgia Erevnidis
Cr Chris Hill
Cr Tess Law
Cr Sarah O'Donnell
Cr Caroline White

In Attendance: Peter Bean, Chief Executive Officer
Jonathan Guttman, General Manager Planning and Place
Dan Hogan, General Manager Customer and Corporate Support
Samantha Krull, General Manager Infrastructure and Open Space
Kate Waters, Acting General Manager Community Strengthening
Bernard Rohan, Chief Financial Officer
Kelly Shacklock, Manager Governance, Risk and Integrity
Jessica Baguley, Governance Officer
Gabrielle Pattenden, Governance Officer
Justin Welsford, Media and Communications Advisor

1. Apologies

An apology from Cr Saab was submitted to the meeting.

Moved: Cr Hill

Seconded: Cr Athanasopoulos

That the apology from Cr Saab be received.

CARRIED

FOR: Crs Agirtan, Ashworth-Collett, Athanasopoulos, Erevnidis, Hill, Howe, Law, Oxley, O'Donnell and White (10)

AGAINST: Nil (0)

2. Confirmation of Minutes of Previous Meetings

Moved: Cr O'Donnell

Seconded: Cr Agirtan

That the Minutes of the Ordinary Council Meeting held on 16 December 2024 be confirmed.

CARRIED

FOR: Crs Agirtan, Ashworth-Collett, Athanasopoulos, Erevnidis, Hill, Howe, Law, Oxley, O'Donnell and White (10)

AGAINST: Nil (0)

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

Cr Ashworth-Collett foreshadowed a declaration of a conflict of interest in Item 7.1.

4. Petitions

4.1 Rejection of Proposal to Increase Parking in Showers Avenue, Chelsea

Moved: Cr Howe

Seconded: Cr Agirtan

That the petition be referred to the Chief Executive Officer for response.

FOR: Crs Agirtan, Ashworth-Collett, Athanasopoulos, Erevnidis, Hill, Howe, Law, Oxley, O'Donnell and White (10)

AGAINST: Nil (0)

CARRIED

4.2 Increase the Number of Parking Spaces in Showers Avenue Chelsea

Moved: Cr Howe

Seconded: Cr Agirtan

That the petition be referred to the Chief Executive Officer for response.

FOR: Crs Agirtan, Ashworth-Collett, Athanasopoulos, Erevnidis, Hill, Howe, Law, Oxley, O'Donnell and White (10)

AGAINST: Nil (0)

CARRIED

5. Delegates' Reports, Councillor Statements and Presentation of Awards

Nil

6. Question Time

Question time was held at 7.04pm.

Note: Of the 20 questions received, four were not accepted due to non-compliance with the Governance Rules as they were determined repetitive of a question already answered or exceeded the number of questions permitted. Preambles submitted with questions were not read out. In accordance with clause 39.9 of the Governance Rules, like questions have been grouped together.

Georgia asked,

“Could we please have an update on any proposals for the old Mentone station? Will a new EOI be released or are there any other plans to make sure this fantastic space is being utilised as best it can?”

The Chief Finance Officer provided the following response,

“Council concluded an Expression of Interest campaign in the middle of 2024 and has agreed leasing terms with a new hospitality operator. Announcements will follow shortly. Building designs and plans are currently being reviewed by the landowner (VicTrack). The opening of the new venue is scheduled for mid to late 2025.”

Simon Johnson asked,

“I refer to a report known as “Stop Line” (Stop line) which was published in 2011. The report was made secret by a previous Council. As previous Councils have been briefed on the report, will this Council also be briefed? In the interests of transparency, will this Council consider making the report public, as well as the costs incurred by Council?”

The General Manager Customer and Corporate Support provided the following response,

“Any report deemed confidential or made so by any Council under applicable legislation or legislated powers remains confidential and therefore restricted from further circulation. Confidentiality breaches are an offence under the Local Government Act 2020 for which significant penalties apply.”

Simon Johnson asked,

“Why is Kingston Council spending money on upgrading drainage in Northcliffe Road and Munro Ave Edithvale (Sandpiper Ward) when more urgent works are required to fix Tootal Rd in Dingley”

The General Manager Infrastructure and Open Space provided the following response,

“Road condition audit is undertaken every four years on all Council-managed roads. This determines a priority list for road reconstruction projects. The Tootal Road upgrade requires significant drainage works, which are currently in investigation and concept design.”

Stephen asked,

“What is the purpose, rationale, and what benefit do seniors, diverse ethnic and religious communities of Kingston does displaying the rainbow flag serve specifically during the current cost of living crisis?”

Irina asked,

“Why is Kingston Council flying LGBTQ flags yet again?”

Geoff asked,

“Were the current body of Councillors elected recently consulted about the decision to fly the LGBTQ flag? Who made the decision to fly the LGBT flag at Kingston this year?”

Anna asked,

“Does Council have any legal obligation to fly and display the LGBTQ flag? Has Council received any complaints from the public regarding the flying of the LGBTQ flag?”

The General Manager Community Strengthening provide the following response,

The rainbow flag is currently flying at the Kingston City Hall, Mentone Civic Centre and the Cheltenham Civic Centre to acknowledge and celebrate the annual Midsumma Festival, which concludes on 9 February. The flag is flown as a show of support and inclusion for our LGBTIQ+ community, which in Kingston is estimated to be almost 12,000 adults, inclusive of those in our seniors and multicultural communities. In October 2023 Council adopted the Civic Flag Policy that states “The Rainbow Flag will be flown during the Midsumma Festival and on International Day Against Homophobia, Biphobia, Interphobia and Transphobia (IDAHOBIT). In addition, in 2021, Council resolved to complete the [Rainbow Local Government Pledge commitments](#), which include flying the rainbow flag from Council buildings on LGBTQIA+ awareness days. 17 complaints have been received in relation to the flying of the Rainbow Flag.”

Deborah asked,

“With the election of many independent Councillors who represent the will of the people who voted for them, and who bring back to basics culture and focus to this new Council, will the CEO and management now pull back on organising and spending money on controversial events and actions such as drag story times for children, flag flying for sexual minorities, queer children’s groups and pride marches?”

The General Manager Community Strengthening provided the following response,

“Council is currently developing their Council Plan for 2025-29 and will commence developing the annual budget shortly. The Council Plan and Budget 2025-26 will be considered for endorsement at the Council Meeting in June 2025. Council officers will then implement the Council Plan, in line with the budget.”

Roslyn asked,

“Now that President Donald Trump has been elected in the United States, will Kingston Council take a leaf out of his anti-woke administration and shut down all DEI departments and appointments within the Kingston Council executive and save ratepayers hundreds of thousands of dollars?”

The General Manager Customer and Corporate Support provided the following response,

“The policies and strategies of Kingston City Council are tailored to the aspirations of our duly elected Council for our local community, rather than the views of the President of the United States. Council is committed to the fair representation and participation of all people within the City of Kingston.”

Gil asked

“Has the CEO and executive gone behind the backs of the Councillors and had any contact in any way, to make deals and/or arrangements with private developers and any other entities be they State, Federal or International, regarding Council development plans within the city of Kingston?”

The General Manager Planning and Place provided the following response,

“The Council plays an important role consistent with its Council Plan, in furthering the prosperity of the City. This will routinely involve discussions with a range of parties interested in undertaking further investment in Kingston. The context for then determining whether or not development applications should be supported is governed by the Planning and Environment Act. The Council publishes applications submitted for its consideration on its website and they are routinely advertised if required under the Planning Scheme.”

Lynne asked,

“Can the Councillors please pull the Kingston Council executive into line, and bring them back to see some form of rational practical common sense regarding the nonsense of pursuing extremist Net Zero climate policies which e.g. is making them spend millions of ratepayer money unnecessarily swapping over from perfectly functional gas to all electric in the Council building?”

The General Manager Infrastructure and Open Space provided the following response,

“The Council’s objective to reduce carbon emissions are reflected in its Climate and Emergency Response Plan June 2021. Considerations regarding any changes associated with the appropriateness of the plant and equipment at Councils larger sites will be based on a range of criteria including its age, existing efficiency, energy pricing and carbon reduction objectives.”

Robert asked,

“Were any of the current Councillors who make up the new council, consulted about swapping the Council building on Nepean Highway, at a cost millions of dollars, over from gas to electric?”

The General Manager Infrastructure and Open Space provided the following response,

“The 1230 Nepean Highway building electrification project is currently in the investigation stage. This project was identified as part of the Climate and Ecological Emergency Response Plan which was adopted by the previous Council. The current Council will have opportunity to consider the project through the annual budget process. Community members will also be able to comment on the budget when it is exhibited prior to adoption by Council.”

Marc French asked,

“Why did the Kingston Council planning department not reach out and arrange the collaboration with the owners and designers of the proposed Hella site which was requested by the factory owners opposite and residents in Southern Rd Mentone?”

The General Manager Planning and Place provided the following response,

The Council has previously advised that the application submitted was exempt from public notice under the Planning and Environment Act 1987. This was the reason that consultation has not occurred. Council acknowledge the interest in relation to this matter and have agreed following a recent discussion with the Chicquita Ward Councillor that at key stages of the sites redevelopment, updates will be sent to local residents.”

Elena asked,

“Is it true that the residents and factory owners of Southern Rd Mentone, a quiet and wide street, still have a right to object to, and seek remedy for the potential loss of this current amenity in Southern Road?”

The General Manager Planning and Place provided the following response,

“The application in Southern Road has been determined by the Council. The zoning of the area is well established with part of Southern Road being industrial and the balance being residential. Council had actively explored rezoning the industrial land but was unable to achieve the approval from the State Government to achieve this outcome.”

Rosemary West asked,

“1. What if any replacement of trees illegally removed from Groves Reserve in early 2023 has Council yet undertaken or required the perpetrator to undertake? 2. Can Council please identify which trees on the environmentally significant Coast Banksia Woodland of Groves Reserve have been marked, apparently by the Level Crossings Removal Authority for removal and why?”

The General Manager Planning and Place provided the following response,

“In response to Question 1, the occupier of the land has submitted a landscape plan to Council and Council has requested some additional information. Once this plan is approved the occupier will be responsible for providing replacement planting a responsibility they acknowledge sits with them. In response to Question 2, the Council will contact the Level Crossing Removal Authority and ask that they contact the submitter to provide advice on any proposed tree removal near or within Groves Reserve.”

Tasos asked,

“What is the reason that council staff do not adhere to the council charter and guidelines in answering phone enquiries within the specified 48 hours?”

The General Manager Customer and Corporate Support provided the following response,

“It would be the expectation of the organisation that officers adhere to our customer service standards, notwithstanding exceptional circumstances. I would be happy to take further information from Tasos in order to investigate further.”

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Tasos asked,

“Does Council , once they award a contract to new contractors monitor the quality of service and standard of work is provided?”

The Chief Finance Officer provided the following response,

“Yes. This is the practice.”

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7. Planning and Place Reports

7.1 Town Planning Application Decisions - December 2024

Cr Ashworth-Collett declared a general in this item as prior to becoming a Councillor she submitted feedback in relation to one of the matters listed and left the meeting at 7.17pm prior to any discussion on the matter.

Cr Hill left the meeting at 7:17pm.

Moved: Cr Athanasopoulos

Seconded: Cr Agirtan

That Council note the report of Town Planning Decisions for the month of December 2024.

CARRIED

FOR: Crs Agirtan, Athanasopoulos, Erevnidis, Howe, Law, Oxley,
O'Donnell and White (8)

AGAINST: Nil (0)

Cr Ashworth-Collett returned to the meeting at 7:18pm.

8. Community Strengthening Reports

8.1 Kingston Women of the Year Awards 2025 Nominations and Selection of Winners

Moved: Cr Law

Seconded: Cr O'Donnell

That Council:

1. Confirm the 2025 winners for the Kingston Women of the Year Awards, for the overall Kingston Woman of the Year 2025, and four category winners for each nomination category (Courageous Commitment, Excelling in Arts or Sport, Inspiring Innovation and Success in STEM), as presented in Confidential Appendix 1.
2. Determine, pursuant to Section 125 of the Local Government Act 2020, that the identities of all award winners remain confidential until 7 March 2025, except for the notification of the overall award winner by the Mayor prior to 7 March 2025.

Cr Hill returned to the meeting at 7:18pm.

CARRIED

FOR: Crs Agirtan, Ashworth-Collett, Athanasopoulos, Erevnidis, Hill, Howe, Law, Oxley, O'Donnell and White (10)

AGAINST: Nil (0)

9. Infrastructure and Open Space Reports

9.1 Response to Resolution - Notice of Motion 8/2024 - Electronic Scoreboards

Moved: Cr Hill

Seconded: Cr Erevnidis

That Council:

1. Note the report; and
2. Endorse Option 2 - Refine current approach and develop a Scoreboard Policy, as set out in the report, that will improve the current approach and provide clarity on roles and responsibilities.

CARRIED

FOR: Crs Agirtan, Ashworth-Collett, Athanasopoulos, Erevnidis, Hill, Howe, Law, Oxley, O'Donnell and White (10)

AGAINST: Nil (0)

9.2 Federal Grant Funding – Play Our Way – Bentleigh Greens Soccer Pitch for Women and Girls

Moved: Cr Athanasopoulos

Seconded: Cr Agirtan

That Council:

1. Note the Australian Cyprian Sports and Social Association (Bentleigh Greens Soccer Club) successful application for \$1.5M as part of the Federal Government “Play Our Way” grant program towards a new football/soccer pitch at Kingston Heath Reserve Regional Soccer Complex to support women’s and girls’ participation in football;
2. Endorse the project and support in principle \$800,000 Council funding contribution towards the \$2.5M project in the 25/26 and 26/27 Capital Works Program to fund the shortfall in project cost estimates;
3. Endorse commencement of community engagement on the project and receive a report following engagement.
4. Endorse in principle that officers will develop a Heads of Agreement with the Bentleigh Greens Soccer Club that confirms:
 - a) Bentleigh Greens Soccer Club funding contribution commitment towards the project of \$100,000 through a signed funding agreement with the Bentleigh Greens Soccer Club prior to the commencement of the project construction;
 - b) The terms and conditions of the new lease with the Bentleigh Greens Soccer Club;
 - c) The allocation of women’s and girls’ access to all soccer pitches for training and competition at Kingston Heath Soccer Complex, in line with Council’s Fair Access Policy;
 - d) Requires reporting by the club on the growth in female participation due to this project

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- e) There will be no perimeter fencing that reduces community access when not being used for formal training or games
 - f) The heads of agreement are not to be signed until a report is presented to Council on the outcomes of the community consultation.
5. Note that this project must not limit the use of the existing pitches for women and girls.

CARRIED

FOR: Crs Agirtan, Ashworth-Collett, Athanasopoulos, Erevnidis, Hill, Howe, Law, Oxley, O'Donnell and White (10)

AGAINST: Nil (0)

9.3 CON-24/062 Northcliffe Road (Station Street to Munro Avenue) and Munro Avenue (Bayside Avenue to 50m north of Northcliffe Road), Edithvale - Road Reconstructions

Moved: Cr Ashworth-Collett

Seconded: Cr Agirtan

That Council:

1. Note the outcome of the tender assessment process for Contract No. 24/062 Northcliffe Road (Station Street to Munro Avenue) and Munro Avenue (Bayside Avenue to 50m north of Northcliffe Road), Edithvale – Road Reconstructions, as set out in confidential Appendix 1 attached to this report;
2. Award Contract No. 24/062 Northcliffe Road (Station to Munro) and Munro Avenue (Bayside to 50m north of Northcliffe), Edithvale – Road Reconstructions for the fixed lump sum price of \$3,090,366.34 (exclusive of GST) to VCrete Contractors Pty Ltd; and
3. Approve the allocation of a separate contingency of up to 10% of the contract sum and delegate authority to the CEO or delegate to expend this allowance to ensure the successful completion of the project.

CARRIED

FOR: Crs Agirtan, Ashworth-Collett, Athanasopoulos, Erevnidis, Hill, Howe, Law, Oxley, O'Donnell and White (10)

AGAINST: Nil (0)

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10. Customer and Corporate Support Reports

10.1 Governance and Compliance Report

Moved: Cr Agirtan

Seconded: Cr O'Donnell

That Council:

1. Receive and note the Informal Meetings of Councillors Records at Appendix 1;
and
2. Receive the minutes from the Audit and Risk Committee Appendix 2.

CARRIED

FOR: Crs Agirtan, Ashworth-Collett, Athanasopoulos, Erevnidis, Hill, Howe,
Law, Oxley, O'Donnell and White (10)

AGAINST: Nil (0)

11. Chief Finance Office Reports

Nil

12. Notices of Motion

Nil

13. Urgent Business

There were no items of Urgent Business.

14. Confidential Items

Nil

The meeting closed at 7.34pm.

7. Planning and Place Reports

Ordinary Council Meeting

24 February 2025

Agenda Item No: 7.1

PLANNING APPLICATION DECISIONS REPORT - JANUARY 2025

Contact Officer: Julianne Turner, Acting Coordinator Planning and Place

Attached for information is the report of Town Planning Decisions for the month of January 2025.

A summary of the decisions is as follows:

Type of Decision	Number of Decisions Made	Percentage (%)
Planning Permits	19	66
Notice of Decision	3	10
Refusal to Grant a Permit	0	0
Other - Withdrawn (5) - Prohibited (0) - Permit not required (0) - Lapsed (2) - Failure to Determine (0)	7	24
Total	29	100

(NB: Percentage figures have been rounded)

RECOMMENDATION

That Council note the report of Town Planning Application Decisions for the month of January 2025.

Appendices

Appendix 1 - Town Planning Decisions Report - January 2025 (Ref 25/28268) 

Author/s: Julianne Turner, Acting Coordinator Planning and Place

Reviewed and Approved By: Heidi Heath, Acting Team Leader, Planning and Place

7.1

PLANNING APPLICATION DECISIONS REPORT - JANUARY 2025

1	Town Planning Decisions Report - January 2025.....	9
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Planning Decisions January 2025							
APPL. No.	PROPERTY ADDRESS	SUBURB	APPL. DATE	DATE DECIDED	PROPOSAL DESCRIPTION	DECISION	VCAT/COUNCIL DECISION
KP-2024/550	63 Whatley Street	CARRUM	15/10/2024	2/01/2025	Subdivide the land into two (2) lots and create common property	Notice of Decision	No
KP-2024/295	17 Southern Road	MENTONE	17/06/2024	3/01/2025	The development of three (3) dwellings on a lot in land subject to a Special Building Overlay (SBO)	Permit	No
KP-2007/106/A	1 Amber Court	CHELTENHAM	11/11/2024	3/01/2025	The development of this site for two (2) dwellings	Permit	No
KP-2024/453	88 Mills Road	BRAESIDE	3/09/2024	3/01/2025	The construction of buildings and works, the display of business identification signage and a reduction in the car parking requirement associated with a warehouse	Permit	No
KP-2024/321	22 Collocott Street	MORDIALLOC	28/06/2024	6/01/2025	Construction of two dwellings on a lot	Permit	No
KP-2024/338	16 Anderson Court	MENTONE	8/07/2024	6/01/2025	To construct two (2) dwellings on a lot	Notice of Decision	No
KP-2008/375/A	Shop 1 171-187 Nepean Highway	MENTONE	7/03/2024	6/01/2025	Buildings and works associated with the redevelopment of land for the purposes of a supermarket, speciality shops, variation of car parking requirements, alterations to access to land in Category 1 Road Zone, reduction in bicycle facilities and erect advertising signage	Permit	No
KP-2024/688	Unit 2 55 Bayside Avenue	EDITHVALE	23/12/2024	6/01/2025	The construction of an extension to the existing dwelling	Permit	No
KP-2024/304	1160-1162 Nepean Highway	CHELTENHAM	21/06/2024	6/01/2025	Develop the Land for a new Office Building	Lapsed	No

KP-2024/468	10 Vincent Street	EDITHVALE	11/09/2024	7/01/2025	Subdivide the Land into Four (4) Lots	Permit	No
KP-2024/341	2 10 High Street	MORDIALLOC	8/07/2024	7/01/2025	Extension of existing dwelling on lot less than 300m2	Permit	No
KP-2024/442	27 Mary Avenue	EDITHVALE	30/08/2024	7/01/2025	Development of the land for two (2) dwellings	Permit	No
KP-2020/759	64 Sherwood Avenue	CHELSEA	21/12/2020	7/01/2025	Development of four dwellings	Secondary Consent Application Refused	No
KP-2015/920/A	545A Station Street	CARRUM	7/08/2024	7/01/2025	Develop the land for the construction of one (1) dwelling to the rear of an existing dwelling	Lapsed	No
KP-2024/250	42 Langrigg Avenue	EDITHVALE	20/05/2024	8/01/2025	To construct two (2) or more dwellings on a lot	Notice of Decision	No
KP-2024/674	266A Osborne Avenue	CLAYTON SOUTH	12/12/2024	9/01/2025	Subdivide the land into two (2) lots (boundary realignment)	Permit	No
KP-2023/617/A	8 Ashley Park Drive	CHELSEA HEIGHTS	4/09/2024	9/01/2025	The construction of a self-storage facility and a reduction in the car parking requirement	Permit	No
KP-2024/563	91 Centre Dandenong Road	CHELTENHAM	21/10/2024	10/01/2025	Subdivide the Land into Two (2) Lots	Permit	No
KP-2024/71	11 Randall Avenue	EDITHVALE	27/02/2024	10/01/2025	To construct two (2) or more dwellings (2 dwellings) on a lot and to construct a front fence that exceeds a height of 1.2 metres	Permit	No
KP-2024/335	318 Station Street	CHELSEA	5/07/2024	10/01/2025	To use the land for the purpose of a function centre, to construct and display business identification and internally illuminated signs and to waive the car parking requirements to zero	Permit	No
KP-2024/564	11 Melaleuca Drive	CLARINDA	22/10/2024	10/01/2025	Subdivide the land into two (2) lots	Permit	No

KP-2024/471	14 Elizabeth Street	MENTONE	11/09/2024	10/01/2025	Subdivide the land into four (4) lots and create common property	Permit	No
KP-2018/399/A	85 Nepean Highway	ASPENDALE	29/05/2024	10/01/2025	The development of two (2) dwellings and associated works in accordance with the endorsed plans	Permit	No
KP-2018/382/C	113 McDonald Street	MORDIALLOC	25/09/2024	13/01/2025	Use and Develop the land for a four storey mixed use building in a Special Building Overlay including a Residential Aged Care Facility, Child care centre, Medical centre, Restricted recreation facility (gym), Food and drink premises (café), creation of access to a Road Zone Category 1, reduction of the car parking requirement and to use the land to sell and consume liquor on the premises	Permit	No
KP-2021/769	42-46 Cochranes Road	MOORABBIN	1/11/2021	14/01/2025	USE EXTERNAL HARDSTAND FOR MOBILE STORAGE Reduction of carspaces from 68 - 70	Rejected	No
KP-2023/287	3A Blanche Avenue	PARKDALE	29/05/2023	14/01/2025	1.2M Timber or Metal Slat Fence on the boundary line at the corner of Isabella Street and Blanche Avenue.	Rejected	No
KP-2023/355	1 2-6 Hartwood Court	CHELSEA HEIGHTS	20/06/2023	14/01/2025	Installation of garden shed over one (1) car park space at the rear of the lease premises on common car park area	Rejected	No
KP-2021/920/A	13 Barilla Road	MOORABBIN	14/06/2024	14/01/2025	the construction of two (2) dwellings	Permit	No
KP-2023/699	26 Third Street	PARKDALE	6/12/2023	15/01/2025	Construction of Spa Safety Barrier	Rejected	No

Ordinary Council Meeting

24 February 2025

Agenda Item No: 7.2

KP-2023/697 - 400 STATION STREET, BONBEACH

Contact Officer: Matthew Yeung, Statutory Planner

Purpose of Report

This report is for the Council to consider Planning Permit Application No. KP-2023/697 - 400 Station Street, 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.

RECOMMENDATION

That Council determine to support the proposal and issue a Notice of Decision to grant a permit to develop the land for the construction of seven (7) dwellings at 400 Station Street, Bonbeach, subject to the conditions contained within this report.

This application requires a decision by Council as the application is for five (5) or more dwellings that incorporate one or more double storey dwelling(s) to the rear of the site, with three or more objections.

EXECUTIVE SUMMARY

Address	400 Station Street, BONBEACH VIC 3196
Legal Description	Lot 1 on TP335275C, Lot 1 on TP297983F & Lot 2 on TP20543K
Applicant	Planning Sense
Planning Officer	Matthew Yeung

PLANNING REQUIREMENTS

Planning Scheme	Kingston
Zoning	Clause 32.08 – General Residential 5 Zone
Overlays	Clause 43.02 – Specific Controls Overlay (Schedule 2)
Particular Provisions	Clause 55 – Two or More Dwellings on a Lot and Residential Buildings Clause 52.06 – Car Parking Clause 53.03 – Residential Reticulated Gas Service Connection
Permit Trigger/s	Clause 32.08-7 – To construct two or more dwellings on a lot.

APPLICATION / PROCESS

Proposal	Development of the land for seven (7) dwellings (comprising of two (2) triple storey dwellings and five (5) double storey dwellings)		
Reference No.	KP-2023/697	RFI Received	9/04/2024
App. Received	6/12/2023	App. Amended	S57a – 26/09/2024
Site inspection	Yes (4/12/2024)		
S.52 Advertising	First: 16/04/2024	Advertising Completed	First: 2/05/2024
	Second: 24/10/2024		Second: 11/11/2024
S.55 Referrals	None		
Internal referrals	Yes (VEG, DAE, CMP, TRA, ESD, R&D)		
ESD Summary	The proposal achieves a BESS score of 56 which is considered 'Best Practice'. The proposal also incorporates:		

Summary of Initiatives

Category	Requirement
Management	80% of all construction and demolition waste to be diverted from landfill Separate utility meter for each unit
Water Efficiency	Minimum WELS rating of fittings and fixtures: 4 Star Toilets / 5 Star Taps / 4 Star (6.0-7.5 L/min) Showerhead and 5 Star Dishwasher No irrigation is required after an initial period of establishment for landscaped areas – If irrigation is required, it must be connected to RWT 2,000L tanks for each unit collecting water from part of the roof of each unit – Water to be used for toilet flushing and laundry
Energy Efficiency	Maximum 4 W/m ² lighting density within the dwelling Retractable clotheslines in POS Sensors (motion, daylight, timers) for external lighting Electric heat pump hot water system Minimum 7.0 Star NatHERS rating HVAC system chosen within one star of the best available
Stormwater	Commitment to pay Kingston WSUD contribution for compliance
IEQ	Double Glazing for all habitable room Separate dedicated exhaust fan for all kitchen (range-hood) directly exhausted outside All paint, adhesives, sealants and flooring to be low VOC – refer to Appendix 2 for limits All engineered wood will be low formaldehyde with E0 or better certification
Transport	One bike space per unit – Not installed over the bonnet
Waste	3-bin system (Rubbish, Recycling, FOGO) + Allocation for future glass bin
Urban Ecology	At least 30% of the site is covered with vegetation
Materials	Timber framing if used to be certified PEFC, AFS or FSC – No rainforest timber to be used Steel to be sourced from steel maker with ISO 14001 facility a member of the World Steel Association's (WSA) Climate Action Program (CAP). Carpet and underlay with third-party sustainable certification (GECA, Carpet institute ECS etc.)

Objection(s)
Mandatory Garden area requirement

Five (5) (TRIM checked on 10/1/2025)

Complies

Mandatory Building Height requirement

Complies

Required: 35%

Maximum: 11 metres

Proposed: 40.5%

Proposed: 9.42 metres

Vegetation

Trees > 8m Yes

No. of Trees to be removed (circumference 110cm)

Four (4)

LEGISLATIVE

Covenant/other Restriction

Yes (173 Agreement - AV357714M)

Complies: N/A

Aboriginal Cultural Sensitivity Area

Yes

CHMP

Exempt – Significant ground disturbance has occurred.

Significant Ground Disturbance Assessment prepared by Dr Tim Stone dated September 2023.

Considered Plans

The assessed plans are prepared by Transcend Building Design & Services Pty Ltd; Reference No. 21410-TP; Rev B; Inclusive of sheets 1 to 6; dated 19/09/2024.

1.0 KEY ISSUES

1.1 The main issues arising from this proposal relate to:

- Design, built form and visual bulk.
- Vegetation and landscaping considerations.
- Dwelling density.

2.0 RELEVANT LAND HISTORY

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

3.0 SITE PARTICULARS

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



Image 1: View of Subject Site from Station Street (Site visit 4/12/2024).



Image 2: View of Subject Site from Station Street (Site visit 4/12/2024).

**Allotment
placement &
size**

The subject site is located on the east side of Station Street. The site is irregular in shape with a frontage to 15.25 metres and a side depth of 103.76 metres.

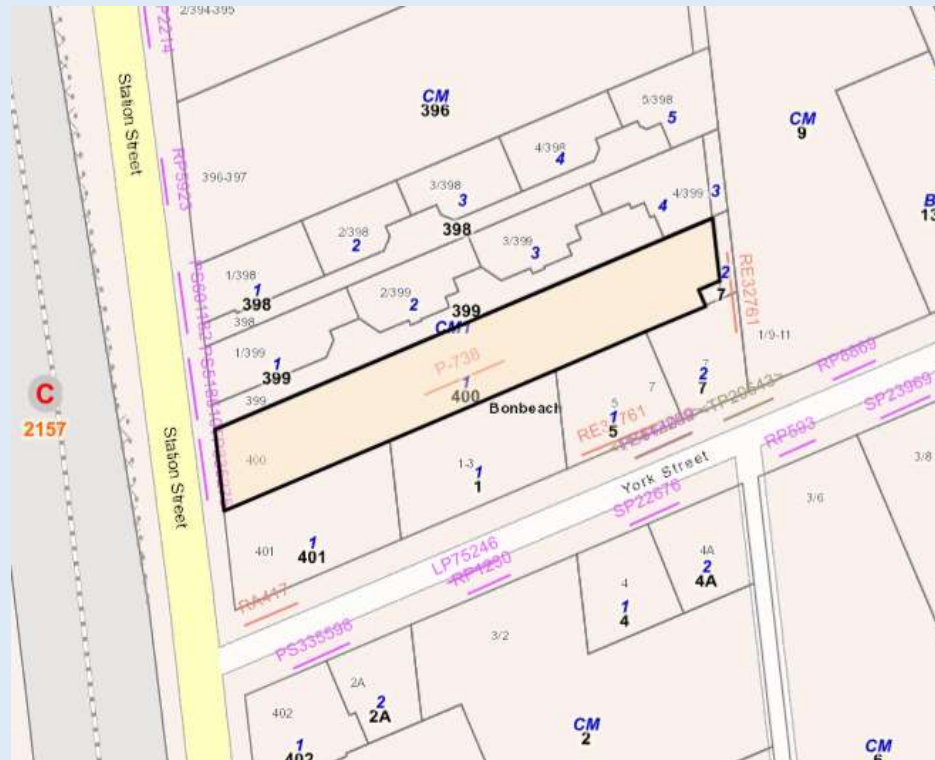



Figure 1: Cadastral map of subject site (source – Land and Survey Spatial Information, Department of Transport & Planning).

Size (m²)	1515m ²	Dimensions	Width: 15.25 metres Length: 103.76 metres
Built form	A single storey, weatherboard/brick veneer, dwelling and associated buildings occupies the land. The existing dwelling is set back 6.5 metres from its front property boundary.		
Topography	The land is generally flat.		
Fencing	Existing 1.8m high timber paling fence.		
Vegetation	<ul style="list-style-type: none"> A large street tree along the Station Street. As shown on the aerial imagery, there is a large amount of vegetation located on the site. The most significant of the vegetation is considered to be trees 7 and 11-14 - Coast Tea Tree (<i>Leptospermum laevigatum</i>) - located centrally and to the rear of the site respectively. 		
			
<p><i>Figure 3: Aerial imagery subject site through Nearmaps satellite (Nearmaps, 2024).</i></p>			
Easement(s)	None.		
Footpath assets / access	<p>Vehicle access to subject site is provided via an existing double width crossover located along Station Street (southeast corner of block).</p> <p>There is one (1) existing medium sized street tree and one (1) power pole located along the nature street, neither of which are impacted by the proposal.</p>		

Covenant(s) /
Restrictions

173 Agreement - AV357714M

The agreement is in relation to KP-2021/209 (5 York Street) – Two lot subdivision and ensuring condition 2b is satisfied.

Condition 2b:

- b) enter into an Agreement with the Responsible Authority under Section 173 of the *Planning and Environment Act 1987* to pay to the Responsible Authority an amount equivalent to five per cent (5 %) of the site value of all land in the subdivision should the site be further subdivided to accommodate more than two (2) dwellings. Council will request a revaluation of the site value at the next anniversary and vary the amount of the payment accordingly. All costs associated with the Agreement will be borne by the landowner.

Figure 4: Screenshot from Planning Permit (KP-2021/209).

The proposal does not breach the requirements within the Section 173 Agreement.

4.0 SURROUNDING LAND

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

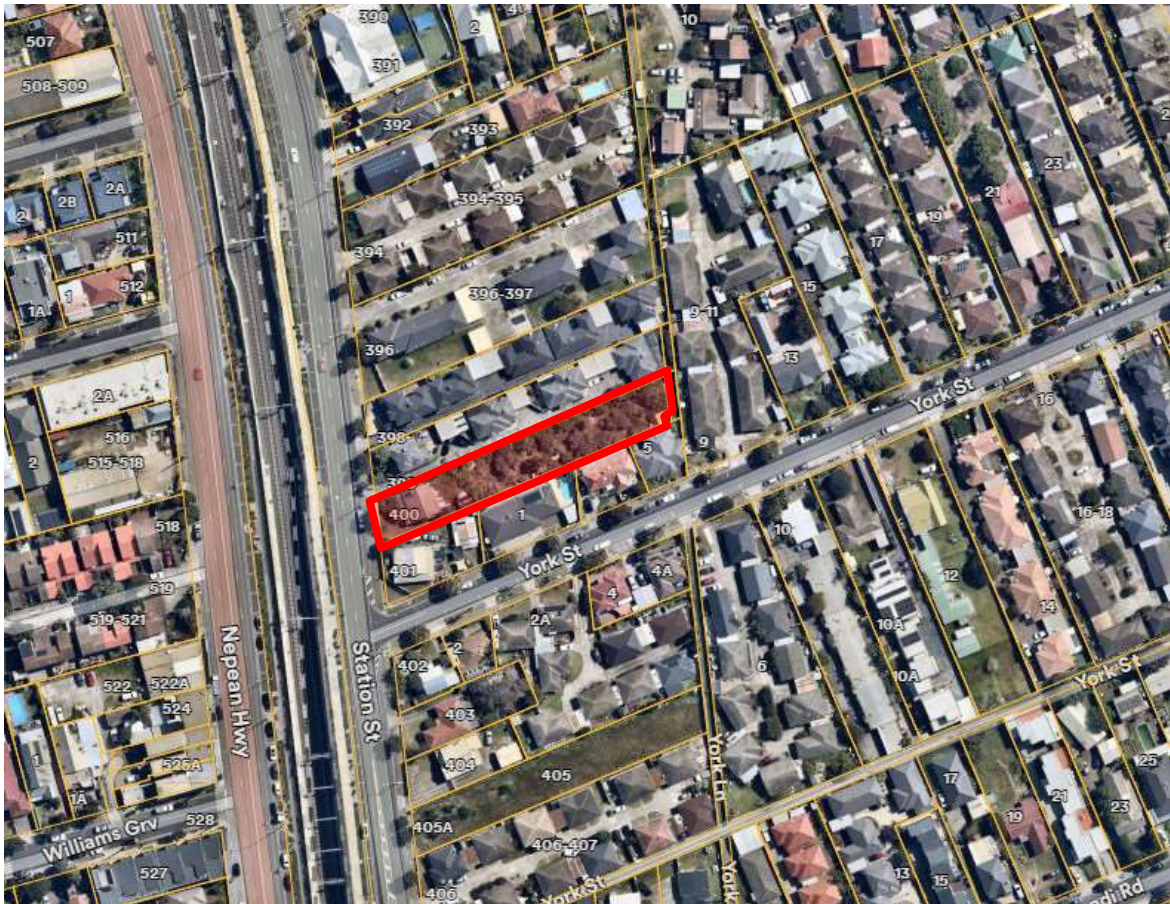


Figure 5: Aerial imagery subject site through Nearmaps satellite (Nearmaps, 2024).

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

North	No. 1,2,3 and 4 of 399 Station Street: Four (4) separate dwellings with a shared driveway. The subject site will have a direct interface to the shared driveway that runs along the common boundary.
East	Set of Units at 9-11 York Street: Eleven (11) single storey attached townhouses with shared vehicle access. The subject site will have a direct interface to the SPOS of Unit 1.
South	<p>No. 401 Station Street: Single storey weatherboard dwelling.</p> <p>No. 1-3 York Street: Single storey brick dwelling.</p> <p>No. 5 York Street: Single storey brick dwelling.</p> <p>No. 7 York Street: Single storey brick dwelling.</p> <p>The subject site has a direct interface to the rear SOS of each of these dwellings.</p>
West	Station Street Streetscape and further west lies the Frankston trainline.
Describe Neighbourhood Character	The subject land is situated in an area of established residential development where units and townhouses are prominent. Large residential blocks accommodate units ranging from single storey units and double storey townhouses. The architectural designs range from traditional pitched gable roof forms with weatherboard/face brick and new contemporary designs that include flat colourbond roof forms and render. Common/shared driveways are typical amongst these unit blocks.

5.0 PROPOSAL

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

Description	<p>It is proposed to develop the land for seven (7) new dwellings with shared vehicle access.</p> <p>The seven (7) dwellings will comprise of two (2) triple storey dwellings that will be located to the front (Dwellings 1 and 2) and five (5) double storey dwellings (Dwellings 3 to 7).</p> <p>All existing vegetation, apart from Tree 7, is proposed to be removed as part of this proposal.</p> <p>(Note: a planning permit is not required for demolition works.)</p>
Storeys	<p>Triple storey: Dwelling 1 and 2.</p> <p>Double storey: Dwellings 3-7.</p>
Maximum building height	9.42 metres
Bedrooms (including study)	<p>D1: 4 Bedrooms</p> <p>D2: 4 Bedrooms</p> <p>D3: 2 Bedrooms</p>

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	D4: 2 Bedrooms D5: 2 Bedrooms D6: 2 Bedrooms D7: 2 Bedrooms		
Car parking	D1: 2 Spaces D2: 2 Spaces D3: 1 Space D4: 1 Space D5: 1 Space D6: 1 Space D7: 1 Space		
Front setback	5.15 metres		
Private Open Space	Dwelling 1 SPOS: 31.4m ² (min 3m) Total POS: 104.3m ²	Dwelling 2 SPOS: 28.6m ² (min 3m) Total POS: 38.6m ²	Dwelling 3 SPOS: 17.9m ² (min 3m) Total POS: 24.5m ²
	Dwelling 4 SPOS: 17.2m ² (min 3m) Total POS: 23.8m ²	Dwelling 5 SPOS: 18.1m ² (min 3m) Total POS: 40.3m ²	Dwelling 6 SPOS: 41.6m (min 3m) Total POS: 54.1m ²
	Dwelling 7 SPOS: 53.2m ² (min 3m) Total POS: 59.2m ²		
Site Coverage	578.5m ² Equivalent to 38.1%		
Garden Area	614m ² Equivalent to 40.5%		
Permeability	41.54%		
Vehicle Access	Upgrading the existing 3m wide crossover that will service all seven (7) dwellings.		
Vegetation removal/retention	<ul style="list-style-type: none"> Removal of an extensive amount of vegetation on the site including Trees 11 to 14 (that are over 110cm in circumference and are protected under City of Kingston's Community Local Law). Retention of Tree 7 (Mature Coast Tea Tree (<i>Leptospermum laevigatum</i>)) 		



Figure 6: Screenshot from Plan of Feature Survey prepared by JCA Land Consultants.

Building materials/ 3D Views



⑥ 3D View 5



⑤ 3D View 4






BUILDING MATERIALS			
ROOF	COLORBOND (22.5° PITCH)	MONUMENT	
GUTTER/FASCIA/DP	COLORBOND	MONUMENT	
WALLS	BRICK VENEER WALLS LIGHTWEIGHT EXTERNAL WALL	BROWN/GREY/BLUE COLOR/ NATURAL WHITE TRANQUIL RETREAT	
	LIGHTWEIGHT EXTERNAL WALL- VERTICLE GROOVED PROFILE	DULUX TICKING	
WINDOWS	ALUMINIUM FRAME	WHITE	

Figure 7,8 and 9: Screenshots taken from proposed plans prepared by Transcend Building Design & Services.

6.0 PLANNING CONTROLS

	Rationale
Zone	<p><u>Clause 32.08 – General Residential Zone (Schedule 5)</u></p> <p>In accordance with Clause 32.08-7, a planning permit is required to construct two or more dwellings on a lot.</p> <p>The purpose of the General Residential Zone is described as follows:</p> <ul style="list-style-type: none"> To implement the Municipal Planning Strategy and the Planning Policy Framework. To encourage development that respects the neighbourhood character of the area. To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport. To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations. <p>Before deciding on an application in the General Residential Zone, the responsible authority must consider, as appropriate:</p> <ul style="list-style-type: none"> The objectives set out in a schedule to this zone. Any other decision guidelines specified in a schedule to this zone. The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55.

Overlays

Clause 45.12 – Specific Controls Overlay (Schedule 2)

The proposal is not specifically impacted by this overlay and the schedule.

SCO2: Station Street/ Bondi Road, Bonbeach Level Crossing Removal Project Incorporated Document (September 2018).

Particular provisions

Clause 52.06 – Car parking

The subject land is included within the Principal Public Transport Network (PPTN).



Figure 10. Subject site within PPTN zone (Kingston City Council Intramaps).

Pursuant to Table 1 of Clause 52.06-5, the following statutory rates apply to the proposal:

Use	Rate	Car parking measure
Dwelling	1	To each one or two bedroom dwellings
	2	To each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedroom)
	1 Or 0 (if within the PPTN)	For visitors to every 5 dwellings for developments of 5 or more dwellings

Clause 52.06-9 also sets out design standards for car parking encompassing accessways, car parking spaces, gradients, mechanical parking, urban design, safety and landscaping. Relevant discussions will be included in the assessment below.

The proposal generates a requirement for nine (9) car parking spaces, one (1) space for D3 to D7 and two (2) spaces for D1 and D2. Each dwelling has a lock up garage. No visitor space is required given the sites location within the PPTN. The proposed development complies with the prescribed car parking requirements.

Clause 53.03 – Residential Reticulated Gas Service Connection

This clause applies to an application for a permit (lodged in 2024 onwards only) under any provision of the Scheme that is for or includes construction of a new dwelling (other than caretaker’s house) or a new apartment development and/or the subdivision of land that provides for or is for one or more purposes that includes residential development.

The purpose of the clause is to prohibit residential reticulated gas connections to new dwellings, new apartment developments and new residential subdivisions.

With respect to the transitional provisions contained within this clause, this clause does and, therefore, mandatory permit conditions must be imposed (refer to condition in the recommendation section of this report).

Clause 55 – Two or more dwellings on a lot

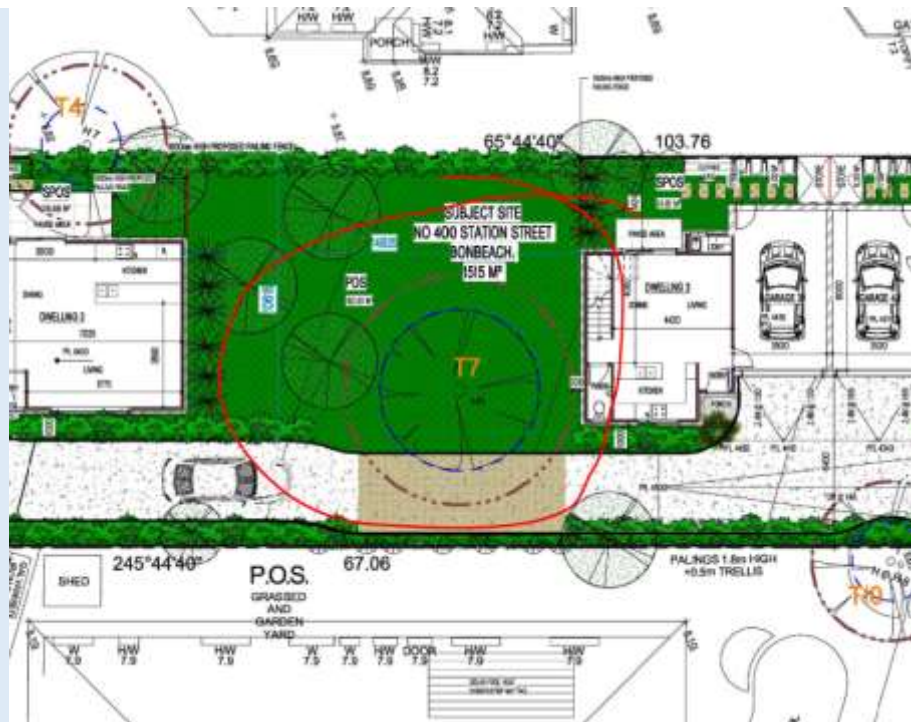
An assessment against Clause 55 is included in the assessment below.

7.0 REFERRALS

Internal Referrals

7.1 The application was referred to the following Council departments for comment:

Department / Area	Comments / Rationale / Recommended Conditions
Vegetation Management Officer	<p>No objection raised, subject to conditions included on any permit issued relating to provision of a landscape plan, tree management and protection plan and street tree protection.</p> <p>It is noted that the Vegetation team have requested the retention of tree 7, which would likely require the deletion of Dwelling 3 in the proposal’s original form.</p> <p>In response to these comments the permit applicant amended the plans by repositioning the dwellings to provide for a large communal open space area centrally in the site, such that Tree 7 can be retained without the need to delete a dwelling. Further details of these amendments are contained later in this report.</p>



(Trim Ref: 24/156426).

Development
Engineer

No objection raised, subject to conditions included on any permit issued relating to stormwater management and water sensitive urban design.

(Trim Ref: 24/125648).

Roads and Drains

No objection raised, subject to conditions included on any permit issued relating to the crossover and footpath design and the Council road network.

(Trim Ref: 23/339086).

Traffic Engineer

No objection raised, subject to conditions included on any permit issued relating to the fence height and compliance with Clause 52.06 – visual plays.

(Trim Ref: 24/400534).

Sustainable
Design Officer

No objection raised, subject to conditions included on any permit issued relating to updated plans (condition 1) to address the final ESD requirements.

(Trim Ref: 24/111669).

Construction
Management

No objection raised, subject to conditions included on any permit issued relating to a Construction Management Plan.

(Trim Ref: 23/342397).

8.0 AMENDMENTS UNDER SECTION 50 / 50A – 57A OF THE ACT

- 8.1 After the proposal had been advertised the application was formally amended on 26 September 2024 in response to the concerns raised by Council’s Vegetation team regarding the retention of Tree 7.

- 8.2 The permit applicant revised the plans by repositioning the dwellings to provide for a large communal open space area, such that Tree 7 can be retained without the need to delete a dwelling. Specifically, the plans provided for the following changes:
- Modification of the development layout to now contain 2 x 4-bedroom dwellings and 5 x 2 bedroom dwellings.
 - Retention of Tree 7 (tea-tree) within a centrally located communal open space area within the development.
 - Permeable paving within the common property driveway where the driveway alignment encroaches towards Tree 7.
 - Provision of numerous canopy tree re-planting opportunities centrally within the development layout.
 - Spatial arrangement of dwellings within the development layout into three (3) buildings.
 - Three (3) storey built form (dwellings 1 & 2) located in the front portion of the subject land.
 - Conventional two (2) storey built form located within the central and rear portions of the subject land.
- 8.3 The revised plans were subsequently advertised and are the decision plans, which form part of the Council's consideration in this assessment.
- 9.0 ADVERTISING**
- 9.1 As noted above the application has been advertised twice in response to the plans being amended after the initial period of advertising. On both occasions the proposal was advertised by sending notices to adjoining and opposite property owners and occupiers and by maintaining a notice on site for consecutive fourteen (14) days.
- 9.2 Following the first period of advertising, five (5) objection(s) to the proposal were received. The valid grounds of objection raised are summarised as follows:
- Neighbourhood character
 - Visual bulk
 - Loss of privacy
 - Overshadowing
 - Parking and traffic concerns
 - Dwelling density concerns
 - Vegetation removal
- 9.3 The following objections raised are not planning considerations:
- Increased street parking
 - Residential noise
 - Boundary fencing issues
- 9.4 Following the advertising of the amended plans there were no new objectors, however two existing objectors submitted further comment essentially reinforcing their previously tabled concerns. No new issues were raised.
- 9.5 A planning consultation meeting was held on (12 June 2024) with Council's planning officer, the permit applicant and three (3) objector(s) in attendance. The above-mentioned issues were discussed at length.
- 9.6 The above concerns were unable to be resolved at the meeting and the objections still stand.

10.0 FURTHER CONSIDERATION / ANALYSIS

10.1 The application considerations have been responded to within the assessment throughout this report.

11.0 RESPONSE TO GROUNDS OF OBJECTION

11.1 The majority of concerns raised by objector(s) have been considered within the assessment throughout this report. Any remaining concerns are addressed as follows:

Ground of Objection	Response
Vehicle manoeuvring/Emergency vehicle access	The permit applicant submitted a traffic swept path assessment prepared by a suitably qualified traffic engineer and this was reviewed by Council's traffic engineer. No concerns were raised and the proposal is considered to be supportable from a traffic perspective.
Insufficient car parking spaces and traffic impacts	The proposed car parking spaces, having regard to the numbers and dimensions, meet the requirements under Clause 52.06 (Car parking) of the Planning Scheme.
Noise impacts	<p>Clause 55.04-8 (Standard B24, Noise impacts objectives) has objectives as follows:</p> <ul style="list-style-type: none"> • <i>To contain noise sources in developments that may affect existing dwellings.</i> • <i>To protect residents from external noise.</i> <p>Importantly, the use of the land for residential purposes is as of right (i.e. Section 1 under the applicable zone controls). Any proposed services (e.g. air conditioning units, heating units, hot water, electrical & gas supplies) are all common features and necessities in residential development and will unlikely create any unreasonable noise impacts.</p> <p>As the development is of residential nature, it is considered that any noise from the development will be typical of a residential area.</p>
Removal of vegetation	Council's vegetation team have reviewed the proposal and the proposed vegetation removal. No objection was raised subject to conditions for re-planting and protection of Tree 7.
Side boundary fence	Side boundary fencing is a civil matter and cannot be addressed under the planning process.

12.0 PLANNING CONSIDERATIONS:

General Provisions

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

Municipal Planning Strategy

- 12.2 **Clause 02 (Municipal planning strategy)** is focused on defining the context of the City of Kingston and sets out visions and strategic directions in line with the strategic framework plans of the municipality.
- 12.3 **Clause 02.01 (Context)** notes that Kingston combines substantial residential areas with vibrant activity centres, agricultural and non-urban green wedge areas, as well as an industrial sector which forms one of the largest and most concentrated manufacturing regions in metropolitan Melbourne.
- 12.4 **Clause 02.02 (Vision)** identifies the Kingston City Council's vision for the city as 'a diverse, dynamic community where we all share a sustainable, safe, attractive environment and a thriving economy'. Relevant to Housing, the Vision calls for greater diversity of housing to be provided; and access to affordable housing to be facilitated.
- 12.5 **Clause 02.03 (Strategic Direction)** sets out the strategic directions for the Kingston municipality in relation to settlement, environmental and landscape values, environmental risks and amenity, natural resource management, built environment and heritage, housing, economic development, transport, and infrastructure.
- 12.6 **Clause 02.03** and the applicable framework plans contained within the **Clause 02.04** (Strategic Framework Plans) provide the context at a municipal level to the policies contained within Clauses 10 to 19 of the Kingston Planning Scheme.
- 12.7 **Clause 02.03-1 (Settlement)** seeks to accommodate the diverse land use needs of the community, emphasising the role of activity centres as a focus to integrating transport and land use planning. It encourages to accommodate increased urban growth in established areas across the municipality, according to environmental constraints and access to services.
- 12.8 **Clause 02.03-5 (Built environment and Heritage)** sets out strategies for improved urban design outcomes, ensures that new residential developments respond appropriately to neighbourhood character and seeks to incorporate environmentally sustainable design into development.
- 12.9 **Clause 02.03-6 (Housing)** identifies the preferred residential development outcomes specific to the different areas found within the municipality, including increased housing diversity areas, incremental housing change areas and minimal housing change areas. Importantly, it sets strategic directions to ensure that new residential developments provide appropriate design response, in context with the policy direction and neighbourhood character.

Planning Policy Framework

- 12.10 The Planning Policy Framework sets out the relevant state-wide policies for residential development at Clauses 11 (Settlement), 15 (Built Environment and Heritage) and 16 (Housing). The provisions within these clauses seek to achieve the fundamental objectives and policy outcomes sought by 'Plan Melbourne 2017-2050: Metropolitan Planning Strategy' (Department of Environment, Land, Water and Planning, 2017).
- 12.11 The settlement policies at **Clause 11** seek to promote sustainable growth and development and deliver choice and opportunity through a network of settlements. Of particular relevance to housing, **Clause 11** promotes housing diversity and urban consolidation objectives in the established urban realm. **Clause 11.02-1S (Supply of urban land)** states that Planning Authorities should plan to accommodate projected population growth over at least a 15 year period, taking account of opportunities for redevelopment and intensification of existing urban areas as well consideration being had for environmental aspects, sustainable development and the costs associated with providing infrastructure. This clause states:

Planning for urban growth should consider:

- *Opportunities for the consolidation, redevelopment and intensification of existing urban areas.*
- *Neighbourhood character and landscape considerations.*
- *The limits of land capability and natural hazards and environmental quality.*
- *Service limitations and the costs of providing infrastructure.*

- 12.12 **Clause 11.01-1R (Settlement – Metropolitan Melbourne)** and **Clause 11.03-1S (Activity centres)** places particular emphasis on providing increased densities of housing in and around activity centres or sites that have good access to a range of services, facilities and transport options.
- 12.13 **Clause 11.02 (Managing Growth)** main directive is to ensure a sufficient supply of land is made available for a variety of purposes, including residential. To achieve this, it takes into account sufficient land availability to meet forecasted demand. **Clause 11.03-1S** places particular emphasis on providing a diversity of housing, including forms of higher density housing, in defined activity centres to cater for different households that are close to jobs and services.
- 12.14 **Clause 15 (Built Environment and Heritage)** aims to ensure the role of urban design, building design, heritage and energy and resource efficiency in delivering liveable and sustainable cities, towns and neighbourhoods. Furthermore, it aims that all new land use and development appropriately responds to its landscape and character, valued built form and cultural context, and protect places and sites with significant heritage, architectural, aesthetic, natural, scientific and cultural value.
- 12.15 Policies pertaining to urban design, built form and heritage outcomes are found at **Clause 15** of the Planning Policy Framework. Of particular significance, **Clause 15.01-1S (Urban design)** and **Clause 15.01-1R (Urban Design – Metropolitan Melbourne)** encourages development to achieve high quality architectural and urban design outcomes that contribute positively to neighbourhood character, minimises detrimental amenity impacts and achieves safety for future residents, and the community, through good design.
- 12.16 The provisions of **Clause 15.01-2L (Environmentally Sustainable Development)** policy applies to the consideration of residential development of 3 or more dwellings (refer to policy guidelines). As required, the application for planning permit was accompanied by a Sustainable Design Assessment (BESS/STORM). The permit applicant submitted an SDA report prepared by Melbourne Sustainability Consultants, dated 2 April 2024 that demonstrates that the proposed development offers a BESS score of 56%.
- 12.17 Further, the ESD assessment was referred to Council's ESD officer who has advised that the proposal broadly satisfies Council's ESD requirements. Additional conditions will be required to be imposed via condition 1 to meet council standards.
- 12.18 It is considered that the commitments expressed in the SDA report coupled with the proposed development plans and dwelling layouts, the proposal is considered to achieve an appropriate best practice ESD standard, meeting the objectives of this policy.
- 12.19 **Clause 15.03-2S (Aboriginal Cultural Heritage)** seeks to ensure the protection and conservation of places of Aboriginal cultural heritage significance.
- 12.20 The Subject Land is identified in an area of Aboriginal Cultural Heritage Sensitivity.

"The Aboriginal Heritage Act 2006 (the Act) and Aboriginal Heritage Regulations 2018 provides for the protection and management of Victoria's Aboriginal heritage with

streamlined processes linked to the Victorian planning system. The Act also provides clear guidance to planners and developers about when, and how, Aboriginal cultural heritage needs to be considered, and in some situations work cannot proceed until compliance is met. Large developments and other high impact activities in culturally sensitive landscapes can cause significant harm to Aboriginal cultural heritage". [Source: DCPD website].

12.21 The permit applicant has sufficiently demonstrated that significant ground disturbance has already occurred to a material (entirety) part of the land. Therefore, it has been established that the proposed activity is exempt from requiring a cultural heritage management plan.

12.22 The permit applicant provided a Significant Ground Disturbance Assessment prepared by Dr Tim Stone (Geomorphologist and Heritage Advisor) dated September 2023.

The findings in the report include:

7. CONCLUSIONS

Based on the results of this assessment, it is concluded that:

- construction of the proposed townhouse development at 400 Station Street, Bonbeach may proceed without any further Aboriginal cultural heritage investigation, or CHMP. The reason is that the land proposed for development has been subject to significant ground disturbance in its entirety and therefore is not an area of cultural heritage sensitivity that requires a CHMP.
- In the unlikely event that items of Aboriginal cultural heritage are uncovered during the course of development, all work at the subject site should cease and the developer, or its contractors, must contact the Heritage Advisor or FP-SR for advice. It is an offence under the *Aboriginal Heritage Act 2006* to harm Aboriginal cultural heritage without written authorization.
- Acumen 400 Pty. Ltd. has the option of undertaking a *voluntary* CHMP, which may be of benefit in case of any unexpected archaeological discoveries.

Figure 11. Page 18 of SGDA Report prepared by Dr Tim Stone.

12.23 Housing objectives are further advanced at **Clause 16 (Housing)** which seek to encourage housing diversity, ensuring the long term sustainability of new housing, including access to services, walkability to activity centres public transport, schools and open space and including the provision of land for affordable housing.

12.24 **Clause 16.01-1S (Housing Supply)** seeks to facilitates a well located, integrated and diverse housing that meets community needs. Higher density housing development is encouraged on sites that are well located in relation to jobs, services and transport. The consideration of ensuring that an appropriate quantity, quality and type of housing is provided to support everyone in the community. Housing should offer diverse choices to meet changing household needs by widening housing diversity though a mix of housing

types while encouraging that development is well designed to provide a high level of internal and external amenity.

- 12.25 **Clause 16.01-1L (Housing Supply)** seeks to promote housing change subject to the capacity of the local area within Kingston, from the Incremental Housing Change, Increased Housing Diversity, Residential Renewal or Minimal Housing Change. The Residential Land Use Framework Plan illustrates the range of housing outcomes sought across the City of Kingston.

- 12.26 These reinforce Planning Policy Framework relevant to housing, stressing the need to encourage urban consolidation in appropriate locations and to accommodate projected population increases. This includes a strategy to support Increased Housing Diversity areas within convenient walking distance of public transport. The policies contained within **Clause 16.01-3S (Housing diversity)** encourage the provision of range of housing types to meet the increasingly diverse needs of the community. Emphasis is placed on development of well-designed medium density housing with respect to neighbourhood character. Further, this Clause aims to make better use of the existing infrastructure and provide more energy efficient housing. **Clause 16.01-4S (Housing affordability)** raises the objective of delivering more affordable housing closer to jobs, transport and services.

- 12.27 **Clause 14.02-2S (Water Quality)** seeks to protect water quality. **Clause 19.03-3L (Stormwater Management)** is applicable to the consideration of medium and large scale developments as specified within the policy. This clause seeks to improve the quality and reduce the impact of stormwater run-off, incorporate the use of WSUD principles in development and to ensure that developments are designed to meet best practice performance objectives.

- 12.28 It is considered that the proposed development generally complies with the above guidelines and policies. It provides for an ability to incorporate WSUD and adequate space to include measures that can be used to reduce run-off. Council’s Drainage Engineer is satisfied with the proposal subject to conditions included on any permit issued, as specified within the officer recommendation.

- 12.29 It is submitted that the proposed development satisfies the aforementioned State strategies and policy direction. Specifically, the subject site is located on land earmarked for residential purposes, whereby residential development is an ‘as of right’ use under the zoning provisions. Subject to appropriate conditions on any permit issued, the development itself achieves an acceptable design outcome for the site and its immediate abuttals, whilst enjoying convenient and direct access to community facilities and the like, including public transport nodes.

- 12.30 It is considered that the proposed development generally complies and satisfies planning policy, which aim to encourage well-designed medium density housing in appropriate locations. A further assessment of the proposal’s measure against stormwater management is found within the Clause 55 assessment, later within this report.

Zoning Provisions

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

Lot Size	Minimum percentage of a lot set aside as garden area
400-500m2	25%

501-650 m2	30%
Above 650 m2	35%

12.32 The proposal in its current format complies with the mandatory garden area requirement. The proposal provides a garden area space of 40.5%, as shown in the trapeze assessment below (Figure 12).

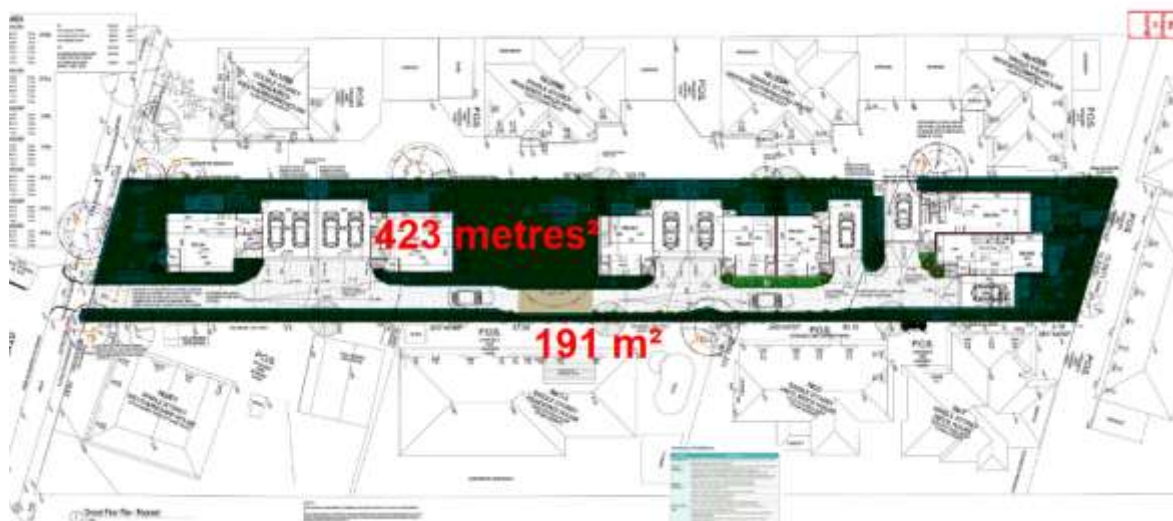


Figure 12. Trapeze assessment of proposed site plan.

13.0 CLAUSE 55 (RESCODE ASSESSMENT)

13.1 The table below outlines an assessment against Clause 55 (Two or More Dwellings on a Lot and Residential Buildings) in a General Residential Zone (Schedule 5).

13.2 If a development meets standard B6, B7, B8, B17, B18, B19, B20, B21, B22, B27, B28, B30 or B32, it is deemed to meet the objective for that standard. Where those standards are met the decision guidelines for that standard do not apply to the application.

13.3 For all other standards the objective and decision guidelines are still applicable if the standard is met. If the standard is not met the development must meet the objective and decision guidelines.

13.4 CLAUSE 55: RESCODE TABLE ASSESSMENT

13.5 Two or more dwellings on a lot and residential buildings in a General Residential Zone – Schedule 5. *****MUST meet the objective, SHOULD meet the standard*****


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

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE
<ul style="list-style-type: none"> To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character. To ensure that development responds to the features of the site and the surrounding area. 		

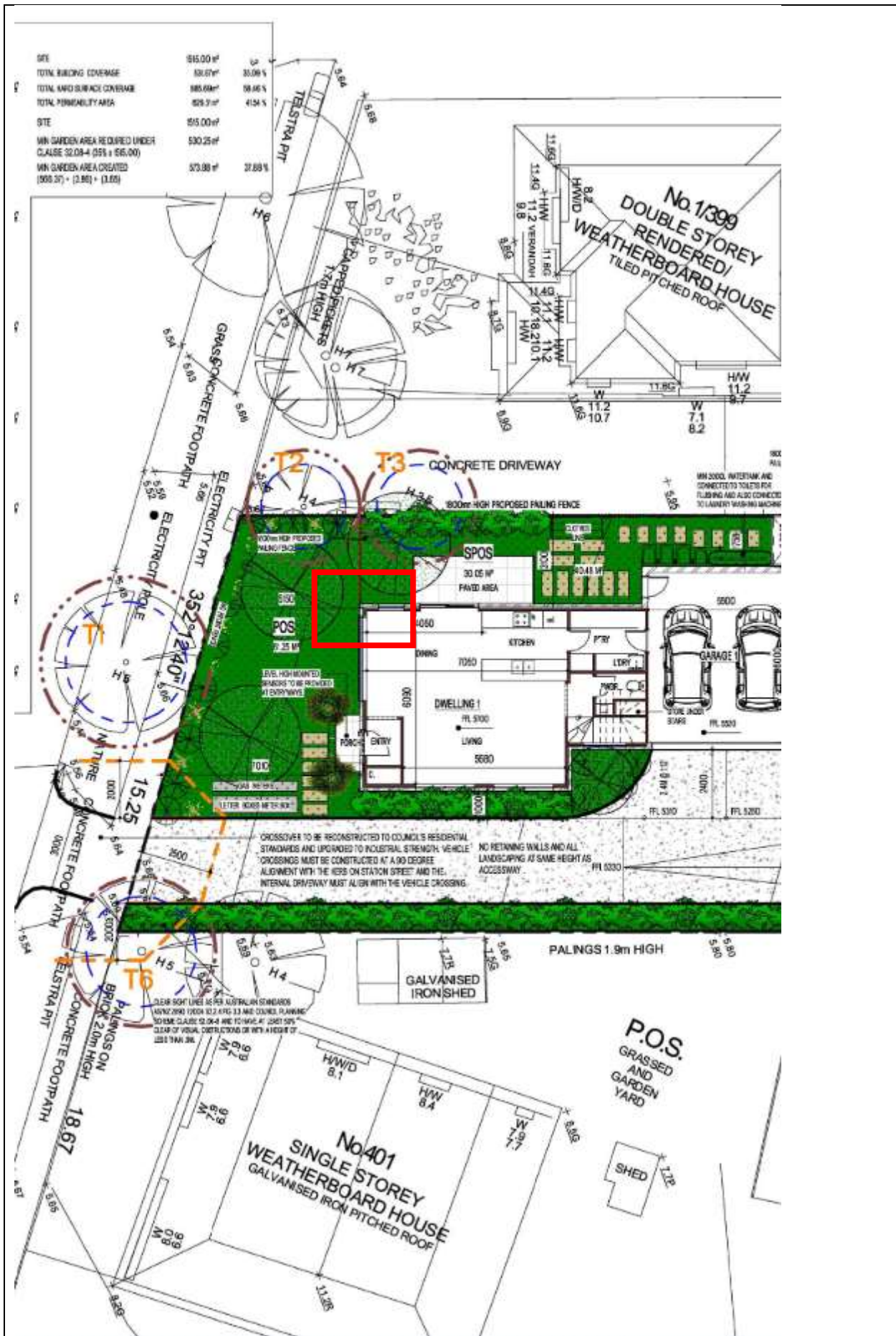
Assessment: The proposal is considered to comply with this standard for the following reasons:

- The subject site is located within the GRZ5 which is listed as Increased Change – Garden Urban Areas. It is considered that the proposal for seven (7) dwellings on this large residential block within close proximity to amenities and public transport is considered to meet the objective of this zone.
- The proposed buildings will be largely commensurate to other buildings within the street.
- The seven (7) dwellings will have appropriate separation and from a visual perspective be consolidated into three (3) buildings to help ensure massing and bulk are minimised.
- The proposal will have a recessed first floor from the front and sides to provide strong articulation between levels.
- The proposed layout of the dwellings is consistent with the existing character, with a shared driveway down the side to facilitate vehicle access.
- The three storey-built form for Dwellings 1 and 2 does not exceed the maximum height allowed under the zone (max. 3 storeys and 11m).
- The proposed front setback is considered responsive to the neighbouring dwellings and general setback rhythm found within the streetscape.
- The proposal respects the amenity of adjoining properties by providing compliant setbacks and only one built-on boundary wall (dwelling 6 garage).



OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE
		
<p>Clause 55.02-2 Residential Policy objectives</p> <ul style="list-style-type: none"> To ensure that residential development is provided in accordance with any policy for housing in the MPS and the PPF. To support medium densities in areas where development can take advantage of public transport and community infrastructure and services. 	<p>Standard B2</p> <ul style="list-style-type: none"> An application must be accompanied by a written statement that describes how the development is consistent with relevant housing policy in the PPF & MPS 	<p>Complies with Standard & Objective</p>
<p>Assessment:</p> <p>The application was accompanied by a written statement that describes how the development is consistent with relevant housing policy in the PPF and MPS. The standard is therefore considered satisfied.</p>		
<p>Clause 55.02-3 Dwelling Diversity objective</p> <p>To encourage a range of dwelling sizes and types in developments of ten or more dwellings.</p>	<p>Standard B3</p> <p>Developments of ten or more dwellings should provide a range of dwelling sizes and types, including:</p> <ul style="list-style-type: none"> Dwellings with a different number of bedrooms. At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level. 	<p>N/A</p>
<p>Assessment:</p> <p>The development is comprised of less than ten (10) dwellings, therefore the standard does not apply. In any event, the proposed dwellings accommodate for a variety of living forms including two/four-bedroom dwellings, meeting the objective.</p>		
<p>Clause 55.02-4 Infrastructure objectives</p> <ul style="list-style-type: none"> To ensure development is provided with appropriate utility services and infrastructure. To ensure development does not unreasonably overload the capacity of utility services and infrastructure. 	<p>Standard B4</p> <ul style="list-style-type: none"> Connection to reticulated services/sewerage, electricity, gas and drainage services Capacity of infrastructure and utility services should not be exceeded unreasonably Provision should be made for upgrading and mitigation of the impact of services or infrastructure where little or no spare capacity exists 	<p>Complies with Standard & Objective</p>
<p>Assessment:</p>		

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE
<p>The proposed development is situated in an established residential catchment where reticulated services including reticulated sewerage, drainage and electricity are available to connect.</p> <p>It is recommended that suitable condition(s) be included on any planning permit issued to address infrastructure considerations.</p>		
<p>Clause 55.02-5 Integration with the street objective</p> <ul style="list-style-type: none"> • To integrate the layout of development with the street. 	<p>Standard B5</p> <ul style="list-style-type: none"> • Provides adequate vehicle and pedestrian links that maintain or enhance local accessibility. • Development oriented to front existing/proposed streets • High fencing in front of dwellings should be avoided if practicable. • Development next to existing public open space should be laid out to complement the open space. 	<p>Complies with Standard & Objective</p>
<p>Assessment:</p> <p>The proposed development provides adequate vehicle and pedestrian links directly from the street and will form part of the local accessibility network.</p> <p>The proposed development is oriented to front the existing streets and does not propose any front fences thereby minimising visual intrusion.</p> <p>The subject site does not abut any existing public open space.</p>		
<p>Clause 55.03-1 Street setback objective</p> <ul style="list-style-type: none"> ▪ To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site. 	<p>Standard B6</p> <p>Walls of buildings should be set back from streets:</p> <ul style="list-style-type: none"> ▪ If no distance is specified in a schedule to the zone, the distance specified in Table B1 <p>Required: 5.35 metres</p>	<p>Variation sought to the standard and meets the objective.</p>
<p>Assessment:</p> <p>The proposed setback is 5.15 metres, 200mm short of the required 5.35m setback and therefore a variation is required. It is considered appropriate to allow this variation as the proposal is considered to meet the objective for the following reasons:</p> <ul style="list-style-type: none"> • A 200mm variation is minor in nature and would not ensure a visually bulky development when viewed from Station Street. • The front boundary of the allotment is angled and therefore only a minor portion of the proposed dwelling does not comply and will require variation. • The proposed garage will not be visible from the streetscape and there will be no front fence which helps create a strong integration between the development and the street. 		



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OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE
Clause 55.03-2 Building height objective <ul style="list-style-type: none"> ▪ To ensure that the height of buildings respects the existing or preferred neighbourhood character. 	Standard B7 Maximum: 11 metres (11 metres and no more than 3 storeys under GRZ5)	Standard met and deemed to comply with objective
Assessment: The maximum building height of 9.42 metres complies with the standard.		
Clause 55.03-3 Site Coverage objective <ul style="list-style-type: none"> ▪ To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site. 	Standard B8 Maximum: GRZ5 - 60%	Standard met and deemed to comply with objective
Assessment: The standard allows for a maximum site coverage of 60%. As shown on the assessed plans, the proposed site coverage is approximately 38.1% of the site (including the dwellings and garages).		
Clause 55.03-4 Permeability objectives <ul style="list-style-type: none"> ▪ To reduce the impact of increased stormwater run-off on the drainage system. ▪ To facilitate on-site stormwater infiltration. 	Standard B9 At least: 20%	Complies with Standard & Objective
Assessment: As measured on the assessed plans, the application proposes permeable surfaces of approximately 41.54% of the site and therefore meets the requirement.		
Clause 55.03-5 Energy Efficiency objectives <ul style="list-style-type: none"> ▪ To achieve and protect energy efficient dwellings and residential buildings. ▪ To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy. 	Standard B10 Orientation, siting & design of buildings should make appropriate use of solar energy. Further, siting & design should ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced. Living areas & private open space should be located on the north side of the development, if practicable. Solar access to north-facing windows is maximised.	Complies with Standard & Objective
Assessment The proposed development is adequately setback from all boundaries to ensure appropriate use of solar energy to the new dwellings without unreasonably affecting the energy efficiency of existing dwellings on adjoining lots. Of particular note is that the proposal is adequately setback from these windows and will not have any unreasonable adverse impact on these windows. This is demonstrated in the assessment below against Standard B19 (Daylight to Existing Windows) and Standard B20 (North Facing Windows). Benefitting the orientation of the subject land, living areas and private open spaces are oriented to the north in order to maximise solar access.		
Clause 55.03-6 Open Space objective	Standard B11 Public or communal open space should: <ul style="list-style-type: none"> ▪ Be substantially fronted by dwellings ▪ Provide outlook for dwellings ▪ Be designed to protect natural features. ▪ Be accessible and useable. 	Complies with the standard and meets the objective.

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE
<ul style="list-style-type: none"> To integrate the layout of development with any public and communal open space provided in or adjacent to the development. 		
<p>Assessment:</p> <p>The proposed communal open space between D2 and D3 will protect the natural features of the site by allowing for the retention of Tree 7.</p> <p>The open space is easily accessible and useable by all dwellings on the site.</p>		
<p>Clause 55.03-7 Safety objectives</p> <ul style="list-style-type: none"> To ensure the layout of development provides for the safety and security of residents and property. 	<p>Standard B12</p> <p>Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways.</p> <p>Planting should not create unsafe spaces along streets and accessways</p> <p>Good lighting, visibility and surveillance of car parks and internal accessways should be achieved.</p> <p>Private spaces should be protected from inappropriate use as public thoroughfares.</p>	<p>Complies with Standard & Objective</p>
<p>Assessment:</p> <p>Dwelling 1 will have an entry point visible from the street and is easily identifiable. The remaining dwellings will be positioned behind dwelling 1 and their respective entry points will be visible from the internal accessway.</p> <p>Planting will be installed within the street setback adjacent to the driveways. It will not create any unsafe spaces along the street as the driveway will be highly visible from the street.</p>		

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE
<p>The proposed communal driveway extends along the southern boundary and is designed to provide a reasonable level of surveillance.</p> <p>Private open spaces including service courtyards and secluded private open areas will be obscured from public views by way of boundary fencing.</p> <p>A condition will be included to ensure sensor lighting is provided to Dwellings 3 and 4 garage/porch area.</p>		
<p>Clause 55.03-8 Landscaping objectives</p> <ul style="list-style-type: none"> ▪ To encourage development that respects the landscape character of the neighbourhood. ▪ To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance. ▪ To provide appropriate landscaping. ▪ To encourage the retention of mature vegetation on the site. 	<p>Standard B13</p> <p>In summary, landscape layout & design should:</p> <ul style="list-style-type: none"> ▪ Protect predominant landscape features of the neighbourhood. ▪ Take into account the soil type and drainage patterns of the site. ▪ Allow for intended vegetation growth and structural protection of buildings. ▪ Provide a safe, attractive and functional environment for residents. <p>In summary, development should:</p> <ul style="list-style-type: none"> ▪ Provide for the retention or planting of trees, where these are part of the character of the neighbourhood. ▪ Provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made. ▪ Specify landscape themes, vegetation (location and species), paving and lighting. 	<p>Complies with Standard & Objective</p>
<p>Assessment:</p> <p>The assessed plans show adequate distance between the street trees and the proposed crossovers.</p> <p><i>Landscaping within the Subject Land</i></p> <p>The proposed removal of all existing trees, except Tree 7, is not opposed by Council's Vegetation team.</p> <p>The proposal allows adequate setbacks from all boundaries creating landscaping opportunities around the perimeter of the development.</p> <p>It is noted that Council's vegetation management officer provided specific guidance in terms of the number and the specifications of the required canopy trees. These requirements will form part of the officer recommendation.</p> <p><i>Third party Trees and Vegetation on Adjoining Land</i></p> <p>Council's vegetation management officer recommended conditions to ensure that trees adjacent to the subject land will not be unreasonably impacted as a result of the development.</p>		
<p>Clause 55.03-9 Access objective</p> <ul style="list-style-type: none"> ▪ To ensure the number and design of vehicle crossovers respects the neighbourhood character. 	<p>Standard B14</p> <p>The width of accessways or car spaces should not exceed:</p>	<p>Complies with Standard & Objective</p>

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OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE
	<ul style="list-style-type: none"> ▪ 33 per cent of the street frontage, or ▪ if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage. <p>No more than one single-width crossover should be provided for each dwelling fronting a street.</p> <p>The location of crossovers should maximise the retention of on-street car parking spaces</p> <p>The number of access points to a road in a Transport Zone should be minimised.</p> <p>Access for service, emergency and delivery vehicles must be provided</p>	
<p>Assessment: The proposal raises no concern with respect to traffic or access related matters.</p> <p>The proposal retains the 3-metre-wide existing crossover that will be re-constructed to council standards and will service all seven (7) dwellings. The combined width results in 19.6% of the frontage and thus complies.</p> <p>The proposed total number of crossovers meets the requirement.</p> <p>The proposed location of crossovers will continue to allow for the provision of on-street car parking spaces adjacent to the existing naturestrip.</p> <p>Access for service, emergency and delivery vehicles can be provided directly from the street.</p>		
<p>Clause 55.03-10 Parking location objectives</p> <ul style="list-style-type: none"> ▪ To provide convenient parking for resident and visitor vehicles. ▪ To protect residents from vehicular noise within developments 	<p>Standard B15 Car parking facilities should:</p> <ul style="list-style-type: none"> ▪ Be reasonably close and convenient to dwellings and residential buildings. ▪ Be secure. ▪ Be well ventilated if enclosed. <p>Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.</p>	Complies with Standard & Objective
<p>Assessment: The proposed parking spaces are close and convenient to their respective dwellings and the proposed garages can be well ventilated.</p>		
<p>Clause 55.04-1 Side and rear setbacks objective</p> <ul style="list-style-type: none"> ▪ To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings. 	<p>Standard B17 A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:</p> <ul style="list-style-type: none"> ▪ 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres. 	Impose permit condition to comply with standard and therefore deemed to comply with objective
<p>Assessment: The proposal will meet the side setback requirements as shown in the trapeze assessment below.</p>		

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE
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It is noted that the rear setback of Dwelling 7 will have a setback of 4.24m which will not comply with the minimum requirement of 5m. Given the rear of the subject site adjoins the primary open space of the abutting dwelling to the east, a condition will be placed on any future permit to ensure the proposal complies with this requirement.



Clause 55.04-2 Walls on boundaries objective	Standard B18	Standard met and deemed to
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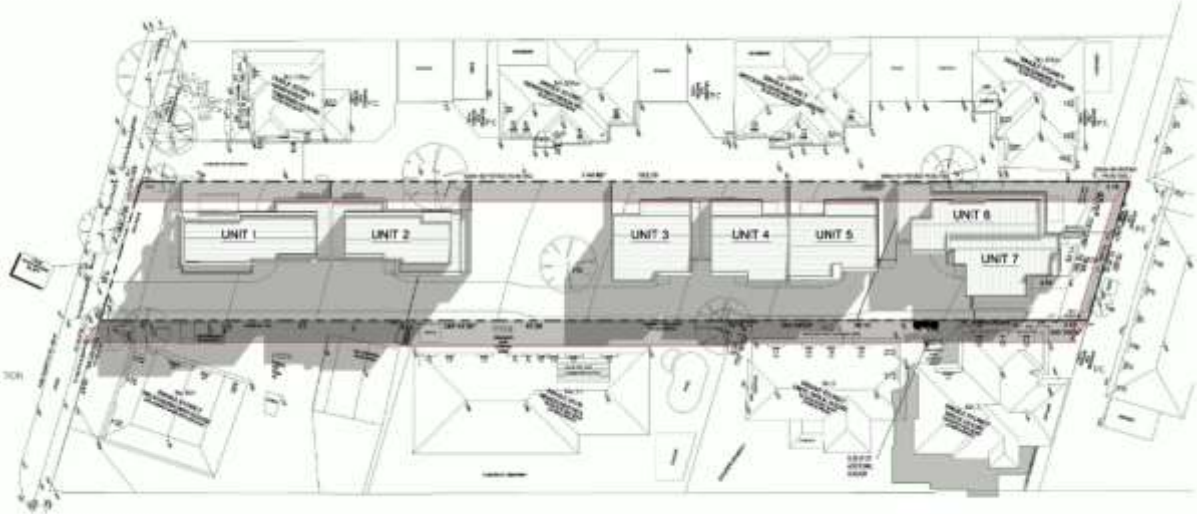
OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE
<ul style="list-style-type: none"> ▪ To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings. 	<p>A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary:</p> <ul style="list-style-type: none"> ▪ 10 m plus 25% of the remaining length of the boundary of an adjoining lot, or ▪ Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater. 	<p>comply with objective</p>
<p>Assessment: Boundary walls are proposed on the north boundary in association with the proposed garage of Dwelling 6. Both the length and height of this wall complies with the standard.</p> <p><u>Permissible length</u> As required by the standard, the permissible length is 33.24 metres. The proposed boundary has a total length of 4 metres and thus complies.</p> <p><u>Permissible heights</u> The standard allows for a maximum wall height of 3.6 metres and an average wall height of 3.2 metres. The proposed wall has a maximum wall height of 3.3 metres and an average wall height of 3.2 metres and thus complies.</p>		

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE
<p>Clause 55.04-3 Daylight to existing windows objective</p> <ul style="list-style-type: none"> To allow adequate daylight into existing habitable room windows. 	<p>Standard B19 Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3m² and minimum dimension of 1m clear to the sky.</p> <p>Walls or carports more than 3m in height opposite an existing habitable room window should be set back from the window at least 50% of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.</p>	<p>Standard met and deemed to comply with objective.</p> <p>Standard met and deemed to comply with objective.</p>
<p>Assessment: Given the axis of the allotment, setbacks and siting of the dwellings, the proposal will not have an unreasonable impact upon daylight to existing habitable room windows of other dwellings.</p>		
<p>Clause 55.04-4 North facing windows objective</p>	<p>Standard B20 Buildings should be setback 1m if an existing HRW is within 3m of the abutting lot boundary (add</p>	<p>N/A</p>

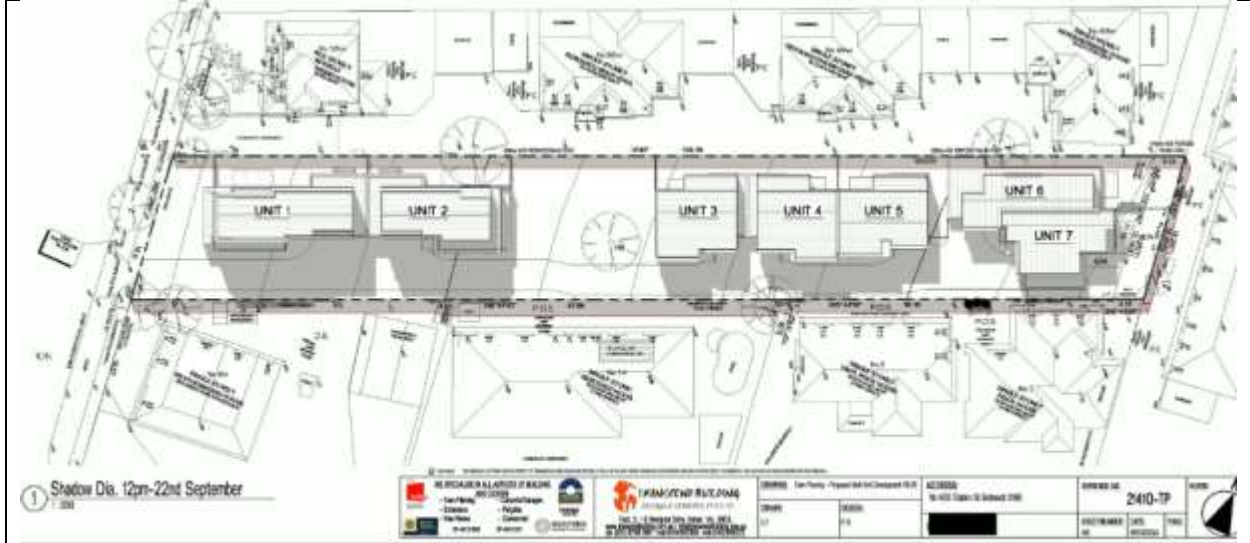
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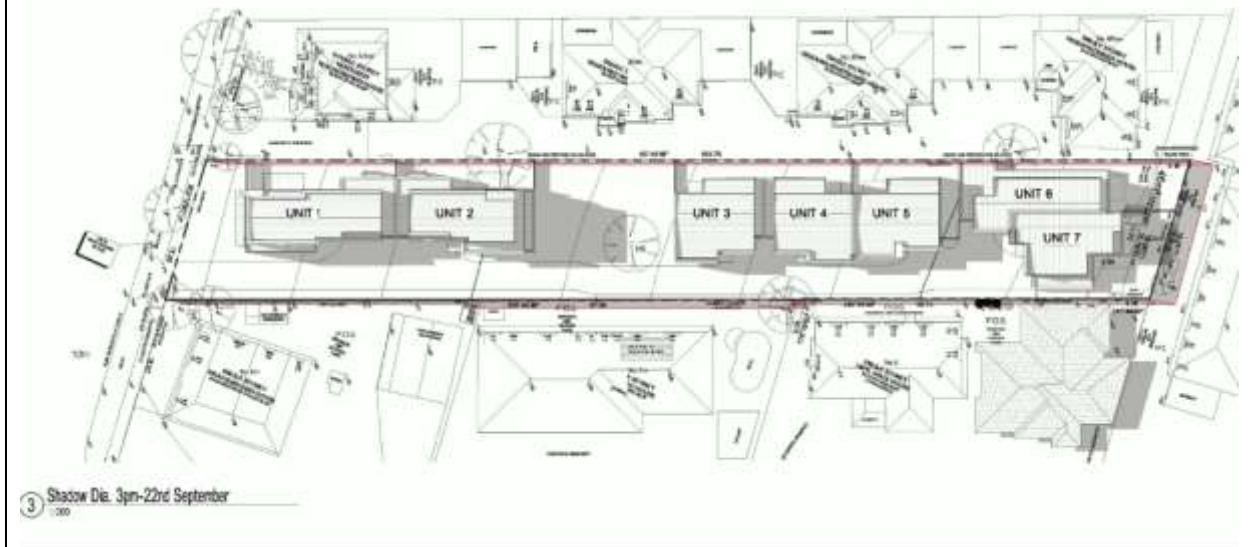
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OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE
<ul style="list-style-type: none"> ▪ To allow adequate solar access to existing north-facing habitable room windows. 	0.6m to this setback for every metre of height over 3.6m & add 1m for every metre of height over 6.9m)	
<p>Assessment: Given the axis of the allotment, there are no north facing habitable room windows with an interface to the subject site.</p>		
<p>Clause 55.04-5 Overshadowing open space objective</p> <ul style="list-style-type: none"> ▪ To ensure buildings do not significantly overshadow existing secluded private open space 	<p>Standard B21 Where sunlight to the SPOS of an existing dwelling is reduced, at least 75%, or 40m² with min. 3m, whichever is the lesser area, of the SPOS should receive a min of 5hrs of sunlight btw 9am & 3pm on 22 September. If existing sunlight to the SPOS of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.</p>	Standard met and deemed to comply with objective
<p>Assessment: The proposed development does not result in an unreasonable level of overshadowing to any existing secluded private open space areas.</p> <p>As shown in the shadow diagrams provided by the permit applicant, the shadows generally fall within the subject site's common driveway.</p> <p>9AM Shadows</p> <div style="text-align: center;">  </div> <p>② Shadow Dia. 9am-22nd September</p>		
<p>12PM Shadows</p>		

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE
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3PM Shadows



<p>Clause 55.04-6 Overlooking objective</p> <ul style="list-style-type: none"> To limit views into existing secluded private open space and habitable room windows. 	<p>Standard B22</p> <p>A HRW, balcony, terrace, deck or patio should be located & designed to avoid direct views into the SPOS of an existing dwelling within 9m (refer to clause for exact specifications). Where within it should be either:</p>	<p>Standard met and deemed to comply with objective.</p>
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OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE
	<ul style="list-style-type: none"> ▪ Offset a minimum of 1.5m from the edge of one window to the edge of the other. ▪ Have sill heights of at least 1.7m above floor level. ▪ Have fixed, obscure glazing in any part of the window below 1.7m above floor level. ▪ Have permanently fixed external screens to at least 1.7m above floor level & be no more than 25% transparent. <p>Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.</p> <p>Screens used to obscure a view should be:</p> <ul style="list-style-type: none"> ▪ Perforated panels or trellis with a maximum of 25% openings or solid translucent panels. ▪ Permanent, fixed and durable. ▪ Designed and coloured to blend in with the development. <p>This standard does not apply to a new HRW, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.</p>	
<p>Assessment: Discuss</p> <p><u>Ground Floor</u> To the north / east / south, the existing fencing exceeds 1.8 metres above the natural ground level and therefore provides suitable screening.</p> <p><u>First Floor</u> Windows that fall below 1.7m in height will be required by condition to be treated/screened in accordance with this standard.</p> <p><u>Second Floor</u> All windows on the second floor have been treated/screened to comply.</p>		
<p>Clause 55.04-7 Internal views objective</p> <ul style="list-style-type: none"> ▪ To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development. 	<p>Standard B23</p> <p>Windows and balconies should be designed to prevent overlooking of more than 50% of the SPOS of a lower-level dwelling or residential building directly below and within the same development.</p>	<p>Complies with Standard & Objective</p>
<p>Assessment: No unreasonable internal overlooking will occur given the layout and orientation of the proposal.</p>		
<p>Clause 55.04-8 Noise impacts objectives</p> <ul style="list-style-type: none"> ▪ To contain noise sources in developments that may affect existing dwellings. ▪ To protect residents from external noise. 	<p>Standard B24</p> <p>Noise sources should not be located near bedrooms of immediately adjacent existing dwellings.</p> <p>Noise sensitive rooms and SPOS of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties.</p>	<p>Complies with Standard & Objective</p>

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OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE
	Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.	
<p>Assessment: The development does not incorporate a central mechanical plant. Air conditioning condensers and hot water systems to individual dwellings are common in residential developments and will unlikely create any unreasonable noise impacts.</p> <p>Any noise from the development and adjacent properties will be typical of residential areas and will not cause any unreasonable impact.</p> <p>The development is sited immediately adjacent the Frankston train line. Accordingly a condition will be imposed requiring all dwellings to have double glazed windows to their living areas and bedrooms.</p>		
<p>Clause 55.05-1 Accessibility objective</p> <ul style="list-style-type: none"> ▪ To encourage the consideration of the needs of people with limited mobility in the design of developments. 	<p>Standard B25 The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.</p>	Complies with Standard & Objective
<p>Assessment: It is considered that the proposed layout and design of dwelling entries can accommodate for people of limited mobility.</p>		
<p>Clause 55.05-2 Dwelling entry objective</p> <ul style="list-style-type: none"> ▪ To provide each dwelling or residential building with its own sense of identity. 	<p>Standard B26 Entries to dwellings and residential buildings should:</p> <ul style="list-style-type: none"> ▪ Be visible and easily identifiable from streets and other public areas. ▪ Provide shelter, a sense of personal address and a transitional space around the entry. 	Complies with Standard & Objective.
<p>Assessment: The proposed entries are visible, easily identifiable and provide a clear sense of personal address.</p>		
<p>Clause 55.05-3 Daylight to new windows objective</p> <ul style="list-style-type: none"> ▪ To allow adequate daylight into new habitable room windows. 	<p>Standard B27 HRW should be located to face:</p> <ul style="list-style-type: none"> ▪ Outdoor space clear to the sky or a light court with a minimum area of 3m² and min. dimension of 1m clear to the sky or ▪ Verandah provided it is open for at least 1/3 of its perimeter, or ▪ A carport provided it has 2 or more open sides and is open for at least 1/3 of its perimeter. 	Standard met and deemed to comply with objective.
<p>Assessment: The proposed development is adequately setback from all side and rear boundaries and provides all proposed habitable room windows an outdoor space clear to sky or a light court as required by the standard.</p>		
<p>Clause 55.05-4 Private open space objective</p> <ul style="list-style-type: none"> ▪ To provide adequate private open space for the reasonable recreation and service needs of residents. 	Standard B28	Variation sought to standard & supported (meets objective)

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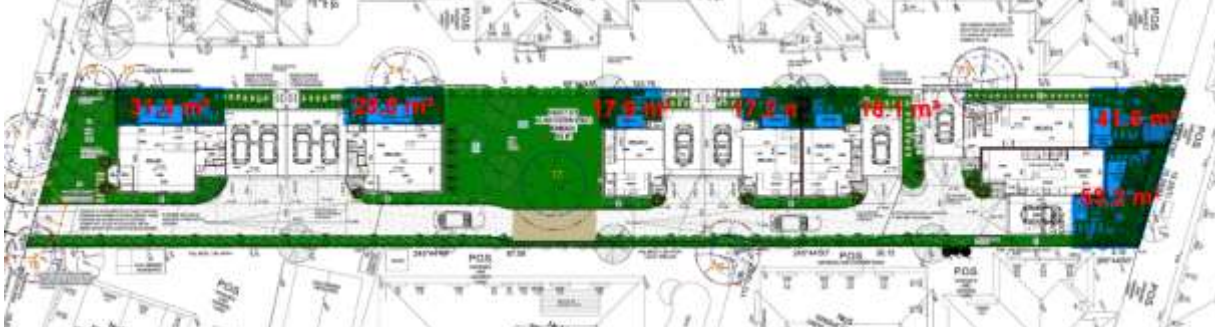
OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE
	<p>A dwelling or residential building should have private open space of an area and dimensions specified in a schedule to the zone.</p> <p>If no area or dimensions are specified in a schedule to the zone, a dwelling or residential building should have private open space consisting of:</p> <ul style="list-style-type: none"> • An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room, or • A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or • A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room. 	

Assessment: As shown in the table below, a variation will be required for D3, D4 and D5 as they will not meet the minimum SPOS/POS requirements. Though such a shortfall is generally not desirable it is considered an acceptable 'trade-off' given the revised design ensures the retention of the most significant tree (Tree 7) on the site.

Therefore the proposal is considered to meet the objective to this standard for the following reasons:

- The proposal will offer a communal POS area in between D2 and D3 with an area of roughly 163m², sufficient for future residents to use this open space for their recreational needs.
- The current SPOS of 17m² to 18m² for D3 to D5 still provides sufficient space for the reasonable recreation needs of residents, particularly considering the smaller, two bedroom nature of these dwellings

Private Open Space	Dwelling 1	Dwelling 2	Dwelling 3
	SPOS: 31.4m ² (min 3m)	SPOS: 28.6m ² (min 3m)	SPOS: 17.9m ² (min 3m)
	Total POS: 104.3m ²	Total POS: 38.6m ²	Total POS: 24.5m ²
	Dwelling 4	Dwelling 5	Dwelling 6
	SPOS: 17.2m ² (min 3m)	SPOS: 18.1m ² (min 3m)	SPOS: 41.6m (min 3m)
	Total POS: 23.8m ²	Total POS: 40.3m ²	Total POS: 54.1m ²
	Dwelling 7		
	SPOS: 53.2m ² (min 3m)		
	Total POS: 59.2m ²		

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE
		
Clause 55.05-5 Solar Access to Open Space <ul style="list-style-type: none"> To allow solar access into the secluded private open space of new dwellings and residential buildings. 	Standard B29 The private open space should be located on the north side of the dwelling or residential building, if appropriate.	Complies with Standard & Objective
	The southern boundary of secluded private open space should be set back from any wall on the north of the space at least $(2 + 0.9h)$ metres, where 'h' is the height of the wall.	N/A
Assessment: The proposed private open space areas are located to the north of the development, providing excellent daylight access. No south facing secluded private open space is proposed as a part of this development.		
Clause 55.05-6 Storage objective <ul style="list-style-type: none"> To provide adequate storage facilities for each dwelling. 	Standard B30 Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.	Standard met and deemed to comply with objective
Assessment: A 6 cubic metre storage space is provided within the private open space of each dwelling.		
Clause 55.06-1 Design Detail objective <ul style="list-style-type: none"> To encourage design detail that respects the existing or preferred neighbourhood character 	Standard B31 The design of buildings, including: <ul style="list-style-type: none"> façade articulation and detailing Window and door proportions, Roof form, and Verandahs, eaves and parapets, should respect the existing or preferred neighbourhood character. Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.	Complies with Standard & Objective
Assessment: Within the immediate area there is a strong mix of contemporary development spread amongst older residential buildings that feature bricks and terracotta pitched or gabled roof forms. Newer developments are typically recognised by the use of render finishes and other materials in muted colours. The proposed development incorporates contemporary design features comprising render finishes in muted colour scheme, feature panelling, black window frames and obscure and clear glazing. With regard to roof form, flat or low-pitched roofing forms are noted as contributing design feature in recently approved multiple dwelling developments. As such, the proposed flat roof is considered a positive response to newer developments. In terms of the proposed fenestration, the front façade of the proposed development features generously sized windows and glazed doors. This arrangement will improve façade articulation and positively respond to the street.		

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OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE
<p>The lock up garages are visually compatible with the dwellings and will not be visible from the street.</p> <p>Overall, the proposal incorporates a combination of design elements that form part of the existing and emerging character of the area and is considered a respectful design response.</p>		
<p>Clause 55.06-2 Front fences objective</p> <ul style="list-style-type: none"> ▪ To encourage front fence design that respects the existing or preferred neighbourhood character. 	<p>Standard B32</p> <p>The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties.</p>	<p>N/A</p>
<p>Assessment:</p> <p>No front fencing is proposed as part of this development application.</p>		
<p>Clause 55.06-3 Common property objectives</p> <ul style="list-style-type: none"> ▪ To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained. ▪ To avoid future management difficulties in areas of common ownership. 	<p>Standard B33</p> <p>Developments should clearly delineate public, communal and private areas.</p> <p>Common property, where provided, should be functional and capable of efficient management.</p>	<p>Complies with Standard & Objective</p>
<p>Assessment:</p> <p>The proposed common property encompasses the communal driveway and shared landscaping strips along the street frontage and the driveway. It is considered functional, well-designed and capable of efficient management through an owner's corporation arrangement.</p> <p>Furthermore, the communal private open space area between D2 and D3 is also considered functionally designed and capable of efficient management through an owner's corporation arrangement.</p>		
<p>Clause 55.06-4 Site services objectives</p> <ul style="list-style-type: none"> ▪ To ensure that site services can be installed and easily maintained. ▪ To ensure that site facilities are accessible, adequate and attractive. 	<p>Standard B34</p> <p>Dwelling layout and design should provide sufficient space and facilities for services to be installed and maintained efficiently and economically. Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.</p>	<p>Complies with Standard and Objective</p>
<p>Assessment:</p> <p>The proposed dwelling layout and design provide sufficient space to accommodate facilities and services within the development and can be managed efficiently and economically.</p> <p>The mailboxes are incorporated into the front setback and can be easily accessible and maintained as required.</p> <p>Bin storage is provided within the courtyards and obscured from the street view.</p>		

14.0 CONCLUSION:

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

- 14.2 As outlined above, it has been determined that prior to deciding on this application all factors pursuant to section 60(1) of the Act have been considered. Further to this, the proposal does not give rise to any significant social and economic effects.
- 14.3 The proposed development is considered appropriate for the Site, subject to conditions, as evidenced by:
- The compatibility of the design and siting with the surrounding area;
 - The mitigation of off-site amenity impacts;
 - A suitable level of compliance with all relevant policies, including **Clause 55** of the Kingston Planning Scheme; and,
 - The retention of the most significant tree on the site and the ability to provide for substantial replacement vegetation.

15.0 RECOMMENDATION

- 15.1 That Council determine to support the proposal and issue a Notice of Decision to Grant a Permit to develop the land for the construction of seven (7) dwellings at 400 Station Street, Bonbeach (Lot 1 on TP335275C, Lot 1 on TP297983F & Lot 2 on TP20543K), subject to the following conditions:

Amended Plans

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions. The plans must be substantially in accordance with the advertised plans prepared by Transcend Building Design & Services Pty Ltd; Reference No. 21410-TP; Rev B; Inclusive of sheets 1 to 6; dated 19/09/2024., but modified to show:
 - (a) Dwelling 7 to be setback a minimum of 5m from the rear boundary.
 - (b) All first and second floor habitable room windows, other than those providing direct access to a deck, be fixed and obscure to a height of 1.7m above floor level.
 - (c) Vehicle crossings be constructed at a 90 degree alignment with the kerb on Station Street and all internal driveways must align with the existing / proposed vehicle crossing.
 - (d) Notation that 'The vehicle crossing must be reconstructed to council's residential standards but upgraded to industrial strength'.
 - (e) A minimum 2,000L rainwater tank for each new dwelling and connected to toilets for flushing.
 - (f) The crossover to incorporate visual splays in accordance with Clause 52.06-9.
 - (g) The surface material of all driveways, accessways and car parking spaces nominated in all-weather coloured concrete sealcoat, or similar.
 - (h) Motion sensor lighting to each dwelling's entry and driveway/garage area for Dwelling 3 and Dwelling 4.
 - (i) A notation stating that dwellings will achieve a minimum 7-star average NatHERS rating.
 - (j) Provide openable windows or operable skylights to the stairs on the top floor of each unit to allow stack ventilation through the stairs on hot days.
 - (k) Bathrooms and ensuites have an openable window, operable skylight or exhaust fans with humidity sensors to prevent condensation and future mould issues.

- (l) Provide daylight access to all garages via a skylight, glazed door to the POS or translucent garage door panels.
- (m) Annotation on plans specifying double glazing to all living areas and bedrooms.
- (n) Provide appropriate shading devices to all north, east and west facing glazing of habitable rooms.
- (o) Provide Electric Vehicle charge points with the provision of a minimum 32A dedicated circuit from switchboard to garage.
- (p) Space for 4 bins must be shown on plans for each unit – one for general waste, co-mingled recycling, FOGO (Food and Organic waste) and, in future, glass recycling.
- (q) All roofs, walls and exposed concrete driveway to be specified with light coloured or reflective finishes / materials (Solar Reflective Index >50 or Solar Absorptance<0.6) to help mitigate the urban heat island effect.
- (r) The location of tree protection measures illustrated to scale and labeled on the Ground Floor Plan as per the endorsed Tree Management Plan.
- (s) Notation that the Open Space Areas between Dwelling 2 and 3 be retained as landscaped communal open space.
- (t) Notation that ‘The driveway within the TPZ of Tree 7 is to be set 500mm from the side boundary and is to be completely permeable and built completely above natural grade, unless otherwise with written consent from Council’s Vegetation Department.’
- (u) Notation that ‘The driveway within the TPZ of Tree 7 is to utilize a permeable surface that incorporates large voids into the surface. A cross-sectional diagram showing the driveway’s surface and sub-base layers in relation to NGL, is to be included on the Ground Floor Plan.’
- (v) Any changes as required by Condition 5.
- (w) A landscape plan in accordance with the submitted development plans and the City of Kingston Landscape Plan Checklist, with such plans to be prepared by a suitably qualified landscape professional and incorporating:
 - i. A planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;
 - ii. A survey, including, botanical names of all existing trees to be retained or removed on the site including Tree Protection Zones for trees to be retained calculated in accordance with AS4970-2009;
 - iii. A survey including botanical names, of all existing trees on neighbouring properties where the Tree Protection Zones of such trees calculated in accordance with AS4970-2009 fall partially within the subject site;
 - iv. The delineation of all garden beds, paving, grassed area, retaining walls, fences and other landscape works;
 - v. A range of plant types from ground covers to large shrubs and trees, provided at adequate planting densities (e.g. plants 1 metre width at maturity planted 1 metre apart); with the species chosen to comprise of a minimum 80% coastal indigenous species by plant type and total quantities;
 - vi. Two (2) indigenous canopy trees capable of growing to minimum mature dimensions of 12 metres in height and 6 meters in width planted in the front setback of Dwelling 1; with one (1) indigenous canopy tree capable of growing to similar mature dimensions planted in the rear setback of Dwelling 6;

- vii. Four (4) indigenous canopy trees capable of growing to minimum mature dimensions of 12 metres in height and 6 meters in width planted in the communal open space between Dwelling 2 and 3;
- viii. One (1) indigenous canopy tree capable of growing to minimum mature dimensions of 8 metres in height and 5 meters in width planted in the SPOS of Dwelling 1, 2, 3, 4 and 5; with two (2) indigenous trees capable of growing to similar mature dimensions planted in the SPOS of Dwelling 7;
- ix. One (1) indigenous canopy tree capable of growing to minimum mature dimensions of 6 meters in height and 4 meters in width planted in the garden-bed between the driveway and the stairwell of Dwelling 1, and in the garden-bed between the driveway and the fenced SPOS of Dwelling 5;
- x. All trees provided at a minimum of 2 metres in height at time of planting, medium to large shrubs to be provided at a minimum pot size of 200mm;
- xi. Notes regarding site preparation, including the removal of all weeds, proposed mulch, soil types and thickness, subsoil preparation and any specific maintenance requirements;
- xii. Tree protection measures including for street trees accurately drawn to scale and labelled as per the endorsed Tree Management Plan;

Endorsed Plans

- 2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
- 3. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.

Trees to be retained

- 4. Tree 7 (Coast Tea Tree (*Leptospermum laevigatum*)) as shown on endorsed plans must be retained and must not be removed, destroyed or lopped unless with consent from the Responsible Authority.

Tree Management and Protection Plan

- 5. Concurrent with the endorsement of plans, a Tree Management Plan prepared by a suitably qualified arborist in accordance with AS4970-2009, must be submitted to and be endorsed by the Responsible Authority and incorporating:
 - a) A Tree Management Plan (written report) must provide details of:
 - i) The Tree Protection Zone and Structural Root Zone, calculated in accordance with AS4970-2009, for all trees to be retained on the site and for all trees on neighbouring properties where the Tree Protection Zone falls partially within the subject site.
 - ii) The location of tree protection fencing, or ground protection where required, provided in accordance with AS4970-2009.
 - b) A Tree Protection Plan (scale drawing) must provide details of:
 - i) Specifications for the tree protection fencing, or ground protection where required.
 - ii) Stages of development at which inspections are required to ensure tree protection measures are adhered to must be specified.
 - iii) How excavation impacts, including soil level changes, on trees to be retained will be managed.

- iv) Proposed footings and construction methods for any buildings or structures within the Tree Protection Zone nominated on the Tree Protection Plan.
 - v) How the canopy of trees nominated on the Tree Protection Plan will be protected.
 - vi) Maintenance of the area(s) within the Tree Protection Zone in accordance with AS4970-2009.
 - vii) Any pruning to be undertaken being in accordance with AS4373-2007.
 - viii) Any other measures required to demonstrate the successful ongoing retention and viability post-construction of any trees nominated on the Tree Protection Plan.
6. All protection measures identified in the Tree Management Plan must be implemented, and development works undertaken on the land must be undertaken in accordance with the Tree Management Plan, to the satisfaction of the Responsible Authority.
7. Prior to the commencement of works, the name and contact details of the project arborist responsible for implementing the Tree Management Plan must be submitted to the Responsible Authority.
8. All trees identified on the TMP must be protected during works.

Street Tree

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

Drainage and Water Sensitive Urban Design

10. Unless with the prior written consent of the Responsible Authority, before the development commences, the following Integrated Stormwater Management documents must be prepared, by a suitably qualified person, to the satisfaction of the Responsible Authority.
- a. Stormwater Management/drainage (drainage) Plan(s) must be prepared, with supporting computations, showing the stormwater (drainage) works to the nominated point of discharge. The plan(s) must show all details of the proposed stormwater (drainage) works including all existing and proposed features that may have impact on the stormwater (drainage) works, including landscaping details.
 - b. The Stormwater Management (drainage) Plan must address the requirements specified within Council's "Civil Design requirements for Developers – Part A: Integrated Stormwater Management".
 - c. A STORM modelling report with results demonstrating water sensitive urban design treatments that achieve Victorian best practice objectives with a minimum 100% rating must be provided as part of the Stormwater Management (drainage) Plan to the satisfaction of the Responsible Authority. These may include the use of an infiltration or bio-retention system, rainwater tanks connected for reuse, or other treatments to the satisfaction of the Responsible Authority.
 - d. The water sensitive urban design treatments as per conditions 10a, 10b & 10c above must be implemented on-site, unless an alternative agreement for stormwater quality in-lieu contribution is reached with the Responsible Authority.

11. Stormwater/drainage works must be implemented in accordance with the approved stormwater management/drainage plan(s) and to the satisfaction of the Responsible Authority including the following:
 - a. All stormwater/drainage works must be provided on the site so as to prevent overflows onto adjacent properties.
 - b. The implementation of stormwater/drainage detention system(s) which restricts stormwater discharge to the maximum allowable flowrate of 16.5L/s.
 - c. All stormwater/drainage works must be maintained to the satisfaction of the Responsible Authority.

Sustainable Design Assessment

12. Prior to the endorsement of the plans required by condition 1. The re-submission of the sustainable design assessment (SDA) prepared by MS Consultants dated 2nd April 2024 must be submitted to and approved by the Responsible Authority. The sustainable design assessment must include, but is not limited to, detailing initiatives for stormwater harvesting, insulation, building materials, daylighting, collective rainwater tanks and/or individual rainwater tanks, public and private landscape irrigation and car washing, energy efficient concepts, glazing and internal ventilation and the like.

Construction Management

13. Prior to the commencement of any buildings and works on the land, a construction management plan (CMP), to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority. The construction management plan must be prepared in accordance with the City of Kingston Construction Management Policy and Construction Management Guidelines. The construction management plan must specify and deal with, but is not limited to, the following elements:
 - (a) Public safety, amenity and site security.
 - (b) Traffic management.
 - (c) Stakeholder management.
 - (d) Operating hours, noise and vibration controls.
 - (e) Air quality and dust management.
 - (f) Stormwater and sediment control.
 - (g) Waste and materials re-use.

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

Infrastructure and Road Works

14. Any relocation of pits/power poles or other services affected by this development must be relocated to the satisfaction of the relevant servicing authority and the Responsible Authority, at the cost of the owner/developer.
15. Property boundary and footpath levels must not be altered without the prior written consent from the Responsible Authority.
16. Any reinstatements and new/modified vehicle crossovers must be constructed to the satisfaction of the Responsible Authority.
17. The replacement of all footpaths, including offsets, must be constructed to the satisfaction of the Responsible Authority.
18. Any redundant vehicle crossovers must be removed (including redundant portions of vehicle crossovers) to the satisfaction of the Responsible Authority.

Residential Reticulated Gas Service Connection

19. Any new dwelling allowed by this permit must not be connected to a reticulated gas service (within the meaning of Clause 53.03 of the relevant planning scheme). This condition continues to have force and effect after the development authorised by this permit has been completed.
20. Any new apartment development allowed by this permit must not be connected to a reticulated gas service (within the meaning of Clause 53.03 of the relevant planning scheme). This condition continues to have force and effect after the development authorised by this permit has been completed.

General Amenity

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

Completion of Works

24. Prior to the occupation of the dwellings hereby permitted, all buildings and works and the conditions of this permit must be complied with to the satisfaction of the Responsible Authority, unless with the further prior written consent of the Responsible Authority.
25. Prior to the occupation of the dwellings hereby permitted, the landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority. Thereafter, the landscaping shall be maintained (except where that landscaping is on public land) to the satisfaction of the Responsible Authority.

Permit Expiry

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

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

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

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

Note: Prior to the commencement of the development, you are required to obtain the necessary building permit.

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


**City of Kingston
Ordinary Council Meeting**

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24 February 2025

- Note:** The applicant/owner must provide a copy of this planning permit and any endorsed plans to any external contractor to ensure that all trees to be retained on site are protected during any works.
- Note:** Before removing or pruning any vegetation from the site, the applicant or any contractor engaged to remove any vegetation, should consult Council's vegetation management officer to verify if a Local Laws permit is required for the removal of such vegetation.
- Note:** Any landscape plan prepared in accordance with conditions must comply with Council's Landscape Checklist.
- Note:** The allocation of street numbering and addressing of properties is vested in Council. Any reference to addressing or dwelling/unit/apartment and street numbers or street names on any endorsed plan is indicative only. The onus is on the permit applicant/land owner to contact Council's property data department to determine the official dwelling/unit/apartment street numbers, street name details and the like for the approved development in writing to property@kingston.vic.gov.au.
- If the permit applicant/land owner adopts the street numbering or addressing from the endorsed plans, or where advertising and/or sales transact (off the plan) prior to Council's official allocation of the street numbering and addressing, it will be viewed to be non-compliant with the guideline and standard applied (Australian/New Zealand Standard for Rural & Urban Addressing / AS/NZS 4819:2011).
- Note:** The owner(s), occupiers and visitors of the development allowed by this permit may not be eligible for Council resident or visitor parking permits.
- Note:** All buildings and works must be carried out in accordance with the approved Cultural Heritage Management Plan as required by the Aboriginal Heritage Act 2006. A copy of the approved CHMP must be held on site during the construction activity.
- Note:** Separate approval (vehicle crossing permit) is required from Council's infrastructure department (roads and drains) for all new, repairs or changes to existing vehicle crossovers. This permit does not guarantee the suitability of the location or number of any vehicle crossovers. It is strongly advised that you ensure all new, repaired or altered vehicle crossovers are designed in accordance with Kingston City Council's Vehicle Crossing Policy, noting that only one (1) vehicle crossover is permitted per property post development.

Appendices

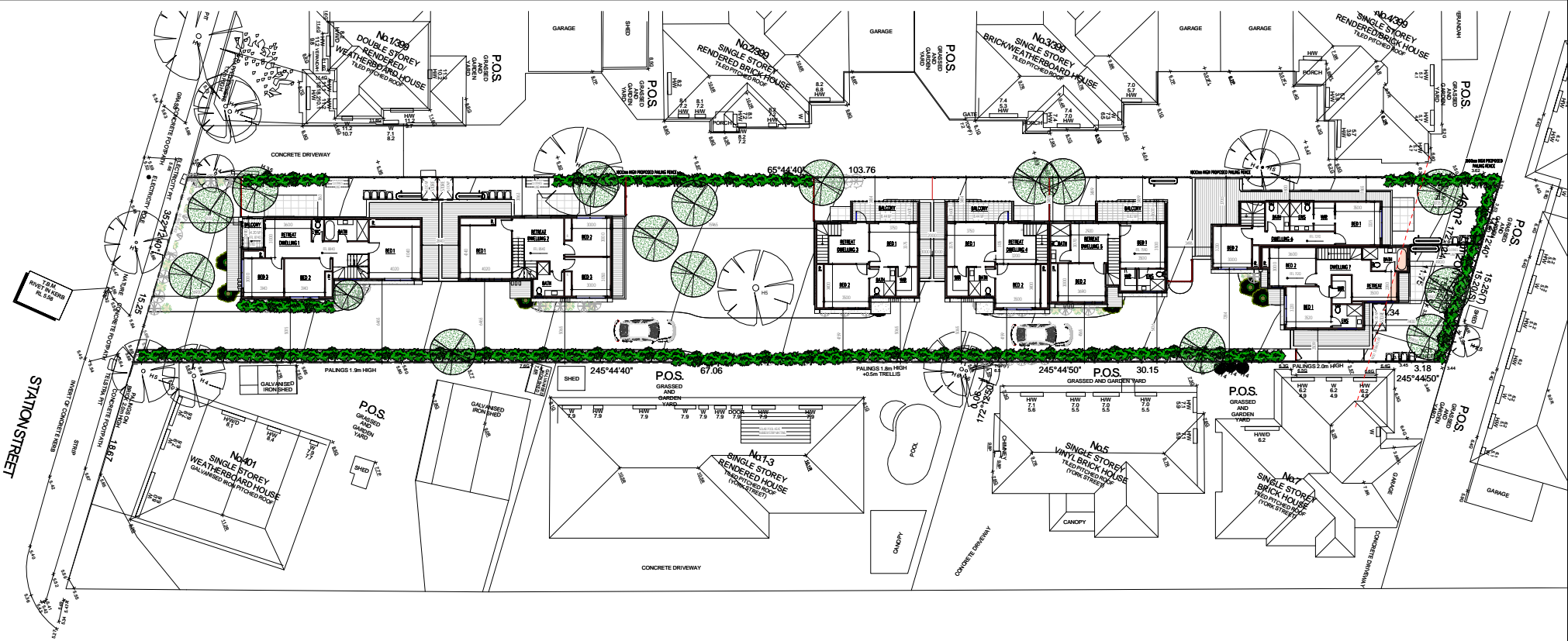
Appendix 1 - KP-2023/697 - 400 Station Street, Bonbeach - plans for consideration (Ref 24/450480) 

Author/s: Matthew Yeung, Statutory Planner
Reviewed and Approved By: Craig Tate, Team Leader Statutory Planning
Jaclyn Murdoch, Manager City Development

7.2

KP-2023/697 - 400 STATION STREET, BONBEACH

1	KP-2023/697 - 400 Station Street, Bonbeach - plans for consideration	61
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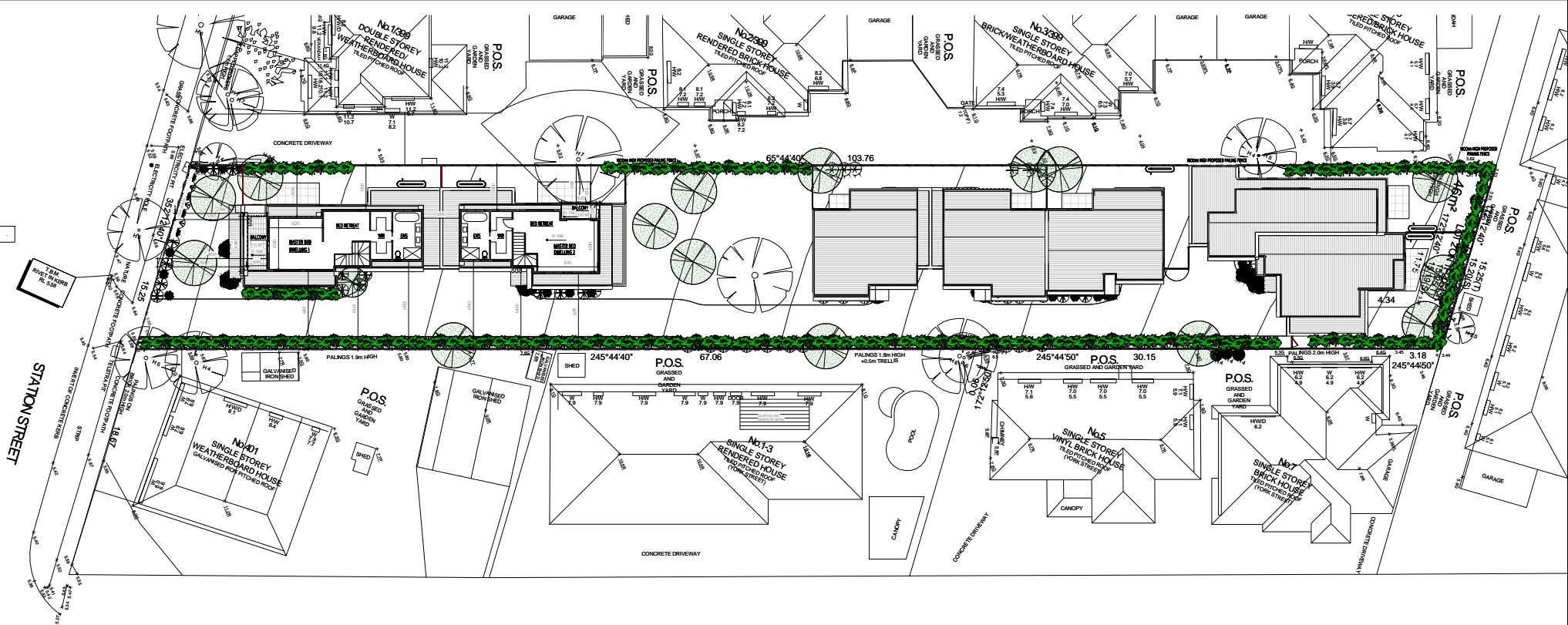
YORK STREET

STATION STREET

NOTE:
 1. THIS DRAWING IS A PRELIMINARY DESIGN AND SHOULD NOT BE USED FOR CONSTRUCTION WITHOUT THE APPROVAL OF THE LOCAL COUNCIL.
 2. THE DESIGNER ACCEPTS NO LIABILITY FOR ANY DAMAGE OR LOSS ARISING FROM THE USE OF THIS DRAWING.
 3. THE DESIGNER HAS NOT CONDUCTED A VISUAL IMPACT ASSESSMENT OR ENVIRONMENTAL IMPACT ASSESSMENT.
 4. THE DESIGNER HAS NOT CONDUCTED A SOCIAL IMPACT ASSESSMENT OR ECONOMIC IMPACT ASSESSMENT.
 5. THE DESIGNER HAS NOT CONDUCTED A CULTURAL IMPACT ASSESSMENT OR HERITAGE IMPACT ASSESSMENT.
 6. THE DESIGNER HAS NOT CONDUCTED A TRANSPORT IMPACT ASSESSMENT OR TRAFFIC IMPACT ASSESSMENT.
 7. THE DESIGNER HAS NOT CONDUCTED A NOISE IMPACT ASSESSMENT OR VIBRATION IMPACT ASSESSMENT.
 8. THE DESIGNER HAS NOT CONDUCTED A CLIMATE CHANGE IMPACT ASSESSMENT OR CARBON FOOTPRINT ASSESSMENT.
 9. THE DESIGNER HAS NOT CONDUCTED A WATER RESOURCES IMPACT ASSESSMENT OR WATER QUALITY ASSESSMENT.
 10. THE DESIGNER HAS NOT CONDUCTED A BIODIVERSITY IMPACT ASSESSMENT OR ECOSYSTEM SERVICES ASSESSMENT.

1 First Floor Plan - Proposed

		FRANKEND BUILDING ARCHITECTS & CONSULTANTS 1/111 BROADVIEW STREET, MELBOURNE VIC 3006 PH: 03 9412 1111 WWW.FRANKENDBUILDING.COM.AU	PROJECT: 7.2: KP-2023/697 - 400 Station Street, Bonbeach - KP-2023/697 - 400 Station Street CLIENT: [Redacted] DATE: 15/08/2023	ADDRESS: 400 Station St Bonbeach 3906 REFERENCE NO.: 21410-1P SHEET NUMBER: 01/01 DATE: 15/08/2023
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YORK STREET

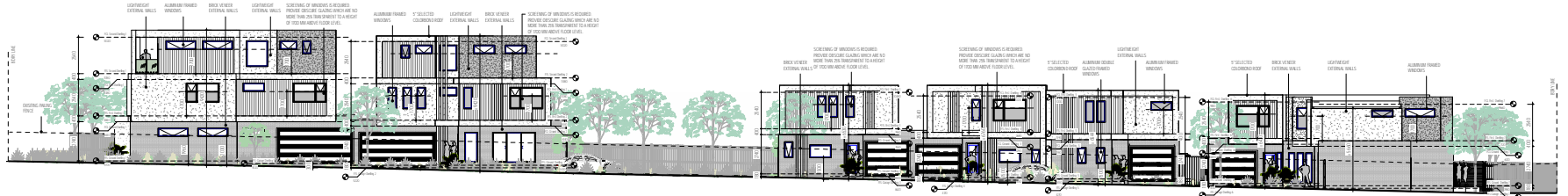
STATION STREET

1 Second Floor Plan Proposed
1:100

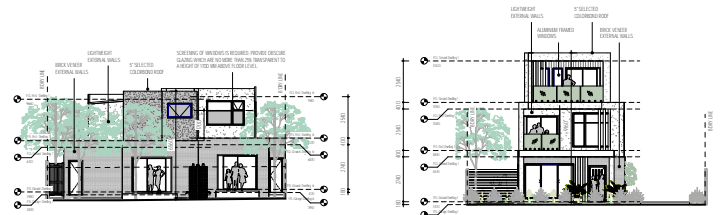
	WE SPECIALISE IN ALL ASPECTS OF BUILDING • New Planning Applications • Building Permits • Construction Supervision • Project Management • Contract Administration • Building Inspections	FRANKEND BUILDING 10/11 Station St, Bonbeach VIC 3960 PH: 08 3872 2222 WWW.FRANKENDBUILDING.COM.AU	PROPOSAL: Sub Planning Proposal 7401 Lot 2000/3960 STATUS: <input type="checkbox"/> PRELIMINARY <input checked="" type="checkbox"/> FINAL SCALE: AS SHOWN CACHE: 20/08/2024	ADDRESS: 10/11 Station St Bonbeach 3960 REFERENCE NO.: 21410-1P SHEET NUMBER: 01/01 DATE: 20/08/2024 PAGE: 1/1
	WE STRONGLY RECOMMEND THE SERVICES OF A REGISTERED ARCHITECT OR ENGINEER FOR ALL BUILDING PROJECTS.			



1 North Elevation
1:100



3 South Elevation
1:100



2 East Elevation
1:100

4 West Elevation
1:100



5 3D View 4

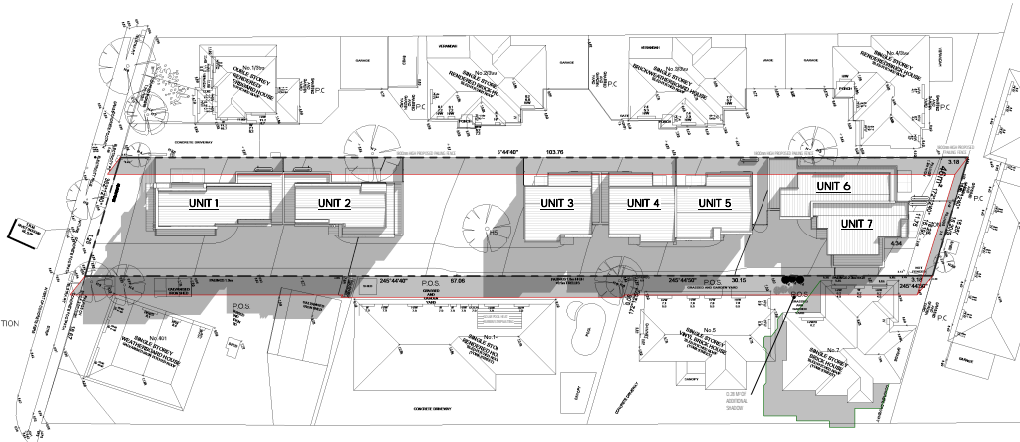


6 3D View 5

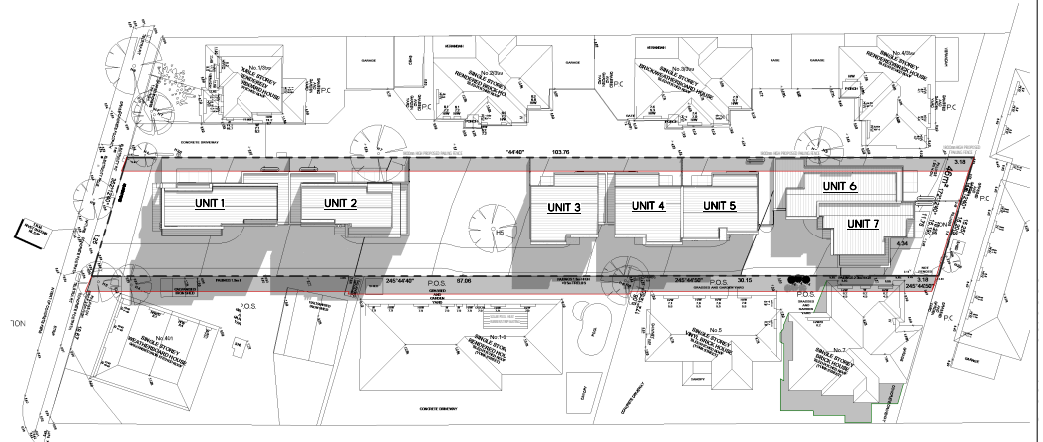
BUILDING MATERIALS

Material	Color/Texture	Reference
ROOF	Dark Grey	Reference
OUTERASOUP	Dark Grey	Reference
WALLS	White, Dark Grey, Wood	Reference
WINDOWS	Dark Grey	Reference

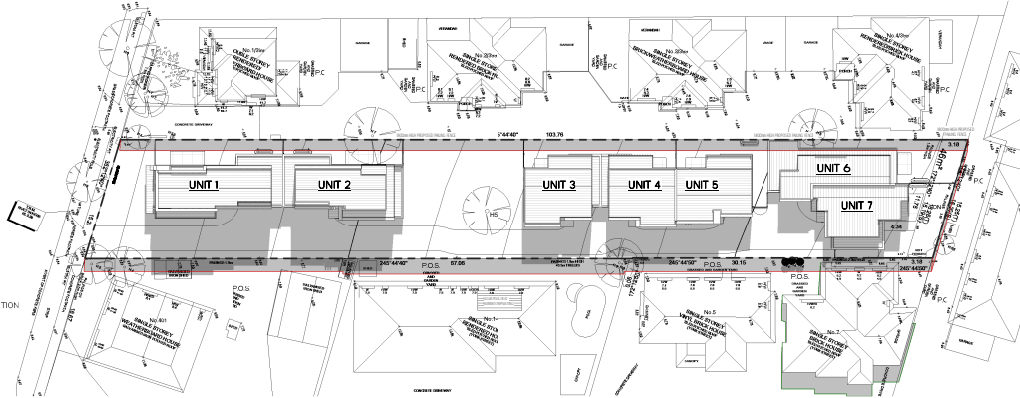
<p>WE DISCLOSE ALL ASPECTS OF BUILDING</p> <p>GREEN BUILDING</p> <p>LEED Platinum Certified</p>		<p>FRANKEND BUILDING</p> <p>ARCHITECTS</p> <p>1111 13th Street, Suite 100, San Francisco, CA 94103</p>	<p>ADDRESS</p> <p>10000 24th Street, San Francisco, CA 94134</p>	<p>PROJECT NO.</p> <p>21410-1P</p>	<p>DATE</p> <p>10/20/2024</p>
<p>DATE</p> <p>10/20/2024</p>	<p>SCALE</p> <p>1:100</p>	<p>CLIENT</p> <p>10000 24th St</p>	<p>SHEET NUMBER</p> <p>10</p>	<p>TOTAL SHEETS</p> <p>10</p>	<p>PAGE</p> <p>10</p>



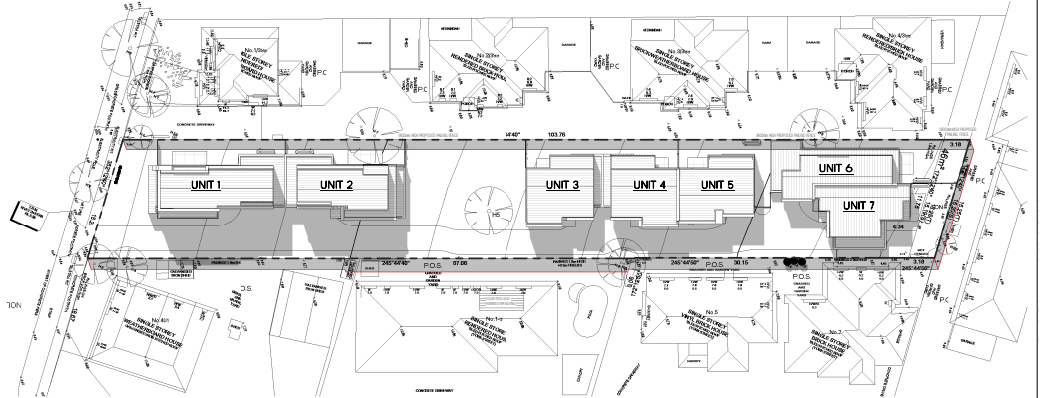
② Shadow Dia. 9am-22nd September



④ Shadow Dia. 10am-22nd September

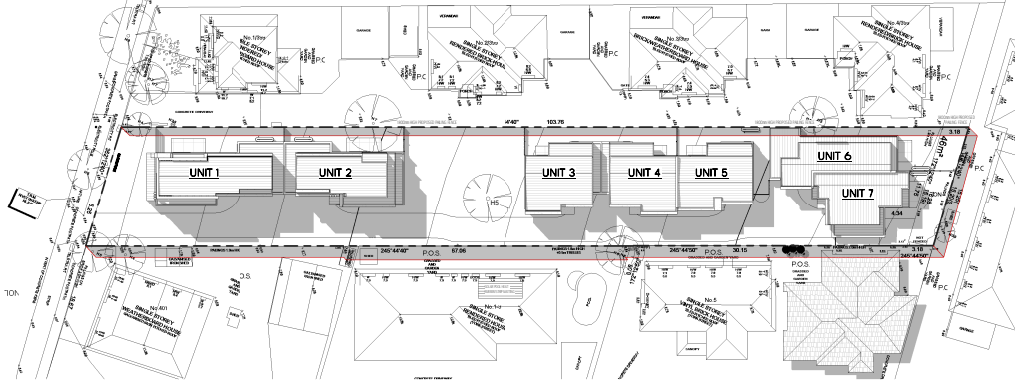


⑤ Shadow Dia. 11am-22nd September

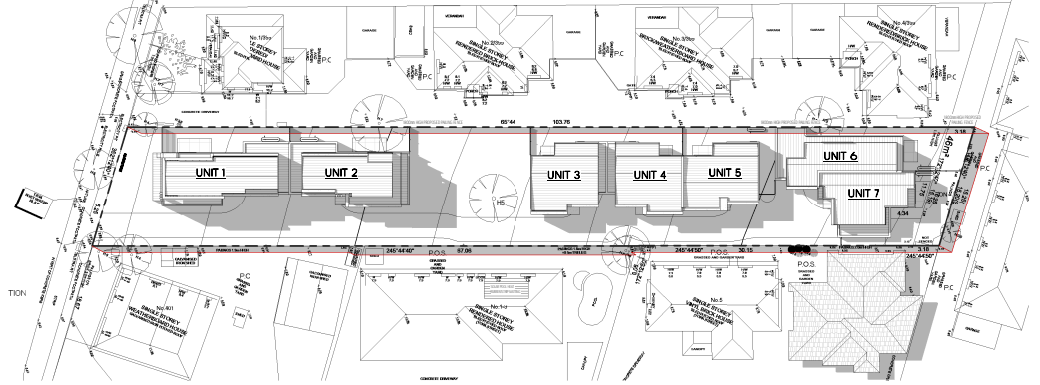


① Shadow Dia. 12pm-22nd September

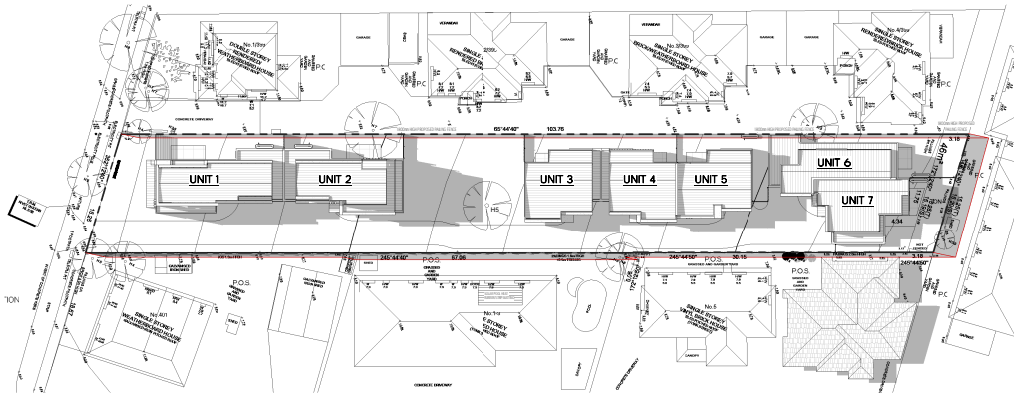
	WE SHOWCASE ALL ASPECTS OF BUILDING • Green Building • Energy Efficiency • Sustainable • High Quality • Innovation	TRANSCEND BUILDING ARCHITECTS & CONSULTANTS	ADDRESS The RUS Station St Bonbeach 3986	REFERENCE NO. 21410-1P	
	DATE: 17/09/2021	SCALE: 1:1	CLIENT: [Name Redacted]	SHEET NUMBER: 01/01	



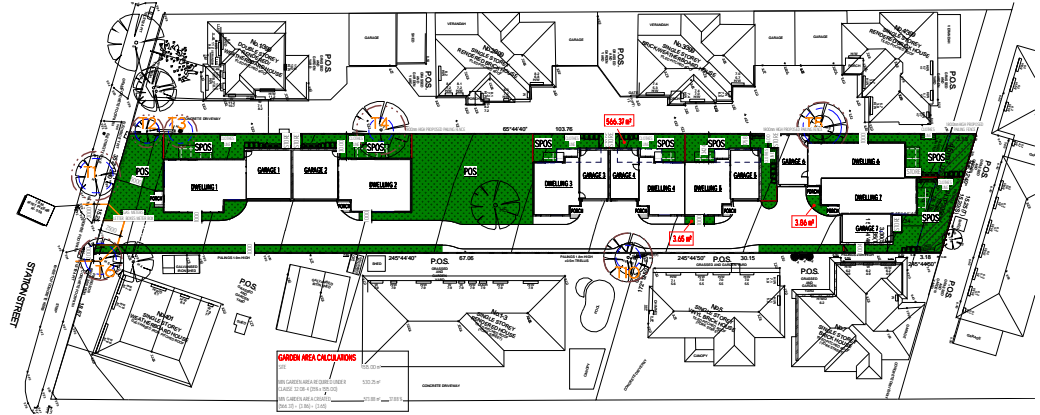
1 Shadow Dia. 1pm-22nd September
1:200



2 Shadow Dia. 2pm-22nd September
1:200



3 Shadow Dia. 3pm-22nd September
1:200



4 Ground Floor Plan- Proposed Garden Area Plan...
1:200

	WE STRONGLY ENJOY ALL ASPECTS OF BUILDING Planning, Design, Construction, and Operation.			PROJECT: Transcend Building ADDRESS: 100-102 Station St Brisbane QLD 4000	REFERENCE NO.: 21410-1P	
	SHEET NUMBER: 01/01 DATE: 10/09/2021	DRAWN: [Name] CHECKED: [Name]		SHEET NUMBER: 01/01 DATE: 10/09/2021	PAGE: 1	

Ordinary Council Meeting

24 February 2025

Agenda Item No: 7.3

PT-2024/577 - 1/54-76 SOUTHERN ROAD, MENTONE - TREE REMOVAL APPLICATION

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

Purpose of Report

The purpose of this report is to brief Council on one (1) application which in total seeks approval for the removal of twelve (12) trees from 54-76 Southern Road Mentone under the Community Local Law.

Disclosure of Officer / Contractor Conflict of Interest

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

RECOMMENDATION

That Council support the grant of a Local Law Permit for those Twelve (12) trees described in Section 3 of this report where the Recommendation is to remove pursuant to the assessment criteria contained within Clause 42 of the Community Local Law and provide for replacement planting at a ratio of at least 3:1 for each tree proposed to be removed.

1. Executive Summary

This report informs Councillor's on an application to remove 12 trees from 54-76 Southern Road, Mentone, an industrial zoned site adjacent to Moorabbin Airport. The purpose of the removal of the trees is in relation to the subdivision of the land and future development.

2. Background

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

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

The site at No. 54-76 Southern Road is a vacant industrial site located adjacent to Moorabbin Airport and was formerly occupied by German lighting and electronic components manufacturer 'Hella'. Hella have vacated the site and moved to new premises.

An application to subdivide the site was submitted to Council in May 2024 and planning permit KP-2024/209 'Subdivide the Land into twenty-eight (28) Lots and removal of easement' was issued by Council on 20/09/2024.

Separate to the planning permit required to subdivide the land, a Local Law permit is required for the removal of trees for which there are no planning permit triggers, and that have a trunk circumference at their base of 110cm or greater (protected trees). There are 12 trees which meet this threshold.

3. Discussion

Council's Principal Vegetation Management Officer undertook a detailed assessment of the vegetation proposed to be removed.

The tree removal application included an arborist report which provided an assessment of the trees on site, and which was generally consistent with Council Officer's assessment of the trees. Tree numbering from the arborist report has been retained to avoid confusion.

Summary of trees proposed for removal

Tree no.	Botanical name	Common name	Circ. @ base	Height	Health	Origin
16	<i>Banksia serrata</i>	Saw-toothed Banksia	173	9	Good	VIC
27	<i>Tristaniopsis laurina</i>	Water Gum	254	9	Good	QLD, NSW
28	<i>Tristaniopsis laurina</i>	Water Gum	204	7	Good	QLD, NSW
29	<i>Eucalyptus globulus</i>	Blue Gum	430	12	Good	VIC
30	<i>Tristaniopsis laurina</i>	Water Gum	173	6	Good	QLD, NSW
32	<i>Agonis flexuosa</i>	Willow Myrtle	157	3	Good	WA
44	<i>Eucalyptus botryoides</i>	Southern Mahogany	220	12	Good	VIC
45	<i>Acacia saligna</i>	WA Golden Wattle	210	5	Good	WA
47	<i>Acacia saligna</i>	WA Golden Wattle	157	6	Good	WA
48	<i>Acacia saligna</i>	WA Golden Wattle	154	6	Good	WA
53	<i>Acacia saligna</i>	WA Golden Wattle	210	6	Good	WA
54	<i>Acacia saligna</i>	WA Golden Wattle	119	3	Good	WA

The 12 trees subject to the permit application can be divided into 2 groups;

- Trees numbered 16, 27, 28, 29, 30 & 32, are all located beside the former offices in the south-west corner of the site and are all mature native Australian trees that are likely to have been planted for shade and amenity as part of the original landscaping when the manufacturing complex was constructed.
- Trees numbered 44, 45, 47, 48, 53 and 54 are all self-seeded and located in an undeveloped area of the site in the north-east corner.

Tree 44, a mature *Eucalyptus botryoides*, Southern Mahogany, is native to Victoria and native vegetation as defined by the Kingston planning scheme, however due to its location proximate to the boundary with Moorabbin Airport the removal of this tree is exempt from requiring a planning permit and so reverts to being a protected tree as defined by Council's Community Local Law as it has a circumference at base of >110cm.

The remaining trees in this group are all *Acacia saligna*, Western Australian Golden Wattle, a tree native to Western Australia but which is regarded as a weed species in eastern Australia due to its proliferation, particularly on disturbed sandy soils.

The below images show the location of the trees proposed to be removed. The top image (figure 1) shows the location of the trees within the site as it was at the time of inspection, the bottom image (figure 2) shows the location of the trees within the subdivided lots.



Figure 1 Trees proposed for removal circled in blue. Trees numbered 16, 27, 28, 29, 30 & 32 are located on the left side of image with remainder of trees in the top right.



Figure 2 3 Trees proposed for removal circled in blue. Trees numbered 16, 27, 28, 29, 30 & 32 are located within Lots 1 (tree 16) and 3, with remainder of trees in Lot 13.

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

**City of Kingston
Ordinary Council Meeting**

Agenda

24 February 2025

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

The 12 trees proposed for removal are located within Lots 1, 3 and 13 as highlighted above. Tree removal has been assessed against Clause 42 of the Community Local Law.

Clause	Decision making consideration	Assessment
42B1	the effect of the removal of the protected tree on the aesthetics of the neighbouring area	<p>The removal of the trees will have a minor impact on the aesthetics of the neighbouring area.</p> <p>Trees numbered 27, 28, 29, 30 & 32 are in a courtyard between 3 storey buildings and are not visible from publicly accessible areas such as Southern Road. Tree 16 is visible from Southern Road. The remaining trees are not highly visible from either Southern Road, or from Bundora Parade within Moorabbin Airport due to their distance from either road (>200m).</p> <p>Further to the above, the subdivision of the land is likely to necessitate the removal of buildings from the land in the short term, to make way for works associated with subdivision, and future development/buildings and works.</p>
42B.2	whether the protected tree is dead or there are health and safety reasons justifying removal of the protected tree	There are no health and safety reasons to justify removal of the trees
42B.3	whether it is likely that the protected tree gives rise to a risk of damage to property or to the safety of the public	The trees do not pose a risk to property damage or to the safety of the public
42B.4	whether the protected tree is causing a public nuisance or creating an undue nuisance to adjoining landowners	The trees are not causing a public nuisance or creating an undue nuisance to adjacent landowners
42B.5	any other matter which Council considers relevant to the circumstances associated with the application	<p>It is considered relevant that Council has issued a planning permit to allow the site to be subdivided into industrial lots.</p> <p>Substantial works will be undertaken to the site as part of the subdivision process, including demolition and removal of all existing structures, grading of the site, installation of services such as drainage and electricity and the construction of a new road to service the lots. All these works are likely to significantly impact the trees subject to this application.</p> <p>In addition to the works required to complete the subdivision, there will be additional works to construct future buildings within each individual lot. The siting of the future industrial related</p>

		<p>buildings and their associated infrastructure could be considered to be unreasonably constrained due to the retention of these trees but of more relevance is the fact that the scale of works required to complete the subdivision for which the applicants have been granted a permit to undertake, will impact the trees to the extent that they are no longer retainable.</p> <p>The trees should be removed, and replacement planting undertaken at a ratio of 3 trees planted for each tree removed with replacement planting spread across all 28 Lots.</p> <p>It is noted that there is also an application with Council that proposes further removal of native vegetation within the 'superlot' along the southern boundary of the land (see greyed lot in the abovementioned figure 2). This is yet to be determined.</p>
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4. Recommendation

It is recommended that a permit is issued to remove the 12 trees with conditions requiring

- A replacement planting plan be prepared for endorsement to Council's delegated officer satisfaction. The plan will include the location of up to 36 replacement trees, with one (1) tree in each lot and an additional one (1) tree in Lots 1 and 2, and an additional three (3) trees in Lots 7 and 13
- The replacement trees to be indigenous to the City of Kingston, capable of reaching a minimum mature height of 15 metres and be 2 metres in height when planted.
- The replacement trees to be planted as a condition of this permit are to be planted in a location that doesn't require their removal when future buildings and works are undertaken
- The applicant to demonstrate, upon the completion of the subdivision that re-planting has occurred.
- That the vegetation shown on the endorsed plan be maintained in a manner that ensures the long-term viability of the replacement plantings.

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

Reviewed and Approved By: Jaclyn Murdoch, Manager City Development
Jonathan Guttman, General Manager Planning and Place

8. Community Strengthening Reports

Ordinary Council Meeting

24 February 2025

Agenda Item No: 8.1

KINGSTON GRANTS PROGRAM - BUDGET REVIEW

Contact Officer: Trent Carpenter, Team Leader Community Capacity and Partnerships
Gillian Turnbull, Coordinator Community Capacity

Purpose of Report

This report responds to the resolution from the Council Meeting on 24 June 2024, to:

Undertake a review of the funding allocated to the Community grants program to ascertain if the annual funding of \$1.8 million meets the needs of our growing community and provide a report back to Council ahead of the mid-term 2024-25 budget review.

Disclosure of Officer / Contractor Conflict of Interest

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

RECOMMENDATION

That Council:

1. Note the findings of the Kingston Grants Program budget review; and
2. Receive a report outlining an alternate funding model and recommendations for emergency relief organisations no later than June 2025.

1. Executive Summary

The Kingston Grants Program funds a wide range of services and projects in health and welfare, arts and culture, sport and recreation, education, environment, and community support, aligning with Council's strategic directions. Guided by principles of access, equity, inclusion, diversity, good governance, and strategic alignment, allocated funding plays a crucial role in supporting the delivery of programs to benefit the community.

A review was conducted to assess whether the annual budget of \$1,826,370 (as of 24 June 2024) meets the needs of the Kingston community. An independent consultant benchmarked Kingston's total grants program budget against six other Victorian councils, which showed that Kingston has the third-highest budget allocation and per capita spending among the benchmarked councils. The review also projected grants spend per capita against population forecasts in 2026 and 2035, finding that if the grants budget remained unchanged, the spend per person would only slightly decrease.

There is an opportunity to consider the allocation of funding across the five grant streams through the annual budget process. Continuous evaluation and refinement of funding distribution will improve the effectiveness of the Kingston Grants Program, ensuring it remains responsive to community priorities and needs.

Kingston is operating under financial pressures, including inflation, rising service costs, and constrained revenue opportunities due to rate capping. Given these financial constraints and benchmarking results indicating a sound grants budget, it is recommended that Council maintain the current annual allocation to the Kingston Grants Program while continuing to monitor and adapt funding priorities to address community needs effectively.

2. Background

2.1 Kingston Grants Program

The Kingston Grants Program plays an important role in enabling the delivery of activities that benefit the Kingston community, in alignment with Council's strategic directions, objectives, and priorities as outlined in the Council Plan.

Kingston City Council provides grants to local organisations and groups, supporting a range of services and projects in areas such as health and welfare, arts and culture, sport and recreation, education, environment, and community support. Grants are also offered for individual development and achievement.

The following principles underpin Council's overall approach to grant provision:

- **Access:** The community should be aware of grant opportunities, with a simple application process and adequate support for applicants.
- **Equity:** Grants are intended to meet the needs of those who would benefit most from financial support.
- **Inclusion:** Application and assessment processes should minimise barriers and prevent discrimination individuals, including people with disabilities, young people, older people, women, LGBTQIA+, Indigenous people, and people from multicultural backgrounds.
- **Diversity:** Grant opportunities should be promoted to people from diverse backgrounds, and recipients should reflect the diversity of Kingston's community.
- **Good Governance:** The administration of grants should provide equity of grant allocations and mitigate risks to Council.
- **Strategic Alignment:** Grant programs should align with Council's strategic priorities.

The Kingston Grants Program, commenced in January 2024. It is governed by the Kingston Grants Program Policy and Guidelines, and consists of five grant streams:

- Individual Development Grants
- Community Small Grants
- Community Bi-Annual Grants
- Operational & Partnership Grants
- Community Festivals, Events & Creative Activities Grants.

Operational & Partnership Grants and Community Festivals, Events and Creative Activities Grants are allocated on a triennial basis (three years). 2024/25 is the first year of the current triennial grant cycle, with the final year and associated grant budget commitments concluding in June 2027. Refer to section 4.3 for further details.

2.2 The role and impact of the Kingston Grants Program

The Kingston Grants Program plays a key role in empowering and supporting the local community. Funding priorities are outlined in the Kingston Grants Program Guidelines, ensuring that resources are directed to projects that align with the community's most pressing issues. Each application is rigorously assessed against criteria such as community need, benefit, capacity to deliver, and sustainability, ensuring well-considered recommendations within the constraints of the available budget.

However, grants are just one of many tools Council uses to meet community needs. While grants are essential for funding specific initiatives, many complex challenges require long-term, systemic solutions beyond the scope of grants alone. Balancing grant funding with other support mechanisms is important to ensure allocations to other vital Council services are not overlooked. The allocation of resources requires careful consideration to ensure that funds are used in the most effective and impactful way possible.

In addition to grants, alternative solutions to addressing community needs is continuously being explored. For example, the Inclusive Communities team is working closely with the City Works, Property and Infrastructure to consider the ideal approach to address community requests for minor improvements to Council buildings. A collective approach to these challenges can create more efficient and cost-effective processes.

2.3 Review of Kingston Grants Program Budget

On 24 June 2024, Council resolved to:

Undertake a review of the funding allocated to the Community grants program to ascertain if the annual funding of \$1.8 million meets the needs of our growing community and provide a report back to Council ahead of the mid-term 2024-25 budget review.

3. Discussion

This section presents the findings of the review of the annual funding allocated to the Kingston Grants Program. It includes results from an independent benchmarking exercise, and consideration of future grants budget stream allocation opportunities, Council's financial position and the funding recommendations process.

Information is also provided about Emergency Relief (ER) services, the responsibilities of different levels of government, and how Council funds ER services in Kingston.

3.1 Grants Budget Benchmarking

To support the review of the annual funding allocated to the Kingston Grants Program, an independent consultant was engaged to conduct benchmarking and research, providing a high-level comparison of the Kingston Grants Program budget with other Councils.

The consultant benchmarked against six Victorian councils, chosen for their location in metropolitan Melbourne, population size, and likely comparable grant programs. These Councils included:

- Casey City Council
- Greater Dandenong City Council
- Knox City Council
- Manningham City Council
- Monash City Council
- Whitehorse City Council

Each Council was contacted for data, and where it couldn't be provided, desktop research was conducted using publicly available information. For comparison, data was sought for 2021/22, 2022/23 and 2023/24.

It is important to note that comparisons between Councils are indicative, as community grants program structures and service delivery vary and may not always be directly comparable to what is offered at Kingston.

To assess whether annual funding allocated to the Kingston Grants Program effectively addresses the growing needs of the community, the analysis included:

- Comparing Kingston overall and per capita grants budget with those of other Councils; and
- Projecting future grants expenditure in relation to population growth forecasts.

3.1.1 *Budget comparisons*

When compared to the seven benchmarked councils, the Kingston Grants Program budget was found to have:

- The third highest cash total grant budget for its grants program.
- The third highest per capita budget allocation (\$ amount spent per resident), indicating a strong investment in community support relative to population size.

Table 1: Total Grant Spend (2023/24) by Local Government Area

LGA	Total Grant Spend (2023/24)
Monash	\$2,568,868
Greater Dandenong	\$2,300,000
Kingston	\$1,776,530
Casey	\$1,444,475
Knox	\$1,302,678
Manningham	\$1,129,495
Whitehorse	\$1,000,000

Table 2: Grant Spend (2023/24) Per Capita (Total Grant Spend / Total Population) by Local Government Area

LGA	Grant Spend Per Capita
Greater Dandenong	\$14.00
Monash	\$12.62
Kingston	\$10.85
Knox	\$8.05
Manningham	\$8.72
Whitehorse	\$5.60
Casey	\$3.68

3.1.2 *Projections of future community needs*

When comparisons were made in 2023/24, Kingston's grants spending was approximately \$10.85 per resident. Based on the proposed 2025/26 budget, grant spend per capita would be \$11.68. If the same grants budget was available in 2035, based on Kingston's forecast population, the grant spend per capita would reduce to \$11.01 which would still be comparable with the benchmarked Councils.

3.1.3 *Summary Grants Budget Benchmarking*

In summary, the independent benchmarking of comparable Councils found Kingston has a relatively generous grants budget and would continue to, based on population growth.

3.2 Future Grants Budgets

- Future grants budgets need to consider the optimal allocation of funding across the five streams to maximise community benefit. Each budget cycle allows for the consideration of existing triennial commitments, with flexibility to reallocate funds among the five streams as needed to address changing community needs.
- The new Kingston Grants Program introduced staged funding reductions to minimise the financial impact on organisations that previously received consistent partnership (triennial) funding under the previous grants program (prior to 1 January 2024). Organisations with reductions exceeding 25% or \$10,000 in 2024/25, have had grant funding reduce incrementally in 2024/25, and will again in 2025/26, before receiving their allocated funding amount in 2026/27. This phased approach creates additional budget capacity for allocation in 2025/26 and 2026/27.
- Organisations subject to staged reductions remain eligible to re-apply in years 2 or 3 of the triennial funding cycle to seek increased allocations. These applications will be assessed by the Assessment Panel, who will consider the funding priorities and assessment criteria, as per the Guidelines, and the grant stream budget when determining recommendations for Council's consideration and decision.
- Ongoing assessment and refinement of funding distribution will help maximise the impact of the Kingston Grants Program, ensuring it continues to respond to community needs and priorities.
- Future grants budgets or alternate funding models can also be considered for specific organisation types, such as neighbourhood houses and emergency relief services. For example, other Council's provide varied funding amounts to neighbourhood houses, ranging from \$20,000 to \$80,000.

3.3 Funding Recommendations and Decision Making

As per the Terms of Reference for the Kingston Grants Program Assessment Panel, funding recommendations will continue to be made within the allocated budgets.

As per the Kingston Grants Program Policy, Council can make funding decisions that differ to the recommendations. The Policy states:

- Operational & Partnership Grants, Community Bi-Annual Grants, and Community Festivals, Events & Creative Activities Grants will be assessed by a Grants Assessment Panel who make recommendations to Council for their authorisation by way of funding decision.
- Where funding decisions differ from Assessment Panel recommendations, Council will provide their reasons for amending recommendations.

Council can also resolve to overspend the budget.

3.4 Council's Financial Position

Council's financial position is also a factor in considering the affordability of any increase in the Kingston Grants Program budget. In September 2024, Council considered a forecast report on the 2024/25 operating budget which highlighted challenges with materials and services budgets.

In 2024/25, Kingston is experiencing heightened financial challenges associated with rising inflation, contract pressures, cost shifting from other levels of government, and extraordinary

costs. Kingston, like all councils, is operating within the constraints of the rate cap and are also limited in available alternate income stream opportunities to offset these financial challenges.

3.5 Emergency Relief Services

As part of recent Councillor briefings on the Kingston Grants Program and the annual budget process, Councillors sought further information on Emergency Relief (ER) services and financial hardship measures.

This section outlines the role of ER services, including the responsibilities of different levels of government in providing support. It also provides an overview of ER services in Kingston, detailing the scope of services available to the community, and how Council currently funds these services.

ER services are programs that provide immediate, short-term support to individuals and families experiencing financial or personal crises. These services typically offer essentials such as food, clothing, utility vouchers, housing assistance, or financial support. They are designed to alleviate immediate hardship and help individuals stabilise their living situation.

ER services in Victoria are facing significant pressure due to rising cost-of-living challenges. Escalating housing costs, utility bills, and food prices have resulted in a growing number of individuals and families seeking assistance. This surge in demand has placed strain on community service organisations, local governments, and charities, which are struggling to meet the increasing need for essential support, including food relief, housing assistance, and financial aid.

3.5.1 Government support for Emergency Relief Organisations

Emergency relief services are funded through a combination of Federal, State, and local government contributions, often supplemented by charitable organisations.

The Federal Government provides the majority of funding for emergency relief services through programs like the Commonwealth Emergency Relief Program, develops national policies to address issues such as poverty and homelessness, and partners with organisations like the Red Cross and Salvation Army to deliver services.

The Victorian Government funds and coordinates emergency relief services to address housing stress, food insecurity, utility hardship, and family violence. The State Government plays a crucial role in funding, regulating, and coordinating ER services, often working in partnership with non-government organisations (NGOs), charities, and Local Governments.

Local government works at the community level to identify and address specific needs, often supporting ER services by providing facilities, promoting services, or partnering with organisations. They may offer in-kind support, such as reductions to rent, grant/funding assistance and advocate for funding from State and Federal Governments. Local Governments also play a critical role in supporting disaster recovery.

3.5.2 Emergency Relief Organisations in Kingston

There are 15 ER services that provide services in Kingston and surrounds, with 9 receiving funding from Council. The ER services located in Kingston are diverse, with some offering a suite of services and open 5 days per week, and others open once per fortnight offering only one service such as food hampers.

The Kingston Grants Program provides several funding options for ER services. The largest funding available is via Operational & Partnerships stream – Specialist Community &

Welfare Services. This is a triennial (three year) grant stream, with up to \$90,000 per year available. This category supports services that provide financial, legal, counselling, and other specialist help to people in Kingston. Five ER services receive funding under this category as determined at the Council Meeting in June 2024. The size and scope of the ER service was a key factor in the funding recommendations.

Some ER services receive funding via the Operational & Partnerships stream – Community Service Organisations (St Vincent de Paul Society). Several ER services also receive funding via the Kingston Charitable Fund. They are also eligible to apply for a Community Bi-annual grant (up to \$10,000) and Community Small Grant (up to \$2000).

The Kingston Grants Program accepts applications from the same applicant in multiple grant streams, but the applicant cannot be funded for the same activity in multiple grant streams.

A list of services and summary of the grant funding Kingston currently allocates to ER organisations is presented in Appendix 1.

At the Ordinary Council meeting held 24 June 2024, Council requested an independent report be provided to Council by September 2025 that provides an evaluation on the newly designed Kingston Grants Program. As a part of this evaluation, options in relation to future funding models for ER services could be provided for Council's consideration. However, this can be brought forward and presented for Council's consideration in the context of the annual budget and Council's approach to support community members experiencing financial hardship.

4. Compliance Checklist

4.1 Council Plan Alignment

Strategic Direction: Well-governed - Council will be collaborative, accountable, transparent, responsive, well-informed and efficient.

Strategy: Focus all of our decision-making on the long-term best interests of the Kingston community

The Kingston Grants Program provides grant funds to organisations, groups and individuals whose activities help deliver against the Council Plan. Responsibly managing the grants budget contributes towards the long-term continuation of a robust grants program that will continue to meet community needs.

4.2 Governance Principles Alignment

Principle (f) - collaboration with other Councils and Governments and statutory bodies is to be sought.

The information presented in this report was in part gathered in collaboration with other Councils.

Principle (g) - the ongoing financial viability of the Council is to be ensured.

The recommendation of this report is in consideration of the ongoing financial viability of Council.

4.3 Financial Considerations

The total Kingston Grants Program budget for 2024/25 is \$1,826,370. Council committed to additional grant allocations at Council Meetings on 24 June and 16 December 2024, increasing the committed 2024/25 grants expenditure to \$1,947,807. Refer to Tables 3 and 4 for details of the 2024/25 budget and approved spending to date.

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Table 3: Budget and approved spend – Individual Development Grants and Community Small Grants (both streams are always open)

Grant Stream	2024/25 Budget	Approved to date (Jul 2023 – Jan 2024)
Individual Development Grants	\$34,893	\$12,800
Community Small Grants	\$199,150	\$52,610
Total	\$234,043	\$65,410

Table 4: Budget and approved spend – Community Bi-annual, Operational & Partnerships and Community, Festivals, Events and Creative Activities Grants

Grant Stream	2024/25 Budget	Approved Spend	Overspend
Community Bi-annual Grants	\$216,279	\$216,418	\$139
Operational & Partnership Grants	\$1,311,901	\$1,329,292	\$17,391
Community Festivals, Events and Creative Activities Grants	\$64,147	\$168,193	\$104,046
Total	\$1,592,327	\$1,713,903	\$121,576

An additional unbudgeted \$86,667 of funding was also approved by Council for the two State Emergency Services located in Kingston – Moorabbin and Chelsea.

Tables 5 provides details of the proposed grants budget for 2025/26. As mentioned in Section 2.1 of this report, grant allocations in the Operational & Partnership Grants and Community Festivals, Events and Creative Activities Grants are allocated on a triennial basis. The first year of the triennial grants is 2024/25, with the final year and associated grant commitments concluding in June 2027. Table 5 includes the committed funds through the triennial grants for 2025/26 totalling \$1,400,000.

Table 5: Proposed Grants budget 2025/26

Grant Stream	2024/25 Committed Funding	2025/26 Committed Funding	2025/26 Proposed Budget
Individual Development Grants	\$34,893	NA	\$20,000
Community Small Grants	\$199,150	NA	\$150,000
Community Bi-annual Grants	\$216,418	NA	\$263,967
Community Festivals, Events and Creative Activities Grants	\$168,193	\$131,000	\$160,000
Operational & Partnership Grants	\$1,329,292	\$1,269,000	\$1,335,282

**City of Kingston
Ordinary Council Meeting**

Agenda

24 February 2025

Community Centres & Neighborhood Houses	\$568,000	\$568,000	\$568,000
Specialist Community & Welfare Services	\$491,505	\$446,000	\$492,282
Community Interest Organisations	\$87,315	\$80,000	\$90,000
Multicultural & Seniors	\$182,472	\$175,000	\$185,000
Total	\$1,947,946	\$1,400,000	\$1,929,249

4.4 Risk considerations

The Kingston Grants Program budget is relatively generous considering population size. Any significant increase could place additional pressure on Council's financial sustainability. Conversely, reducing the budget may negatively impact the community's ability to deliver activities that align with Council Plan priorities. To maximise resources and achieve more sustainable, impactful outcomes for the community, it is essential to balance grant funding with other Council initiatives. This approach ensures a more comprehensive response to community needs while optimising the use of available resources.

Appendices

Appendix 1 - Emergency Relief Organisations - Grants Funding (Ref 25/23398) 

Author/s: Trent Carpenter, Team Leader Community Capacity and Partnerships
Gillian Turnbull, Coordinator Community Capacity

Reviewed and Approved By: Susan Quach, Acting Manager Inclusive Communities
Kate Waters, Acting General Manager Community Strengthening

8.1

KINGSTON GRANTS PROGRAM - BUDGET REVIEW

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Kingston Grants Program – Funding for Emergency Relief organisations

Name	Details	Funding stream	Assessment Panel comments	Previous Funding 2023/24	Funding Requested	Funding Recommended by Panel	Allocated budget per year, including staged funding reduction where applicable		
							2024/25	2025/26	2026/27
Bayside Community Care (Matt's Place)	Provide a free, two-course meal to people in need.	Kingston Charitable Fund (2024/25) Annual Grant (2023/24)	Full funding recommended. Application met the criteria and addresses what the Charitable Fund is all about.	\$8,000.00	\$10,000.00	\$10,000.00	\$10,000.00	N/A	N/A
Bayside Community Information and Support Service	Emergency relief operating over two sites providing information, referral, support, advocacy and emergency relief to low income and vulnerable community members, experiencing financial hardship, disability or mental health issues within Kingston and Bayside regions.	Operational & Partnership Grants - Specialist Community & Welfare Services	Partial funding recommended. The Assessment Panel found the application articulated the need, benefit and service offering well. They recognised the breadth of support services provided and operating hours. The service split across Bayside and Kingston Councils was also taken into consideration.	\$35,884.00	\$88,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00
Chelsea Community Support Services	Welfare services. Provision of emergency relief, food parcels, energy hardship support, financial literacy workshops. Funding through Charitable Fund towards Christmas new beginnings program, including vouchers to families, toys and essential items.	Operational & Partnership Grants - Specialist Community & Welfare Services	Partial funding recommended. The Assessment Panel recognised the breadth of support services provided and operating hours. They felt it was appropriate to match the amount this service is funded through State Government funding, noting they will receive the staged funding reduction. The Panel also considered the total funding pool for this stream.	\$105,369.00	\$106,730.00	\$73,263.00	\$90,000.00	\$81,631.50	\$73,263.00
		Kingston Charitable Fund	Partial funding recommended. Important service at a time of year when people rely on support.	\$5,000.00	\$5,000.00	\$4,490.00	\$4,490.00	N/A	N/A
Chelsea Community Church of Christ Careworks Inc	Free 3 course hot breakfast, served menu style. Free food pantry - non perishable items, toiletries, dog and cat food, some fruit.	Operational & Partnership Grants - Community Interest Organisations	Partial funding is recommended. The Assessment Panel noted that funding is to be used for the purchase of food items only.	\$10,300.00	\$16,000.00	\$12,000.00	\$12,000.00	\$12,000.00	\$12,000.00
Echo Church	Food hampers.	Community Bi-annual Grants	Partial funding is recommended because the applicant adequately identified and evidenced the community need and benefit, however their capacity to deliver and sustainability was not evidenced.	N/A	\$10,000.00	\$2,001.00	\$2,001.00	N/A	N/A

Name	Details	Funding stream	Assessment Panel comments	Previous Funding 2023/24	Funding Requested	Funding Recommended by Panel	2024/25	2025/26	2026/27
Make a Difference Dingley Village	Emergency relief support and counselling.	Operational & Partnership Grants - Specialist Community & Welfare Services	Partial funding recommended. The Assessment Panel noted the limited operating hours and that the service lacked the breadth of services provided by other similar providers.	\$32,094.00	\$50,000.00	\$40,000.00	\$40,000.00	\$40,000.00	\$40,000.00
		Kingston Charitable Fund	Full funding recommended. Applicant provides a critical service in our community.	\$7,250.00	\$10,000.00	\$10,000.00	\$10,000.00	N/A	N/A
Mentone Community Assistance & Information Bureau	Emergency relief support, referral and counselling support, financial budgeting support, legal advisory service, advocacy service.	Operational & Partnership Grants - Specialist Community & Welfare Services	Partial funding recommended. The Assessment Panel noted the value of this local service for Mentone, however the service provides limited opening hours and supports a smaller number of Kingston residents compared with other organisations, and funding has been recommended accordingly.	\$54,904.00	\$66,000.00	\$30,000.00	\$54,903.90	\$42,451.95	\$30,000.00
Anglican Parish of Longbeach / Melbourne Anglican Benevolent Society	Pantry 5000 - Emergency and ongoing food relief for eligible people in the Southern Kingston and Northern Frankston regions.	Operational & Partnership Grants - Specialist Community & Welfare Services	Partial funding recommended. The Assessment Panel aligned the recommended funding to the number of Kingston residents supported and noted the limited operating hours as well as breadth of services provided in comparison with other similar providers. As support is also provided to Frankston residents, it was recommended that the applicant also seek funding from Frankston Council.	\$37,289.00	\$37,000.00	\$25,000.00	\$37,000.00	\$37,000.00	\$37,000.00
	Charitable Fund funding goes towards Christmas hampers.	Kingston Charitable Fund	Partial funding recommended. Preference to support ongoing programs rather than one-off Christmas hampers.	\$5,000.00	\$6,000.00	\$4,489.00	\$4,489.00	N/A	N/A
	Annual Grant funding towards the winter warmer hampers								
		Bi-annual Grant	Full funding recommended.	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00	N/A	N/A
St Vincent de Paul Society (8 locations all received equal allocation of funding)	Emergency assistance to residents in the Cheltenham, Mordialloc, Aspendale, Mentone, Chelsea, Clayton South, Moorabbin and East Parkdale areas. Including home visitation, and material aid such as food or food vouchers, clothing, furniture, help with utility bills or back to school costs.	Operational & Partnership Grants - Community Interest Organisations	Partial funding is recommended. The Assessment Panel considered the funding available and determined to provide a consistent amount of funding across all St Vincent de Paul Society Conferences, aligning with previous funding amounts provided.	\$7,895.00	\$20,000.00	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00
TOTALS				\$316,985.00	\$432,730.00	\$277,243.00	\$330,883.90	\$271,083.45	\$250,263.00

Other welfare support organisations receiving funding

Name	Details
South East Community Links	<p>Provide ER services such as food parcels, vouchers, clothing and financial assistance but did not apply to Council for funding support for these services.</p> <p>Applied for funding through the Operational & Partnerships - Specialist Community & Welfare Services category to provide welfare services including group activities and individual support for young people.</p> <p>SECL were not approved for funding as only a small part of their work is delivered in Kingston and the application needed further details on the effectiveness and outcomes from previous activities. The Assessment Panel also noted the work is primarily at local schools and queried Council's role in funding this.</p> <p>SECL continue to receive a staged funding reduction through the Operational & Partnerships - Specialist Community & Welfare Services category. They have been allocated \$19,256 in 2024/25, \$9,628 in 2025/26 and no funding in 2026/27.</p>

Ordinary Council Meeting

24 February 2025

Agenda Item No: 8.2

INDIVIDUAL DEVELOPMENT GRANTS AND COMMUNITY SMALL GRANTS - QUARTERLY REPORT (JULY - SEPTEMBER 2024)

Contact Officer: Gillian Turnbull, Coordinator Community Capacity

Purpose of Report

The purpose of this report is to present the quarterly (July - September 2024) funding outcomes of the Kingston Grants Program for the following streams:

- Individual Development Grants
- Community Small Grants

Disclosure of Officer / Contractor Conflict of Interest

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

RECOMMENDATION

That Council:

1. Note the funding outcomes of the Individual Development Grants for 1 July – 30 September 2024, as presented in Appendix 1.
2. Note the successful funding outcomes of the Community Small Grants for 1 July – 30 September 2024, as presented in Appendix 2.
3. Endorse that the Community Small Grants, as presented in Appendix 3, are not recommended for funding for 1 July – 30 September 2024.

1. Executive Summary

This report presents the quarterly (1 July – 30 September 2024) funding outcomes of the Kingston Grants Program for the following streams:

- Individual Development Grants (presented in Appendix 1)
 - Funding outcomes were determined for 27 Individual Development Grant applications. Of these:
 - 26 applications were deemed eligible as per the Kingston Grants Program Policy and Guidelines.
 - One application was deemed ineligible as per the Kingston Grants Program Policy and Guidelines because the applicant applied under a business name and did not have sufficient proof of hardship as is required under the Participation category.
 - Of the 26 eligible applications:
 - 16 applications were approved for funding.

- 10 applications were not funded as they did not align with requirements as per the Kingston Grants Program Policy and Guidelines, specifically:
 - Six applicants were suspected of providing fraudulent documentation with their applications.
 - One applicant did not provide the required documentation, following repeated requests.
 - One applicant applied for a membership at Waves Leisure Centre and was referred to Waves outside of the Kingston Grants Program.
 - Two applicants sought retrospective funding.
- Community Small Grants (presented in Appendix 2 and 3)
 - Funding outcomes were determined for 25 Community Small Grant applications. Of these:
 - 23 applications were deemed eligible as per the Kingston Grants Program Policy and Guidelines.
 - Two applications were deemed ineligible as per the Kingston Grants Program Policy and Guidelines because they were not registered as a not-for-profit organisation or auspiced by a not-for-profit organisation.
 - Of the 23 eligible applications:
 - 15 applications were approved for funding.
 - Seven applications are not recommended for funding as they did not align with requirements as per the Kingston Grants Program Policy and Guidelines, specifically:
 - One applicant sought retrospective funding.
 - One applicant applied for activities related to religious activities related to worship, congregation, secular promotion, protest, or campaigns.
 - One applicant applied for an activity requiring additional approvals to facilitate the installation of a mural.
 - One applicant applied for an activity already provided by other organisations within the specific area of the municipality.
 - One applicant applied for an activity they were already funded for under the Operational & Partnership Grants stream.
 - Two applicants incorrectly applied under the start-up funding category and were not intending to start up a new incorporated group within Kingston.
 - One application was withdrawn after receiving notification of approval, as the applicant was no longer able to deliver the activity.

The Kingston Grants Program is governed by the Kingston Grants [Program Policy](#) and [Program Guidelines](#).

In line with the Kingston Grants Program Policy, the following authorisation is in place:

For Individual Development Grants:

- Council delegates the making of funding decisions to the Manager Inclusive Communities, Team Leader Community Capacity and Partnerships, and Coordinator Community Capacity for Individual Development Grants.

For Community Small Grants:

- Successful funding outcomes to be made by Council officer(s)
- Not recommended funding outcomes to be by decision at a meeting of Council.

Where funding decisions differ from the outcomes and/or recommendation, Council will provide their reasons for amending recommendations.

2. Background

Kingston City Council provides approximately \$1.8 million in grants to local organisations and groups to help provide services and projects for health and welfare, arts and culture, sport and recreation, education, environment, and community support. Grants are also offered for individual development and achievement.

The Kingston Grants Program plays an important role in enabling the delivery of activities for the benefit of the Kingston community, in alignment with Council's strategic directions, objectives and priorities as identified in the Council Plan and other strategic documents.

The following principles underpin Council's overall approach to the provision of grants:

- **Access:** Our community should be aware of grant opportunities. The application process should be easy, and applicants should have the resources and support to apply.
- **Equity:** Our grants will meet the needs of those in the community who will get the greatest benefit from financial support.
- **Inclusion:** Application and assessment processes should remove barriers and reduce discrimination for people with disabilities, young people, older people, women, LGBTQIA+, Indigenous people, and people from multicultural backgrounds.
- **Diversity:** People from diverse backgrounds should be specifically made aware of grants, and recipients should represent the diversity of Kingston's community.
- **Good Governance:** The administration of grants should provide equity of grant allocations and reduce risk to Council.
- **Strategic Alignment:** Grants programs should be aligned with Council's strategic direction.

The Kingston Grants Program consists of five streams:

- Individual Development Grants
- Community Small Grants
- Community Bi-Annual Grants
- Operational and Partnership Grants
- Community Festival, Events and Creative Activities grants

The Kingston Grants Program is governed by the Kingston Grants [Program Policy](#) and [Program Guidelines](#).

In line with the Kingston Grants Program Policy, the following authorisation is in place:

For Individual Development Grants:

- Council delegates the making of funding decisions to the Manager Inclusive Communities, Team Leader Community Capacity and Partnerships, and Coordinator Community Capacity for Individual Development Grants.

For Community Small Grants:

- Successful funding outcomes to be made by Council officer(s)
- Not recommended funding outcomes to be by decision at a meeting of Council.

Where funding decisions differ from the outcomes and/or recommendation, Council will provide their reasons for amending recommendations.

3. Discussion

3.1 Individual Development Grants

Individual Development Grants are one-off grants that support individual Kingston residents to compete, perform or represent at a State, National or International level in their chosen discipline through the Achievement category; or to support individuals experiencing financial hardship to participate in a group, club or activity through the Participation category. Due to suspected fraudulent applications to the Participation category, the Chief Executive Officer placed the category on hold in September 2024, pending a review. The findings of this review will be presented in the Quarterly Report (October – December 2024).

These grants recognise the sacrifices that people make to reach significant goals, seek to develop local leaders and positive role models, and assist individuals whose ability to participate or to strive towards their potential is hindered due to financial hardship.

Individual Development Grants can support individuals with registration or entry fees, travel, accommodation, or purchase, hire and transportation of equipment or materials required to compete or participate, in the following disciplines:

- Arts and Culture
- Sports and Recreation
- Environment and Climate Actions
- Humanitarian and Leadership

Individuals Development Grants are open to all Kingston residents and include funding under the following categories:

- Achievement Category
 - \$200 – State level within Victoria
 - \$400 – National level held interstate or in Victoria
 - \$600 – International level held overseas, interstate or in Victoria
 - Plus 25% financial hardship consideration
- Participation Category
 - Up to \$600 per family

The eligibility criteria, what can and cannot be funded, and how to apply is outlined in the Kingston Grants [Program Policy](#) and [Program Guidelines](#).

Eligible applications are assessed on:

- Level and location of the activity
- Level of achievement and development potential in a chosen discipline; or the club, group or activity the individual wishes to participate in
- Level of assistance from other sources
- Evidence of financial hardship.

3.1.1 Individual Development Grants - Summary of all applications

Throughout 1 July – 30 September 2024, funding outcomes were determined for 27 Individual Development Grant applications. Of these:

- 26 applications were deemed eligible as per the Kingston Grants Program Policy and Guidelines.
 - One application was deemed ineligible as per the Kingston Grants Program Policy and Guidelines, specifically:
 - One application sought funding under a business name and did not have sufficient proof of hardship as is required under the Participation category.
- Of the 26 eligible applications:
 - 16 Individual Development Grants were approved for funding.
 - 10 Individual Development Grants were not approved for funding as they did not align with requirements as per the Kingston Grants Program Policy and Guidelines, specifically:
 - Six applicants were suspected of providing fraudulent documentation with their applications.
 - One applicant did not provide the required documentation, following repeated requests.
 - One applicant applied for a membership at Waves Leisure Centre and was referred to Waves outside of the Kingston Grants Program.
 - Two applicants sought retrospective funding.

For noting, Appendix 1 presents funding outcomes for the Individual Development Grants for July - September 2024.

3.2 Community Small Grants

Community Small Grants are one-off grants that support smaller scale activities that strengthen the community, help the environment, and improve local organisations and community groups. These grants recognise that sometimes, all it takes is a small amount of funding to help make great things happen for the benefit of the Kingston community.

Community Small Grants offer up to \$2,000 for not-for-profit organisations and can support a range of activities under the following categories:

- Community projects and programs
- Community celebrations
- Small equipment
- Capacity building
- Start-up support

The eligibility criteria, what can and cannot be funded, and how to apply is outlined in the Kingston Grants [Program Policy](#) and [Program Guidelines](#).

Eligible applications are assessed on the assessment criteria outlined in the Guidelines, which relate to:

- Community need
- Community benefit
- Capacity to deliver
- Capacity for sustainability

- Other considerations

3.2.1 Community Small Grants – Summary of All Applications

Throughout 1 July – 30 September 2024, funding outcomes were determined for 25 Community Small Grant applications. Of these:

- 23 applications were deemed eligible as per the Kingston Grants Program Policy and Guidelines.
 - Two applications were deemed ineligible as per the Kingston Grants Program Policy and Guidelines because they were not registered as a not-for-profit organisation or auspiced by a not-for-profit organisation.

One application was withdrawn after receiving notification of approval, as the applicant was no longer able to deliver the activity.

In total, 15 Community Small Grants applications were approved for funding.

For noting, Appendix 2 presents the Successful Funding Outcomes for the Community Small Grants for July - September 2024.

Seven Community Small Grants are not recommended for funding, as they did not align with requirements as per the Kingston Grants Program Policy and Guidelines, specifically:

- One applicant applied for an activity already provided by other organisations within the specific area of the municipality.
- One applicant sought retrospective funding.
- One applicant applied for activities related to religious activities related to worship, congregation, secular promotion, protest, or campaigns.
- One applicant applied for an activity requiring additional approvals to facilitate the installation of a mural.
- Two applicants incorrectly applied under the start-up funding category and were not intending to start up a new incorporated group within Kingston.
- One applicant applied for an activity they were already funded for under the Operational & Partnership Grant stream.

For endorsement, Appendix 3 presents the Funding Outcomes – Not Recommended for July - September 2024.

4. Consultation

4.1 Internal Consultation:

Internal departments are consulted on grant applications, including but not limited to Active Kingston, Finance and Inclusive Communities.

4.2 Community Consultation:

N/A

5. Compliance Checklist

5.1 Council Plan Alignment

Strategic Direction: Healthy and inclusive - We are progressive, inclusive and prioritise the wellbeing of all members of our community.

Strategy: Support the inclusion of everyone in community life.

5.2 Governance Principles Alignment

Principle (b) - priority is to be given to achieving the best outcomes for the municipal community, including future generations.

Principle (i) - the transparency of Council decisions, actions and information is to be ensured.

5.3 Financial Considerations

In the 2024/25 financial year, a total budget of \$34,893 is available to distribute through the Individual Development Grants stream. \$8,200 has been funded from this stream at the end of Quarter 1 (July – September 2024).


In the 2024/25 financial year, a total budget of \$199,150 is available to distribute through the Community Small Grants stream. \$25,089 has been funded from this stream at the end of Quarter 1 (July – September 2024).


5.4 Risk considerations


The Kingston Grants Program and Kingston Grants Program Policy and Guidelines addresses potential accessibility, governance, legal and reputational risks to Council associated with Council's current grants model, in line with the recommendations of the Victorian Auditor-Generals Office (VAGO) report.

There is a risk of fraudulent activity relating to the Participation category of the Individual Development Grants stream, as identified in this report. A review of the Participation category is being undertaken and the findings with recommendations will be presented in the next Quarterly Report.

Appendices

Appendix 1 - Individual Development Grants - Funding Outcomes - 1 July-30 September 2024 (Ref 24/459841)  [↓](#)

Appendix 2 - Community Small Grants - Successful Funding Outcomes - 1 July-30 September 2024 (Ref 24/459852)  [↓](#)

Appendix 3 - Community Small Grants - Funding Outcomes - Not Recommended - 1 July-30 September 2024 (Ref 24/459844)  [↓](#)

Author/s: Gillian Turnbull, Coordinator Community Capacity
Reviewed and Approved By: Trent Carpenter, Team Leader Community Capacity and Partnerships
Susan Quach, Acting Manager Inclusive Communities
Kate Waters, Acting General Manager Community Strengthening

8.2

INDIVIDUAL DEVELOPMENT GRANTS AND COMMUNITY SMALL GRANTS - QUARTERLY REPORT (JULY - SEPTEMBER 2024)

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Kingston Grants Program – Individual Development Grants

Funding Outcomes 1 July – 30 September 2024

Approvals

Club / Organisation Name	App No	Requested	Approved	Approval Date	Details	Event Date	Field	Event Location Type	Category
Brighton Grammar School	IDG 003 2024-25	\$400.00	\$400.00	1/07/2024	Australian Secondary School Team Sailing Championships	17/07/2024-20/07/2024	Sailing	National	Achievement
Waves	IDG 001 2024-25	\$600.00	\$600.00	2/07/2024	Swimming membership (suspected fraudulent application)	N/A	Swimming	N/A	Participation
St Kinda Petanque Club	IDG 011 2024-25	\$600.00	\$600.00	16/07/2024	World Men's Triples Petanque (boules) Championship, France	5/12/2024-8/12/2024	Petanque (boules)	International	Achievement
Melbourne Scooter Club	IDG 009 2024-25	\$600.00	\$600.00	16/07/2024	World Skate Games, Italy	7/09/2024-14/09/2024	Scooter Riding	International	Achievement
Southern United Hockey Club	IDG 007 2024-25	\$600.00	\$600.00	16/07/2024	Hockey Australia Masters World Cup, New Zealand	4/11/2024-17/11/2024	Hockey	International	Achievement
No Club	IDG 010 2024-25	\$600.00	\$600.00	16/07/2024	GKA Kitesurf World Club, Germany	20/08/2024-25/08/2024	Kitesurfing	International	Achievement
Mentone Diving Club	IDG 019 2024-25	\$400.00	\$400.00	24/07/2024	School Sport Australia (SSA) Diving Championships, South Australia 10-16/8/2024	10/08/2024-16/08/2024	Diving	National	Achievement
Mentone Diving Club	IDG 016 2024-25	\$400.00	\$400.00	24/07/2024	School Sport Australia (SSA) Diving Championships, South Australia	10/08/2024-16/08/2024	Diving	National	Achievement
No Club	IDG 017 2024-25	\$400.00	\$400.00	24/07/2024	Australian Weightlifting Federation Senior Championships, NSW	31/08/2024-1/09/2024	Weightlifting	National	Achievement
MCC Lacrosse	IDG 028 2024-25	\$400.00	\$400.00	15/08/2024	Lacross Australia U15 Boys and Girls National Tournament, South Australia	29/09/2024-5/10/2024	Lacrosse	National	Achievement

Club / Organisation Name	App No	Requested	Approved	Assessment Date	Details	Event Date	Field	Event Location Type	Category
Peninsula Dragonflys	IDG 026 2024-25	\$600.00	\$600.00	20/08/2024	Asian Dragon Boat Racing Championships, Hong Kong	11/10/2024-13/10/2024	Dragon Boat Racing	International	Achievement
Frankston Sharks BMX	IDG 035 2024-25	\$400.00	\$400.00	22/08/2024	BMX National titles, Western Australia	7/10/2024-13/10/2024	BMX	National	Achievement
No Club	IDG 036 2024-25	\$600.00	\$600.00	27/08/2024	UN Youth Australia Young diplomats tour (Poland, Germany, Netherlands, Belgium, France, England, Northern Ireland)	27/12/2024-22/01/2025	Humanitarian & Leadership	International	Achievement
Rowville JKA/WF	IDG 039 2024-25	\$600.00	\$600.00	10/09/2024	16th Karate World Cup, Japan	25/10/2024-27/10/2024	Karate	International	Achievement
Southern United Hockey Club	IDG 020 2024-25	\$600.00	\$600.00	12/09/2024	Masters Hockey World Cup, Cape Town South Africa	11/10/2024-22/07/2024	Hockey	International	Achievement
Chelsea Little Athletics	IDG 044 2024-25	\$400.00	\$400.00	24/09/2024	School Sports Australia Track and Field National Championships, Sydney	28/11/2024-2/12/2024	Sport/ Recreation	National	Achievement
Total		\$8,200.00	\$8,200.00						

Funding Not Approved

Club / Organisation Name	App No	Requested	Approved	Assessment Date	Details	Event Date	Field	Event Location Type	Category	Unsuccessful Details
Waves Cheltenham	IDG 012 2024-25	\$600.00	\$0.00	16/07/2024	Waves Aquatic Membership	22/07/2024-21/07/2025	Aquatic membership	N/A	Participation	Suspected fraudulent documentation provided
Spring Valley Golf Club	IDG 005 2024-25	\$600.00	\$0.00	16/07/2024	Participation Category - Spring Valley Golf Club Membership, Clayton South	22/07/2024-21/07/2025	Golf	N/A	Participation	Suspected fraudulent documentation provided
Waves Cheltenham	IDG 004 2024-25	\$600.00	\$0.00	16/07/2024	Waves Aquatic Membership	16/07/2024-15/07/2025	Swimming	N/A	Participation	Suspected fraudulent documentation provided

Club / Organisation Name	App No	Requested	Approved	Assessment Date	Details	Event Date	Field	Event Location Type	Category	Unsuccessful Details
Waves Cheltenham	IDG 014 2024-25	\$600.00	\$0.00	16/07/2024	Learn to swim	2/08/2024-20/12/2024	Swimming	N/A	Participation	Request was for Waves membership and is not in line with intent of the participation category. Recipient referred to Waves team to discuss available concession rates
Camberwell Hockey Club and St Bede's Old Collegians' Hockey Club	IDG 008 2024-25	\$400.00	\$0.00	16/07/2024	National Masters Hockey Championships, Hobart	11/07/2024-21/07/2024	Hockey	National	Achievement	In line with Guidelines, retrospective funding is not supported
Cheltenham Golf Club	IDG 018 2024-25	\$600.00	\$0.00	24/07/2024	Cheltenham Golf Club Membership	27/09/2024-30/09/2024	Golf	N/A	Participation	Suspected fraudulent documentation provided
Waves Cheltenham	IDG 021 2024-25	\$600.00	\$0.00	24/07/2024	Gym membership	29/07/2024-28/07/2025	Gym	N/A	Participation	Suspected fraudulent documentation provided
Waves Cheltenham	IDG 022 2024-25	\$600.00	\$0.00	24/07/2024	Waves Aquatic Membership	30/07/2024-29/07/2025	Swimming	N/A	Participation	Suspected fraudulent documentation provided
MGSC RoboSapiens	IDG 038 2024-25	\$200.00	\$0.00	24/09/2024	Solving real-world problems by designing, building, and programming LEGO robots to complete specific missions	27/11/2024-27/11/2025	Sport / Recreation Humanitarian	Statewide	Achievement	Did not provide proof of residence or proof of competitive selection, qualification, or an invitation to participate in a club/activity
Cheltenham Youth Club	IDG 015 2024-25	\$400.00	\$0.00	24/09/2024	National Gymnastic Clubs Carnival, Gold Coast	19/09/2024-7/10/2024	Gymnastics	National	Achievement	In line with Guidelines, retrospective funding is not supported
Total		\$5,200.00	\$0.00							

Kingston Grants Program – Community Small Grants

Funding Outcomes 1 July – 30 September 2024

Approvals

Name	Amount Requested	Amount Approved	Date of Approval	Details	Notes
Chelsea Heights Community Centre	\$2,000.00	\$2,000.00	4/07/2024	Replacement playgroup equipment (antiskid mats and stack a tunnels)	
Avellino Circolo Pensioners of Springvale	\$2,000.00	\$2,000.00	23/07/2024	Replacement kitchen equipment (pots, pans, chopping boards, coffee dispensers) to ensure continued provision of monthly lunches to members	
Evesham Road Pre School Association	\$1,500.00	\$1,500.00	23/07/2024	Garden improvement - restoration of garden mud pit, garden beds, compost and plants	
The Country Womens' Association of Victoria - Dingley Village Branch	\$1,945.00	\$1,945.00	8/08/2024	Emerge Project - Care, Comfort and Support. Funds to hand craft items to provide to Emmerge Support Women's Refuge	
Bayside Cricket Club	\$2,000.00	\$2,000.00	22/08/2024	Cricket equipment for training and game day (stumps, flags, discs, targets, bats, first aid kits, bags)	
Chelsea Heights Kindergarten	\$1,906.90	\$1,208.90	22/08/2024	iPad and bluetooth speaker	Partial Funding. Guidelines state digital equipment maximum = \$1,000
Dingley Central Probus Club	\$2,000.00	\$2,000.00	22/08/2024	Christmas lunch	
Carrum Cowboys Football Club	\$2,000.00	\$2,000.00	29/08/2024	Cultural awareness - artist fees to deliver cultural awareness presentation	
Farm Road Pre-School	\$1,237.93	\$1,237.93	29/08/2024	Children's Week Open Day (face painting, children's entertainer, art & craft supplies, gardening supplies)	

Name	Amount Requested	Amount Approved	Date of Approval	Details	Notes
Kondia Limnos Senior Citizens Club	\$2,000.00	\$2,000.00	29/08/2024	Celebration of Independence of Limnos (catering, entertainment)	
Kingston U3A	\$2,000.00	\$2,000.00	5/09/2024	Kingston Seniors Festival - free art exhibition, Le Studio Art Space, Mordialloc & Parkdale Secondary College (hire of Parkdale Theatre, sound and lighting assistance and art exhibition studio)	
Bonbeach YCW Junior Cricket Club	\$1,186.95	\$1,186.95	12/09/2024	Upgrade of playing coaching aid equipment to deliver better experiences for junior cricket players (clipboard, stump, ramp, hurdles, cricket balls, pads, gloves, targets)	
Chelsea Men's Shed	\$1,250.00	\$1,250.00	12/09/2024	Laptop and purchase of software (not licence) to use on laser cutter to replace old laptop: Laptop \$1,000, software: \$250	Partial Funding. Guidelines state digital equipment maximum = \$1,000
Le Page Park Cricket Club	\$2,000.00	\$2,000.00	12/09/2024	Equipment (helmets, training balls, pads, batting gloves, bats, bags) to support and grow the women's and girl's cricket program	
Probus Club of Parktone INC	\$760.00	\$760.00	12/09/2024	Bus hire for excursion for 30+ members from Docklands to Williamstown and return	
Total	\$25,786.78	\$25,088.78			

Kingston Grants Program – Community Small Grants

Funding Outcomes 1 July – 30 September 2024

Funding Not Recommended

Name	Amount Requested	Amount Approved	Date of Assessment	Details	Notes
Christ Church Dingley	\$2,000.00	\$0.00	1/08/2024	Food bank care and share - provision of food and hygiene items without cost for families	Activity provided by other organisations in this area. Organisation referred to emergency relief services officer to connect them with a suitable local organisation
Australian Volunteer Coast Guard - Carrum	\$2,000.00	\$0.00	12/09/2024	Personal Eperb replacement (personal protective equipment) - Volunteer safety	In line with Guidelines, retrospective funding request is not supported
Imvrians' Society of Melbourne	\$1,570.00	\$0.00	12/09/2024	Creation of traditional costumes for performing group for the Patriarch of the Orthodox Christian Church, his All Holiness Ecumenical Patriarch Bartholomew, was born on and spent his formative years on Imvros, as part of the 100 year celebration of the Greek Orthodox Archdiocese of Australia	Religious activities related to worship, congregation, secular promotion, protest, or campaigns cannot be funded, in line with Guidelines
Aspendale Tennis Club	\$2,000.00	\$0.00	19/09/2024	Mural wall	Not in line with the intent of the community small grants. Acquittal from funding provided in 2020/21 has not been submitted. Applicant recommended to consider applying for a bi-annual grant and work with Arts team to assist with planning

Name	Amount Requested	Amount Approved	Date of Assessment	Details	Notes
MGSC RoboSapiens	\$2,000.00	\$0.00	1/08/2024	Mentone Girls Secondary College competing in the FLL (First LEGO League) Competition. Appears to be an incorrect form completed as request is for team apparel and equipment, rather than a new group looking to establish themselves in Kingston	Application is for a start up grant, however the applicant is not looking to start up a new incorporated group in Kingston Advice provided to applicant on alternative funding options through the Individual Development Grant stream Application is for a start up grant, however the applicant is not looking to set up a group in Kingston, but rather provide Tai Chi sessions
Yang Tai Chi Group	\$2,000.00	\$0.00	5/09/2024	Tai Chi sessions to Kingston residents	Advice provided to applicant on; - Definition of incorporation - Connecting with Community Centres and groups operating in Kingston providing Tai Chi Already funded for this activity through the Operational & Partnership grant stream
Italian Social Club of Moorabbin Inc	\$2,000.00	\$0.00	12/09/2024	Weekly gatherings, lunches and playing cards, bocce and billiards. Bus trips	
Total	\$13,570.00	\$0.00			

Ordinary Council Meeting

24 February 2025

Agenda Item No: 8.3

INDIVIDUAL DEVELOPMENT GRANTS AND COMMUNITY SMALL GRANTS - QUARTERLY REPORT (OCTOBER - DECEMBER 2024)

Contact Officer: Gillian Turnbull, Coordinator Community Capacity

Purpose of Report

The purpose of this report is to present the quarterly (October - December 2024) funding outcomes of the Kingston Grants Program for the following streams:

- Individual Development Grants
- Community Small Grants

This report also presents recommended changes to the Individual Development Grants stream – Participation category.

Disclosure of Officer / Contractor Conflict of Interest

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

RECOMMENDATION

That Council:

1. Note the funding outcomes of the Individual Development Grants for 1 October – 31 December 2024, as presented in Appendix 1.
2. Note the successful funding outcomes of the Community Small Grants for 1 October – 31 December 2024, as presented in Appendix 2.
3. Endorse that the Community Small Grants, as presented in Appendix 3, are not recommended for funding for 1 October – 31 December 2024.
4. Approve the removal of the Participation category, within the Individual Development Grants stream of the Kingston Grants Program, as outlined in section 3.3 of this report, and authorise officers to update the Kingston Grants Program Policy and Guidelines by removing references to the Participation Category.

1. Executive Summary

This report presents the quarterly (1 October – 31 December 2024) funding outcomes of the Kingston Grants Program for the following streams:

- Individual Development Grants (presented in Appendix 1)
 - Funding outcomes were determined for 10 Individual Development Grant applications. Of these:
 - 10 applications were deemed eligible as per the Kingston Grants Program Policy and Guidelines.

- Of the 10 eligible applications:
 - Eight applications were approved for funding.
 - Two applications were not funded as they did not align with requirements as per the Kingston Grants Program Policy and Guidelines, specifically both applications sought retrospective funding.
- Community Small Grants (presented in Appendix 2 and 3)
 - Funding outcomes were determined for 20 Community Small Grant applications. Of these:
 - 20 applications were deemed eligible as per the Kingston Grants Program Policy and Guidelines.
 - Of the 20 eligible applications:
 - 14 applications were approved for funding.
 - One application is pending approval, subject to a building works approval-in-principle before funding can be provided.
 - Five applications are not recommended for funding as they did not align with requirements as per the Kingston Grants Program Policy and Guidelines, specifically:
 - One did not adequately demonstrate a need for funding.
 - One sought funding for recurrent/ongoing building maintenance.
 - One sought funding to hire a venue with gaming machines.
 - One sought funding for lease payments which does not align with the intent of the Community Small Grants stream.
 - One sought retrospective funding.

The Kingston Grants Program is governed by the Kingston Grants [Program Policy](#) and [Program Guidelines](#).

In line with the Kingston Grants Program Policy, the following authorisation is in place:

For Individual Development Grants:

- Council delegates the making of funding decisions to the Manager Inclusive Communities, Team Leader Community Capacity and Partnerships, and Coordinator Community Capacity for Individual Development Grants.

For Community Small Grants:

- Successful funding outcomes to be made by Council officer(s)
- Not recommended funding outcomes to be by decision at a meeting of Council.

Where funding decisions differ from the outcomes and/or recommendation, Council will provide their reasons for amending recommendations.

2. Background

Kingston City Council provides approximately \$1.8 million in grants to local organisations and groups to help provide services and projects for health and welfare, arts and culture, sport and recreation, education, environment, and community support. Grants are also offered for individual development and achievement.

The Kingston Grants Program plays an important role in enabling the delivery of activities for the benefit of the Kingston community, in alignment with Council's strategic directions, objectives and priorities as identified in the Council Plan and other strategic documents.

The following principles underpin Council's overall approach to the provision of grants:

- Access: Our community should be aware of grant opportunities. The application process should be easy, and applicants should have the resources and support to apply.
- Equity: Our grants will meet the needs of those in the community who will get the greatest benefit from financial support.
- Inclusion: Application and assessment processes should remove barriers and reduce discrimination for people with disabilities, young people, older people, women, LGBTQIA+, Indigenous people, and people from multicultural backgrounds.
- Diversity: People from diverse backgrounds should be specifically made aware of grants, and recipients should represent the diversity of Kingston's community.
- Good Governance: The administration of grants should provide equity of grant allocations and reduce risk to Council.
- Strategic Alignment: Grants programs should be aligned with Council's strategic direction.

The Kingston Grants Program consists of five streams:

- Individual Development Grants
- Community Small Grants
- Community Bi-Annual Grants
- Operational and Partnership Grants
- Community Festival, Events and Creative Activities grants

The Kingston Grants Program is governed by the Kingston Grants [Program Policy](#) and [Program Guidelines](#).

In line with the Kingston Grants Program Policy, the following authorisation is in place:

For Individual Development Grants:

- Council delegates the making of funding decisions to the Manager Inclusive Communities, Team Leader Community Capacity and Partnerships, and Coordinator Community Capacity for Individual Development Grants.

For Community Small Grants:

- Successful funding outcomes to be made by Council officer(s)
- Not recommended funding outcomes to be by decision at a meeting of Council.

Where funding decisions differ from the outcomes and/or recommendation, Council will provide their reasons for amending recommendations.

3. Discussion

3.1 Individual Development Grants

Individual Development Grants are one-off grants that support individual Kingston residents to compete, perform or represent at a State, National or International level in their chosen discipline through the Achievement category; or to support individuals experiencing financial hardship to participate in a group, club or activity through the Participation category. The Participation category was placed on hold in quarter one, due to suspected fraudulent activity (refer to section 3.3 for details).

These grants recognise the sacrifices that people make to reach significant goals, seek to develop local leaders and positive role models, and assist individuals whose ability to participate or to strive towards their potential is hindered due to financial hardship.

Individual Development Grants can support individuals with registration or entry fees, travel, accommodation, or purchase, hire and transportation of equipment or materials required to compete or participate, in the following disciplines:

- Arts and Culture
- Sports and Recreation
- Environment and Climate Actions
- Humanitarian and Leadership

Individuals Development Grants are open to all Kingston residents and include funding under the following categories:

- Achievement Category
 - \$200 – State level within Victoria
 - \$400 – National level held interstate or in Victoria
 - \$600 – International level held overseas, interstate or in Victoria
 - Plus 25% financial hardship consideration
- Participation Category
 - Up to \$600 per family

The eligibility criteria, what can and cannot be funded, and how to apply is outlined in the Kingston Grants [Program Policy](#) and [Program Guidelines](#).

Eligible applications are assessed on:

- Level and location of the activity
- Level of achievement and development potential in your chosen discipline; or the club, group or activity you wish to participate in
- Level of assistance from other sources
- Evidence of financial hardship.

3.1.1 Individual Development Grants - Summary of all applications

Throughout 1 October – 31 December 2024, funding outcomes were determined for 10 Individual Development Grant applications. Of these:

- 10 applications were deemed eligible as per the Kingston Grants Program Policy and Guidelines.
- Of the 10 eligible applications:
 - Eight applications were approved for funding.
 - Two applications were not funding as they did not align with requirements as per the Kingston Grants Program Policy and Guidelines, specifically, both applications sought retrospective funding,

For noting, Appendix 1 presents funding outcomes for the Individual Development Grants for October – December 2024.

3.2 Community Small Grants

Community Small Grants are one-off grants that support smaller scale activities that strengthen the community, help the environment, and improve local organisations and community groups. These grants recognise that sometimes, all it takes is a small amount of funding to help make great things happen for the benefit of the Kingston community.

Community Small Grants offer up to \$2,000 for not-for-profit organisations and can support a range of activities under the following categories:

- Community projects and programs
- Community celebrations
- Small equipment
- Capacity building
- Start-up support

The eligibility criteria, what can and cannot be funded, and how to apply is outlined in the Kingston Grants [Program Policy](#) and [Program Guidelines](#).

Eligible applications are assessed on the assessment criteria outlined in the Guidelines, which relate to:

- Community need
- Community benefit
- Capacity to deliver
- Capacity for sustainability
- Other considerations

3.2.1 Community Small Grants – Summary of All Applications

Throughout 1 October – 31 December 2024, funding outcomes were determined for 20 Community Small Grant applications. Of these:

- 20 applications were deemed eligible as per the Kingston Grants Program Policy and Guidelines.

In total, 14 applications were approved for funding. One application is pending approval, subject to a building works approval-in-principle before funding can be provided.

For noting, Appendix 2 presents the Successful Funding Outcomes for the Community Small Grants for October - December 2024.

Five applications are not recommended for funding, as they did not align with requirements as per the Kingston Grants Program Policy and Guidelines, specifically:

- One did not adequately demonstrate a need for funding.
- One sought funding for recurrent/ongoing building maintenance.
- One sought funding to hire a venue with gaming machines.
- One sought funding for lease payments which does not align with the intent of the Community Small Grants stream.
- One sought retrospective funding.

For endorsement, Appendix 3 presents the Funding Outcomes – Not Recommended for October - December 2024.

3.3 Proposed Changes to the Individual Development Grants – Participation Category

The Individual Development Grants and Community Small Grants streams have been in place since 1 January 2024, and the Participation Category of the Individual Development Grants was put on hold in Quarter 1 of the 2024/25. This section of the report presents the findings of a review of the Participation category and includes recommended permanent changes to the Participation category of the Individual Development Grants stream.

3.3.1 Current Status of the Participation Category

The Participation category of the Individual Development Grants stream provides funding of up to \$600 per family, to individuals experiencing financial hardship to participate in a group, club or activity. The category is intended to support financially disadvantaged individuals to participate in activities they would otherwise be unable to due to financial barriers, thus contributing to a reduction in social isolation and improvements in physical and mental health.

The Participation category is a new category that was introduced at the commencement of the new Kingston Grants Program, from 1 January 2024. To be eligible, applicants must provide proof of financial hardship, including:

- Centrelink-issued Health Care Card
- Pensioner Concession Card, or
- Veteran Card

Applicants must also provide:

- Evidence to demonstrate Kingston residence (e.g. utility bill, drivers' licence, rates notice)
- Proof of community group or club's locations e.g. ABN, meeting venue, contact person, etc

A total of 12 applications were received in the Participation category since 1 January 2024, including:

- 5 x golf club memberships
- 5 x swimming memberships at Waves Leisure Centre
- 1 x gym membership at Waves Leisure Centre
- 1 x live music and movement for babies program

Of the 12 applications, only four were funded.

3.3.2 Suspected fraudulent activity

The majority of applications to the Participation category included documents such as utility bills, pension cards and drivers' licences that appeared to have been altered, with missing dates and barcodes, illegible information, and non-residential Kingston addresses. In some applications, the supporting documents matched those provided by other applicants.

The Chief Executive Officer approved the category being put on hold from September 2024, pending review. Following this approval, applications to the category have not been accepted.

A report was submitted to Victoria Police outlining details of the alleged fraud cases.

3.3.3 Review of Participation category

The Participation category was introduced as a part of the Individual Development Grants stream under the new Kingston Grants Program, which began on 1 January 2024. However, the category has not operated as intended. Issues have arisen, including applicants not aligning with the category's purpose, submissions from businesses rather than individuals, and concerns about suspected fraudulent activity. Based on these findings, it is evident that eligible community members in Kingston have not demonstrated a genuine need for this funding, nor have they accessed it for its intended purpose.

The most common model used by other Councils to provide financial support for individuals to participate in activities, is to fund not-for-profit organisations rather than directly funding individuals. This is common with team sports where an organisation or club can identify those in need and ensure the funding is used to cover the cost of registration fees, uniforms, equipment etc.

Funding individuals relies on personal documentation from Kingston residents, such as utility bills, pension cards and drivers' licences. This reliance creates challenges in administering the program effectively and in accurately verifying eligibility. If the Participation category continues in its current form, there is a risk that Council may inadvertently fund illegitimate applicants.

The risk of fraud is reduced in the Individual Development Grants - Achievement category as there is a requirement to provide a letter or email on letterhead from the event/activity organiser, governing body, club or coach/instructor as proof of competitive selection, qualification or invitation to an event. All other Kingston Grants Program streams only accept applications from not-for-profit Incorporated Associations, which is considered best practice to avoid fraud in the allocation of grant funding.

3.3.4 Alternative options to support individuals

There are existing opportunities for individuals experiencing financial hardship to be supported via other avenues. Council already has a number of financial hardship measures in place, for example at Waves and Community Centres. Financial hardship options are also available through some community programs, sports clubs and leagues to provide direct financial support towards registration fees, equipment etc. State Government bodies also prioritise this type of funding through grants from time to time, depending on their priorities.

Organisations such as Team Sports 4 All provide access to sport and activities for people experiencing financial hardship. Council has committed to funding \$5,500 through the Bi-annual Grants stream and \$5,500 through the Kingston Charitable Fund to support this organisation. They collaborate with schools and community groups in Kingston to identify children in need and cover their fees and uniform expenses. Additionally, they liaise with local sports clubs to streamline the registration process and provide ongoing assistance to ensure they stay connected and have the support they need.

As an alternative to the Participation category, supporting these types of organisations through the grants program is a more practical way of providing financially disadvantaged individuals with the opportunity to participate in their activity of choice. This can be achieved through the Community Bi-annual and Small Grant streams.

The recurring instances of suspected fraudulent activity pose a risk to Council. While the intent of the Participation category has the potential to provide community benefit, there is no evidence of positive outcomes from this category since it commenced on 1 January 2024.

3.3.5 Recommendation

Officers recommend ceasing the Participation category and implementing relevant changes to the Policy and Guidelines to support this change.

4. Consultation

4.1 Internal Consultation:

Internal departments are consulted on grant applications, including but not limited to Active Kingston, Finance and Inclusive Communities.

4.2 Community Consultation:

N/A

5. Compliance Checklist

5.1 Council Plan Alignment

Strategic Direction: Healthy and inclusive - We are progressive, inclusive and prioritise the wellbeing of all members of our community.

Strategy: Support the inclusion of everyone in community life

5.2 Governance Principles Alignment

Principle (b) - priority is to be given to achieving the best outcomes for the municipal community, including future generations.

Principle (i) - the transparency of Council decisions, actions and information is to be ensured.

5.3 Financial Considerations

In the 2024/25 financial year, a total budget of \$34,893 is available to distribute through the Individual Development Grants stream. \$11,400 has been funded from this stream at the end of Quarter 2 (October – December 2024).


In the 2024/25 financial year, a total budget of \$199,150 is available to distribute through the Community Small Grants stream. \$48,149 has been funded from this stream at the end of Quarter 2 (October – December 2024).


5.4 Risk considerations


The Kingston Grants Program and Kingston Grants Program Policy and Guidelines addresses potential accessibility, governance, legal and reputational risks to Council associated with Council's current grants model, in line with the recommendations of the Victorian Auditor-Generals Office (VAGO) report.

There is a risk of fraudulent activity relating to the Participation category of the Individual Development Grants stream, as identified in this report. Recommendations from this report would remove that risk.

Appendices

Appendix 1 - Individual Development Grants - Funding Outcomes - 1 October-31
December 2024 (Ref 24/460310)  [↓](#)

Appendix 2 - Community Small Grants - Successful Funding Outcomes - 1 October-31
December 2024 (Ref 24/460314)  [↓](#)

Appendix 3 - Community Small Grants - Funding Outcomes - Not Recommended - 1
October-31 December 2024 (Ref 24/460315)  [↓](#)

Author/s: Gillian Turnbull, Coordinator Community Capacity
Reviewed and Approved By: Trent Carpenter, Team Leader Community Capacity and
Partnerships
Susan Quach, Acting Manager Inclusive Communities
Kate Waters, Acting General Manager Community Strengthening

8.3

INDIVIDUAL DEVELOPMENT GRANTS AND COMMUNITY SMALL GRANTS - QUARTERLY REPORT (OCTOBER - DECEMBER 2024)

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Kingston Grants Program – Individual Development Grants
Funding Outcomes 1 October – 31 December 2024

Approvals

Club / Organisation Name	App No	Requested	Approved	Approval Date	Details	Event Date	Field	Event Location Type	Category
Bullets Allstars Cheerleading	IDG 048 2024-25	\$400.00	\$400.00	8/10/2024	Nationals Cheerleading Competition, Gold Coast	05/12/2024 - 09/12/2024	Cheerleading	National	Achievement
Bullets Allstars Cheerleading	IDG 046 2024-25	\$400.00	\$400.00	8/10/2024	Nationals Cheerleading Competition, Gold Coast	5/12/2024 - 9/12/2024	Cheerleading	National	Achievement
Moorabbin Little Athletics Club	IDG 049 2024-25	\$400.00	\$400.00	8/10/2024	School Sports Australia Track and Field National Championships, Sydney	28/11/2024 - 02/12/2024	High Jump	National	Achievement
No Club	IDG 053 2024-25	\$400.00	\$400.00	15/10/2024	School Sport Australia Track & Field Championship, Sydney	28/11/2024 - 2/12/2024	Athletics	National	Achievement
Mentone LAC	IDG 052 2024-25	\$400.00	\$400.00	15/10/2024	School Sport Australia Track & Field Championship, Sydney	28/11/2024 - 2/12/2024	Athletics	National	Achievement
Ejays Softball	IDG 051 2024-25	\$400.00	\$400.00	15/10/2024	U16 State Softball National Competition, WA	14/01/2025 - 19/01/2025	Softball	National	Achievement
Parkdale Cricket Club	IDG 054 2024-25	\$400.00	\$400.00	29/10/2024	School Sports Australia U12 Girls Cricket National Championships, Adelaide	30/11/2024 - 6/12/2024	Cricket	National	Achievement
Convergence Combat Sports	IDG 056 2024-25	\$400.00	\$400.00	29/10/2024	Australian Taekwondo National Championships, QLD	8/11/2024 - 10/11/2024	Taekwondo	National	Achievement
Total		\$3,200.00	\$3,200.00						

Funding Not Approved

Club / Organisation Name	App No	Requested	Approved	Assessment Date	Details	Event Date	Field	Event Location Type	Category	Unsuccessful Details
ARA Skip Capital	IDG 042 2024-25	\$400.00	\$0.00	15/10/2024	National Road Series Cycling Event, Phillip Island	1/10/2024 - 4/10/2024	Cycling	National	Achievement	In line with Guidelines, retrospective funding requests will not be funded
Dandenong Rangers	IDG 060 2024-25	\$200.00	\$0.00	18/11/2024	Representative Level Basketball competition Victoria wide	15/11/2024 - 1/11/2025	Basketball	Statewide	Achievement	In line with Guidelines, retrospective funding requests will not be funded
Total		\$600.00	\$0.00							

Kingston Grants Program – Community Small Grants

Funding Outcomes 1 October – 31 December 2024

Approvals

Name	Amount Requested	Amount Approved	Date of Approval	Details	Notes
4th Mordialloc Sea Scouts	\$2,000.00	\$2,000.00	22/10/2024	Motoboat motor for youth sailing program Equipment to support woman's expansion cricket (nets, stumps, bails scoreboard, balls, Katchmax training ramp)	
Bonbeach Cricket Club Australian Volunteer Coast Guard Carrum	\$2,000.00	\$2,000.00	22/10/2024	Training for truck licence for volunteer members	
Team Haven as part of the Community Refugee Integration and Settlement Pilot	\$2,000.00	\$2,000.00	29/10/2024	Start up support for the Community Refugee Integration and Settlement Pilot (CRISP) dedicated to mobilising community support to assist refugees arriving in Australia on government visas Supply Equipment for the volunteers to use for maintenance of the land	
Chelsea Pony Club	\$1,985.00	\$1,985.00	29/10/2024	Christmas breakup and celebrating the clubs 41st anniversary	Approved for partial funding based on the percentage of Kingston resident members
Circolo Pensionati Italiani di Oakleigh e Clayton	\$1,500.00	\$480.00	6/11/2024	Fridge and kitchen items to support the provision of weekly meals to members	
Clarinda Greek Seniors Citizens Club	\$2,000.00	\$2,000.00	6/11/2024	Equipment to support the establishment of a new scout group (gazebo, cooker, tables, bench chairs, grill table)	Approved for partial funding. Club is operating out of Kingston, however is a new club establishing activities that will benefit the Kingston community
1st Moorabbin Central Scout Group Lemnian Community Victoria Limited (Seniors)	\$2,000.00	\$1,000.00	20/11/2024	Christmas luncheon for all members and new members	
	\$2,000.00	\$2,000.00	20/11/2024		

Name	Amount Requested	Amount Approved	Date of Approval	Details	Notes
St Joseph's Care & Concern Group	\$1,500.00	\$900.00	22/10/2024	Christmas Party for Single Men & Women 4/12/2024	Partial funding in line with overall available budget and the applicant's financial means/ability to access other sources of funding
Patterson Lakes Outrigger Club	\$2,000.00	\$2,000.00	13/11/2024	Trolley to transport canoes to the water	
Southern Area Concert Band Inc	\$2,000.00	\$2,000.00	20/11/2024	Tubular Bells	
St Andrews Parish Clayton South	\$2,000.00	\$1,500.00	26/11/2024	Community Celebration - Carols by Candlelight 7/12/24	Partial funding in line with level of funding provided in previous years
Southern Suburbs Orchid Society	\$2,000.00	\$2,000.00	4/12/2024	Upgrade of audio/visual facilities at NG Wishart Centre	
Total	\$26,180.00	\$23,060.00			

Kingston Grants Program – Community Small Grants

Funding Outcomes 1 October – 31 December 2024

Funding Not Recommended

Name	Amount Requested	Amount Approved	Date of Assessment	Details	Notes
Christian Resource Ministries	\$2,000.00	\$0.00	22/10/2024	Christmas Carols community event 8/12/24	In line with Guidelines, applicant did not adequately demonstrate a need for funding
Elonera Preschool	\$2,000.00	\$0.00	22/10/2024	Repair step to outdoor deck	In line with Guidelines, recurrent / ongoing building maintenance costs will not be funded
Moorabbin N.G. Wishart Senior Citizens Club	\$950.00	\$0.00	29/10/2024	2024 Christmas Luncheon 18/12/2024, Cheltenham RSL	In line with Guidelines, the lease/hire or use of a venue with gaming machines or other forms of gambling will not be funded, unless the venue offers a unique setting and there is no viable alternative
Mordialloc Boating and Angling Club	\$1,900.00	\$0.00	6/11/2024	Lease of two moorings to expand capacity for boat maintenance in response to demand	Funding for lease payments does not align with the intent of the Community Small Grants stream
Chelsea & District Inter-Church Council	\$600.00	\$0.00	9/12/2024	Christmas Carols community event 8/12/24	In line with Guidelines, retrospective funding is not supported
Total	\$7,450.00	\$0.00			

Ordinary Council Meeting

24 February 2025

Agenda Item No: 8.4

COUNCIL'S OUTSIDE SCHOOL HOURS PROGRAMS

Contact Officer: Mark Patterson, Manager Family Youth & Childrens Services

Purpose of Report

The purpose of this report is to provide information about Council's Outside School Hours Programs to support Council to consider the future provision of the service.

Disclosure of Officer / Contractor Conflict of Interest

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

RECOMMENDATION

That Council exit the provision of Outside School Hours Programs by mid-2025.

1. Executive Summary

This report addresses the current challenges and future direction of Council's Outside School Hours Programs.

Council currently operates four before and after school care programs and two holiday programs across four schools, serving 495 children and 396 families.

The service has experienced significant operational, financial, and staffing difficulties in the aftermath of the COVID-19 pandemic.

In September 2024, the Melbourne Catholic Archdiocese announced a decision to take over services at two of the four schools, presenting a significant challenge to the sustainability of the service overall.

Two viable options to respond to the current situation were identified, as listed below:

1. Proposed Managed Exit: Council could exit the service entirely by mid-2025, transitioning responsibility to private providers. This would eliminate the operational and financial risks but will involve redundancy costs.
2. Continue Current Operations: This approach would involve operating the remaining programs, despite ongoing operational challenges and anticipated financial deficits. It carries significant risks, including further program losses and staff-related issues.

The officer recommendation is Option 1: Proposed Managed Exit.

The proposed managed exit aligns with Council's strategic objectives of delivering the best long-term outcomes for the community and managing financial viability. As outlined in the report, any gap in the market as a result of a provider exiting is quickly filled by another provider.

2. Background

2.1 Overview of Outside School Hours Programs

Outside School Hours Programs support working families by providing care for primary school aged children before and after school, and during school holiday periods.

They support workforce participation by enabling parents to work a full day, and / or take less leave during holiday periods than they would otherwise have to.

Holiday programs operate during school holidays throughout the year. A mix of social, recreational, and educational programs is provided, including excursions and incursions (an external provider running an activity on-site), as well as child-directed play.

Providers are selected by School Councils, for a period usually ranging from one to three years. There is a wide range of mainly for-profit providers in the marketplace to choose from. Providers pay schools a license fee, which can vary significantly depending on the size of the school and / or program.

Outside School Hours Programs are governed by the Education and Care Services National Law and Regulations, which in Victoria are enforced by the Department of Education. They are also assessed against the National Quality Standards, and My Time, Our Place: Framework for School Age Care in Australia.

There is no legislative requirement for Council to provide this service.

2.2 History of Council's Outside School Hours Programs

Council has operated before and after school care and holiday programs for over 30 years. Early on, market entry was based on need and there were few or no other providers.

In 2013, when the service was at its largest, Council ran seven before and after school care, and four holiday programs.

Council's point of difference had been the inclusion of vulnerable children and families and service quality. However, in recent years, many providers have improved their service to be more inclusive and high quality.

Previously, when the service was larger, Council was able to play a role overcoming market failure by cross-subsidising programs at smaller schools with those at larger schools.

Post-COVID, however, it is no longer possible to cross-subsidise smaller services due to lower utilisation overall and lower returns from larger programs.

2.3 Council's Outside School Hours Programs

Council currently runs four before and after school care (BASC) programs, and two holiday programs, as outlined below, serving 396 families and 495 children.

School	BASC	Holiday
Southmoor	Y	Y
St. Patricks	Y	N
St. Joseph's	Y	N
Chelsea	Y	Y

The programs themselves operate in school facilities, apart from coordination and administrative staff who are located at Council offices.

2.3.1 Staffing

Current staffing includes 17 permanent and 28 casual staff. Of the 17 permanent staff, nine are program staff and eight are supervisory or administrative. Three of the permanent staff are full-time, the remaining 14 are part-time. Total EFT for the 17 permanent staff is 11.

Since the end of the COVID-19 pandemic it has been more difficult to attract staff of sufficient quality, at both the front-line and supervisor level. Council programs used to provide a career pathway into schools for student teachers who would gain experience while studying, then move into the school system. Due to significant staffing shortages in schools, however, student teachers are able to find work within the school system instead.

The well-documented trend of people leaving front-line “care” professions post-COVID due to stress, burnout, and the availability of other options has also been a factor.

2.3.2 Utilisation / KPI's

Each component of the service has a target utilisation rate. Actual utilisation is measured quarterly and compared with this target (see below). Overall, during the previous financial year:

- before school programs utilisation was consistently lower than target;
- after school care attendances have improved to near or better than target;
- Holiday programs attendances have been above target.

Note lower targets of 70% have been set post-COVID taking into account decreased demand for the service and caps on programs numbers due to limited availability of staff.

Program	Q1 23/24	Q2 23/24	Q3 23/24	Q4 23/24	Q1 24/25
Before school	30%	46%	36%	49%	44%
After school	50%	60%	58%	80%	71%
School holiday	75%	82%	70%	90%	73%

Population forecasts indicate that the number of pre-school aged children in Kingston will increase from 13,605 in 2024 to 16,031 in 2041. This is an increase of 2,426 or 18%. There is foreseeable incremental growth in enrolments over time as school enrolments increase in line with population growth.

School enrolments, however, can grow or decline in response to changes in administration, capital works, or perceptions of quality, as well as population growth.

Furthermore, it is not automatic, that Council will retain its current programs, as the service is subject to external threats and market forces as outlined elsewhere in this report.

2.4 Financial Impact

Financial performance has declined from a surplus of \$325,000 in 2016/17 to a deficit of \$235,791 in 2023/24.

**City of Kingston
Ordinary Council Meeting**

Agenda

24 February 2025

	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Income	2,217,705	2,530,765	2,200,664	1,967,015	1,837,931	1,636,709	1,412,992	1,758,035	1,730,922
Expenses	2,163,225	2,205,201	2,062,205	1,731,214	1,706,279	1,437,225	1,613,287	1,938,224	1,966,712
Surplus / deficit	54,480	325,563	138,459	235,800	131,651	199,454	-200,295	-180,190	-235,791

2.5 Market Analysis

Most Councils have withdrawn from provision of Out School Hours Programs. The only Council still active in Outside School Hours Programs, of which officers are aware, is Yarra City Council.

The broader marketplace for Outside School Hours Programs is crowded with multiple providers actively competing for market share. The table below provides an overview of providers within the City of Kingston and their market share. A map is provided in appendix 1 to this report.

Provider	Number schools	Market share	Type of provider
Their Care	14	40%	For-profit
Team Kids	9	26%	For-profit
City of Kingston	4	11%	Government
Youth Leadership Victoria	3	9%	For-profit
Camp Australia	2	6%	For-profit
Extend	2	6%	For-profit
Village OSHC	1	3%	For-profit

Currently in Kingston, Council runs four of 36 available before and after school programs, and two of 19 holiday programs.

This is 13% and 10% of the market respectively, a significant reduction from eight years ago when Council ran seven before and after-school care, and four holiday programs.

A key driver for this is the trend during that time for private providers to pay significant license fees to schools. Pre-COVID some providers were paying license fees in the order of \$80,000-\$100,000, and even more for larger schools.

License fees paid by Council range from \$18,000 to \$37,150. As a public entity it is not appropriate for Council to operate on a purely commercial basis and try and match the fees paid by private providers.

While families might have a strong interest in the service provider, the decision about which provider to engage is made by Principals and School Councils.

Private operators are incentivised to take market share to improve economies of scale and in turn their financial performance. As a result, any gap in the market as a result of a provider exiting is quickly filled by another provider.

3. Discussion

Since COVID-19 Council's Outside School Hours Programs have experienced a range of significant strategic, operational, financial, and staffing challenges.

In September 2024, Council was advised that the Melbourne Catholic Archdiocese intended to take over operation of Outside School Hours Programs services at all Catholic schools

within 12-18 months, affecting two of Council's four before and after school programs. Leaving Council with the below:

School	BASC	Holiday
Southmoor	Y	Y
Chelsea	Y	Y

3.1 Service Constraints / Opportunities

A service review identified that Council's Outside School Hours Programs are facing a range of challenges. As can be seen from the table below, the issues are assessed as high or very high impact and sit mostly outside Council's control.

Service constraints	People / process / systems	Extent of issue (High Medium Low)
Loss of Catholic School Programs	External environment	Very High The recent advice that the Catholic Archdiocese intends to take over services at two of our schools during the next 12 months presents a significant threat to our service overall.
Market share	External environment	High Declining market share during the past few years has negatively impacted financial performance through reduced economies of scale.
Utilisation	Change in customer behaviour	High Lower utilisation of programs post-COVID affects financial performance directly through reduced revenue, and indirectly through reduced economies of scale.
Availability of staff	External environment	High Reduced availability of staff due to structural changes post-COVID present significant risks to our ability to deliver programs. This situation reached critical levels mid-2023 and mid-2024.
Quality of staff	External environment	High The reduced quality of staff available post-COVID has significantly increased the risk of serious incidents, breaches, or accidents compared with pre-COVID.

3.2 Strategic Options

Based on all the information provided in this report, the below options are available:

1. **Proposed Managed Exit:** Council could exit the service entirely by mid-2025, transitioning responsibility to private providers. This would eliminate the operational and financial risks but will involve redundancy costs.
2. **Continue Current Operations:** This approach would involve operating the remaining programs, despite ongoing operational challenges and anticipated financial deficits. It carries significant risks, including further program losses and staff-related issues.

The officer recommendation is Option 1: Proposed Managed Exit.

3.2.1 Service continuity

As outlined in Section 2.5, private operators are incentivised to take market share to improve economies of scale and in turn their financial performance. As a result,

any gap in the market as a result of a provider exiting is quickly filled by another provider. In addition, the quality of service delivered by private operators has significantly improved in the last 10 years.

Therefore, the proposed managed exit option carries a very low risk of any gap in service provision. Additionally, this risk sits predominantly with individual schools rather than with Council.

4. Consultation

A consultation process has been undertaken with staff in line with Council's Enterprise Agreement and the Fair Work Act.

Information about the situation facing Council's Outside School Hours Programs and what an exit from service provision would look like was provided to affected staff and Council's Staff Consultative Committee.

No feedback was received during the two-week consultation period.

The Archdiocese decision has placed Council's Outside School Hours Programs in a very difficult position, and given the implications, there is little scope for community influence.

Prior to Christmas, Officers engaged with principals at the two schools not directly affected by the Archdiocese decision, Southmoor and Chelsea Primary.

In early February 2025, families at Southmoor and Chelsea Primary were informed that Council would be considering the future of the service, and were given an opportunity to make comment through an online form.

At the time of writing this report, 17 online forms and one email was received. This represents approximately 8% of the 213 affected families. The majority of feedback was received from service users at Southmoor and users of the before and after school care program. The feedback included:

- Support for the program and a desire for Council to continue the service.
- General comments about the benefits of OSHP.
- General comments about private providers and affordability.
- Concern for staff.
- Clarifying the date of the Council Meeting it will be considered.

Where a question was posed, a response has been provided.

Councillors have been provided with the full feedback.

Should a decision to exit service provision be made, officers will work with schools to assist them to transition to a new provider and will promote other holiday activities provided by Council to families. As noted previously, any gap in the market as a result of a provider exiting is quickly filled by another provider.

A detailed communications plan has been developed to ensure all service users and stakeholders are kept informed.

5. Compliance Checklist

5.1 Council Plan Alignment

Strategic Direction: Well-governed - Council will be collaborative, accountable, transparent, responsive, well-informed and efficient.

Strategy: Focus all of our decision-making on the long-term best interests of the Kingston community

The proposed managed exit from Outside School Hours Programs is considered to be in the long-term best interest of the Kingston community.

This course of action will avoid an ongoing deficit of at least \$389,000, as well as exposure to risks posed by the availability and quality of staff.

There will be no loss of services to the community as the overwhelming likelihood is that private providers, incentivised to increase their market share and economies of scale, will step in.

5.2 Governance Principles Alignment

Principle (b) - priority is to be given to achieving the best outcomes for the municipal community, including future generations.

Principle (g) - the ongoing financial viability of the Council is to be ensured.

The proposed managed exit from Outside School Hours Programs is considered to be in the long-term best interest of the Kingston community.

This course of action will avoid an ongoing deficit of at least \$389,000, as well as continuing exposure to risks posed by the availability and quality of staff.

There will be no loss of services to the community as the overwhelming likelihood is that private providers, incentivised to increase their market share and economies of scale, will step in.

5.3 Financial Considerations

As can be seen from the summary table below, financial performance has declined from a surplus of \$325,000 in 2016/17 to a deficit of \$235,791 in 2023/24.

	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Income	2,217,705	2,530,765	2,200,664	1,967,015	1,837,931	1,636,709	1,412,992	1,758,035	1,730,922
Expenses	2,163,225	2,205,201	2,062,205	1,731,214	1,706,279	1,437,225	1,613,287	1,938,224	1,966,712
Surplus / deficit	54,480	325,563	138,459	235,800	131,651	199,454	-200,295	-180,190	-235,791

The approximate impact of the loss of the two programs operating in Catholic schools over a full financial year, is a projected deficit of \$389,000 (operating at two schools) compared with a budgeted deficit of \$168,000 (operating at four schools) for 2024/25

5.4 Risk considerations

This report summarises extensive consideration of a range of operational, strategic, and market-related risks and opportunities.

The proposed managed exit from Outside School Hours Programs is considered to be the most reasonable and balanced response to the significant risks faced by the service and documented in this report.

Key risks associated with the process of the proposed exit from service provision will be managed through:

- A detailed communications plan that has been developed.
- Working closely with the People & Culture Department.

Appendices

Appendix 1 - Primary Schools and Care Provider Map - Sept 2024 (Ref 24/275544)  [Download](#)

Author/s: Mark Patterson, Manager Family Youth & Childrens Services

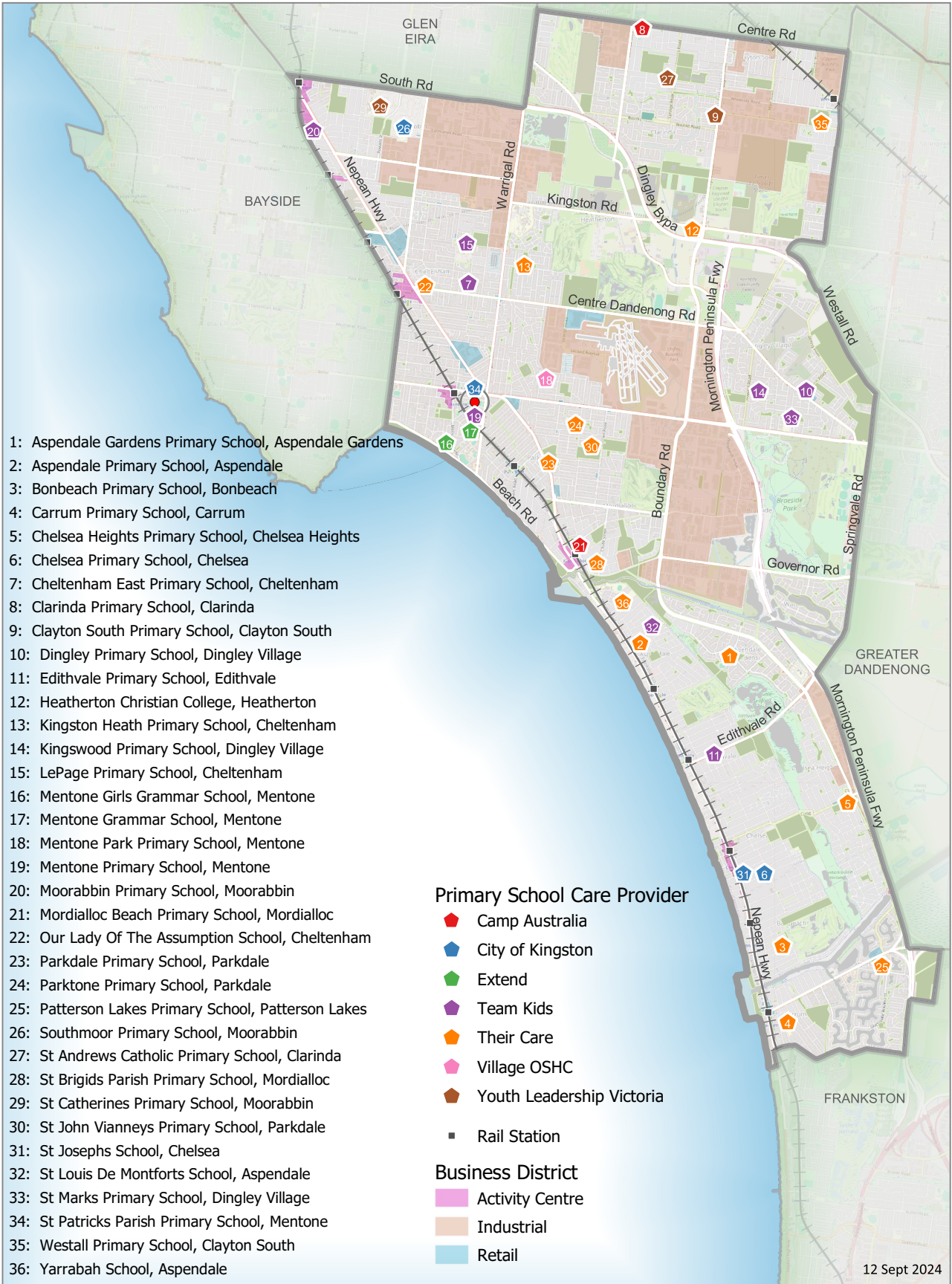
Reviewed and Approved By: Kate Waters, Acting General Manager Community Strengthening

8.4

COUNCIL'S OUTSIDE SCHOOL HOURS PROGRAMS

1	Primary Schools and Care Provider Map - Sept 2024	137
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Primary School Care Providers



- 1: Aspendale Gardens Primary School, Aspendale Gardens
- 2: Aspendale Primary School, Aspendale
- 3: Bonbeach Primary School, Bonbeach
- 4: Carrum Primary School, Carrum
- 5: Chelsea Heights Primary School, Chelsea Heights
- 6: Chelsea Primary School, Chelsea
- 7: Cheltenham East Primary School, Cheltenham
- 8: Clarinda Primary School, Clarinda
- 9: Clayton South Primary School, Clayton South
- 10: Dingley Primary School, Dingley Village
- 11: Edithvale Primary School, Edithvale
- 12: Heatherton Christian College, Heatherton
- 13: Kingston Heath Primary School, Cheltenham
- 14: Kingswood Primary School, Dingley Village
- 15: LePage Primary School, Cheltenham
- 16: Mentone Girls Grammar School, Mentone
- 17: Mentone Grammar School, Mentone
- 18: Mentone Park Primary School, Mentone
- 19: Mentone Primary School, Mentone
- 20: Moorabbin Primary School, Moorabbin
- 21: Mordialloc Beach Primary School, Mordialloc
- 22: Our Lady Of The Assumption School, Cheltenham
- 23: Parkdale Primary School, Parkdale
- 24: Parktone Primary School, Parkdale
- 25: Patterson Lakes Primary School, Patterson Lakes
- 26: Southmoor Primary School, Moorabbin
- 27: St Andrews Catholic Primary School, Clarinda
- 28: St Brigids Parish Primary School, Mordialloc
- 29: St Catherines Primary School, Moorabbin
- 30: St John Vianneys Primary School, Parkdale
- 31: St Josephs School, Chelsea
- 32: St Louis De Montforts School, Aspendale
- 33: St Marks Primary School, Dingley Village
- 34: St Patricks Parish Primary School, Mentone
- 35: Westall Primary School, Clayton South
- 36: Yarrabah School, Aspendale

Primary School Care Provider

- ◆ Camp Australia
- ◆ City of Kingston
- ◆ Extend
- ◆ Team Kids
- ◆ Their Care
- ◆ Village OSHC
- ◆ Youth Leadership Victoria
- Rail Station

Business District

- Activity Centre
- Industrial
- Retail

12 Sept 2024

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Ordinary Council Meeting

24 February 2025

Agenda Item No: 8.5

RESPONSE TO RESOLUTION - NOTICE OF MOTION 10/2024 - MORDIALLOC COMMUNITY CENTRE

Contact Officer: Romina Atai, Community Infrastructure Planner
Melissa Mitchell, Corporate Planning and Reporting Business Partner

Purpose of Report

This report has been prepared in response to Notice of Motion 10/2024 which relates to future planning for Mordialloc Community Centre.

Disclosure of Officer / Contractor Conflict of Interest

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

RECOMMENDATION

That Council:

1. Note the development of the Community Infrastructure Framework, and its influence on Mordialloc Community Centre's future planning;
2. Receive a report about Mordialloc Community Centre's future options for a Masterplan after adoption of the Community Infrastructure Framework; and
3. Note Council officers will work with Mordialloc Community Centre to identify their long-term vision as an organisation and future programming priorities for a needs analysis / business case.

1. Executive Summary

Council is the steward of approximately 167 community facilities, each delivering a wide range of important services and programs which are integral for supporting the health and wellbeing of the Kingston community.

At the Council Meeting on 26 August 2024, Notice of Motion 10/2024 was carried which states:

That Council:

1. *Develop a Comprehensive Masterplan for the Mordialloc Community Centre (MCC) to ensure the facility meets the current and future community needs effectively and sustainably.*
2. *Evaluate and address space requirements by assessing activities and programmes hosted at MCC, identifying their space needs, and planning accordingly to ensure optimal usage of the new facility.*

3. Consider Financial Impacts on the Council by conducting a thorough cost analysis including initial construction, ongoing maintenance, and operational costs to ensure that the project is financially viable and sustainable.

4. Ensure Fit-for-Purpose design by planning for a new building that aligns with the MCC's role in the community, including necessary facilities, accessibility, and integration with existing infrastructure.

5. Engage with stakeholders including community groups, MCC staff, and local residents to gather input on their needs and expectations for the new centre.

6. Report back to the council with findings and recommendations, including a timeline for the project and estimated costs. This report should be no later than February 2025.

This report primarily responds to point 6 of the Notice of Motion. Points 2 to 5 would be addressed within implementation of point 1, pending if, and when, development of a Masterplan is deemed appropriate.

The Community Infrastructure Framework (CIF) is currently in development to provide a consistent planning tool that enables community infrastructure related decision-making and investments to be clear, equitable and based on evidence of need. The outcomes of this strategic work will influence future infrastructure planning for all community facilities in Kingston, including MCC.

Another key influence on best practice process and timing is Council's Project Management Framework (PMF), through the Project Management Office (PMO), which manages Council's long-term capital investment planning and implementation of all capital works projects. All capital works projects are assessed against other Council priorities and follow the PMF process, in which the first stage (PMF Stage 1) is to have a completed feasibility assessment before consideration of commencement to the next stage (PMF Stage 2) to develop a Masterplan.

While the CIF is being finalised, Council officers can work with MCC to identify their long-term vision as an organisation and future programming priorities for a needs analysis / business case. This would provide an important input into the initial feasibility assessment in PMF stage 1 and complement the CIF.

An estimated timeline of next steps for progressing the recommendations, and further responding to the Notice of Motion, includes:

2025-26

- Presentation of an update about the CIF to Councillors (May 2025).
- Implementation of strategic planning work with MCC to inform the feasibility assessment (2025-26).
- Presentation of the draft CIF to Council for approval for community consultation (second half 2025).
- Presentation of the final CIF to Council for adoption (first half 2026).

2026-27

- Registration of CIF priorities with Project Management Office for analysis within the capital works program (following adoption of the CIF).
- Completion of MCC initial feasibility assessment (PMF Stage 1).

2027-28

- Consideration of the priority of this project with Council through the capital works program and budget process. This will determine whether the project continues to PMF Stage 2 which would include developing a Masterplan.

These timelines are pending Council decision making and budget processes.

2. Background

At the Council Meeting on 26 August 2024, Notice of Motion 10/2024 was carried which relates to the future planning for Mordialloc Community Centre. The Notice of Motion states:

That Council:

- 1. Develop a Comprehensive Masterplan for the Mordialloc Community Centre (MCC) to ensure the facility meets the current and future community needs effectively and sustainably.*
- 2. Evaluate and address space requirements by assessing activities and programmes hosted at MCC, identifying their space needs, and planning accordingly to ensure optimal usage of the new facility.*
- 3. Consider Financial Impacts on the Council by conducting a thorough cost analysis including initial construction, ongoing maintenance, and operational costs to ensure that the project is financially viable and sustainable.*
- 4. Ensure Fit-for-Purpose design by planning for a new building that aligns with the MCC's role in the community, including necessary facilities, accessibility, and integration with existing infrastructure.*
- 5. Engage with stakeholders including community groups, MCC staff, and local residents to gather input on their needs and expectations for the new centre.*
- 6. Report back to the council with findings and recommendations, including a timeline for the project and estimated costs. This report should be no later than February 2025.*

Community infrastructure planning work is currently underway across the organisation, which directly relates to this Notice of Motion. Completion of this work, clear feasibility about the future of MCC (PMF Stage 1), consideration of this project as a priority to move forward, and confirmation of capital works budget through Council budget processes are required before master planning can be approved to proceed.

Therefore, this report primarily responds to point 6 of the Notice of Motion. Points 2 to 5 would be addressed within implementation of point 1, pending approval to develop a Masterplan.

3. Discussion

3.1 Mordialloc Community Centre

MCC is located at Warren Road, Mordialloc. It is one of 167 community facilities, and ten funded neighbourhood houses in the City of Kingston. Seven of the neighbourhood houses, including MCC, are independently run by a Committee of Management and three are run by Council. Six are in Council owned buildings, including MCC.

MCC receives ongoing funding from the State Government through the Neighbourhood House Coordination Program. This funding aids in supporting community development programs that foster community-strengthening outcomes. The program requirements are expected to be planned, developed, and delivered based on a documented annual plan.

MCC receives funding through the Kingston Grants Program to support their operations and projects. They also have a lease agreement for exclusive use of a Council building.

Building Condition

Council conducts programmed building audits to assess the condition of 13 building components, such as roof, substructure and floor covering. MCC's overall condition has been assessed to be good, with several components requiring renewal to extend the life of the building. Several renewal projects have been carried out to improve compliance with electrical standards, as well as stage and lighting improvements.

MCC management has provided feedback to officers relating to the condition of the building. Officers are working closely with MCC to maintain the building schedule and ensure that Council meets its obligations under the current Lease Agreement.

Local Factors

As well as building condition, there are multiple factors in the Mordialloc area that need to be considered when planning for MCC. While good planning can create opportunities for success, a lack of alignment or collaboration could lead to potential conflicts. These factors include, but are not limited to:

- Community services in Mordialloc who operate out of buildings that are not considered fit-for-purpose.
- Traffic concerns arising from MCC's proximity to a secondary college and primary school.
- Changes in the community resulting from the level crossing removal project in Mordialloc.
- Significant investment in Mordialloc with the new aquatic centre development.

3.2 Community Infrastructure Planning

The CIF is being developed to provide a consistent planning tool that ensures Council's future community infrastructure related decision-making and investments are clear, equitable and based on evidence of need.

The project is currently in the data gathering and analysis phase. Analysis of the data will provide insight into Council's existing community infrastructure network and how it is performing in meeting current community needs, future community demand and service requirements.

MCC and the CIF

Officers met with MCC management and staff in 2024 to gather relevant data for the CIF. The draft data to date indicates that MCC is a well utilised facility in good condition, with some issues that have a moderate impact on services.

To respond to the requirements of the Notice of Motion, it is recommended that the development of the CIF be completed. Depending on the outcomes, the project can then be registered as a priority with the Project Management Office before a Masterplan for MCC is considered.

Officers discussed the CIF with MCC and the recommendation that MCC's future planning should result from the CIF and its holistic approach to infrastructure planning. MCC acknowledged the benefits of the CIF but emphasised the importance of prioritising their facility for future redevelopment. While they have not specified requirements for a new building, MCC highlighted the need for better amenities.

3.3 Project Management Framework

The Project Management Framework (PMF) guides the approach for all capital works projects - from early planning and feasibility, through delivery to handover. A project needs to have been assessed under the PMF as a priority and have completed a feasibility assessment (PMF Stage 1) before consideration and approval to proceed to development of a Masterplan (PMF Stage 2).

While the CIF is being finalised, Council officers can work with MCC to identify their long-term vision as an organisation and future programming priorities for a needs analysis / business case. This would provide an important input into the initial feasibility assessment in the PMF and complement the CIF.

3.4 Estimated Cost

The cost of developing a comprehensive Masterplan is estimated to be \$50,000 - \$200,000, dependent on the scope and size of the project.

The cost of implementation of a Masterplan will depend on the scope of works and will be subject to Council budget processes for funding. It is too early to estimate a cost for future capital works for MCC. This would be informed through the feasibility assessment and master planning stages of PMF projects.

3.5 Summary and Recommendations

Summary

At the Council Meeting on 26 August 2024, Notice of Motion 10/2024 was carried which relates to the future planning for Mordialloc Community Centre (MCC), mainly focused on the development of a Masterplan for the centre.

MCC is one of 167 community facilities, and ten funded neighbourhood houses in the City of Kingston. MCC is a large and highly valued community centre delivering many community programs. They have high participation, program and volunteer numbers and utilise the facility well on weekdays.

Council is currently developing the CIF for a clear, equitable and evidence-based assessment to community infrastructure. Early insights from the CIF align with feedback from MCC, identifying the facility is in good condition with issues creating a moderate impact on services.

For transparent, equitable and evidence-based decision making, priorities for MCC need to be considered in the context of all facilities in Kingston through adoption of the CIF.

MCC is also at the beginning of the PMF process, which requires an initial feasibility assessment. Before MCC can become a project where a Masterplan could be developed, the CIF should be finalised and adopted as it will be a critical input to the initial feasibility assessment.

Council officers can work with MCC to identify their long-term vision as an organisation and future programming priorities for a needs analysis / business case. This would provide an important input into the initial feasibility assessment and complement the CIF.

Recommendations

This report highlights the strategic work of the CIF as playing a critical role in future community infrastructure planning in Kingston. Therefore, regarding Notice of Motion 10/2024 for Master planning for MCC, it is recommended that Council:

1. Note the development of the Community Infrastructure Framework, and its influence on Mordialloc Community Centre's future planning;
2. Receive a report about Mordialloc Community Centre's future options for a Masterplan after adoption of the Community Infrastructure Framework; and
3. Note Council officers will work with Mordialloc Community Centre to identify their long-term vision as an organisation and future programming priorities for a needs analysis / business case.

Officers will also continue to support MCC with neighbourhood house matters, building maintenance, and any other issues as they arise.

3.6 Next Steps

An estimated timeline of next steps for progressing the recommendations detailed above includes:

2025-26

- Presentation of an update about the CIF to Council (May 2025).
- Implementation of strategic planning work with MCC to inform the feasibility assessment (2025-26).
- Presentation of the draft CIF to Council for approval for community consultation (second half 2025).
- Presentation of the final CIF to Council for adoption (first half 2026).

2026-27

- Registration of CIF priorities with Project Management Office for analysis within the capital works program (following adoption of the CIF).
- Completion of MCC initial feasibility assessment (PMF stage 1).

2027-28

- Consideration of the priority of this project with Council through the capital works program and budget process. This will determine whether the project continues to PMF Stage 2 which would include developing a Masterplan.

These timelines are pending Council decision making and budget processes.

4. Consultation

4.1 Internal Consultation:

Inclusive Communities, Active Kingston, Project Management Office and Infrastructure have been consulted on this report.

4.2 Community Consultation:

Officers met with the MCC President and Manager in December 2024 to discuss Notice of Motion 10/2024.

5. Compliance Checklist

5.1 Council Plan Alignment

The proposed recommendation links to Our Roadmap: Council Plan 2021-25, through the Strategic Direction: Healthy and Inclusive – We are progressive, inclusive and prioritise the wellbeing of all members of our community. Aligning to 4.1.4: Support community education, life-long learning and creativity.

MCC is a popular neighbourhood house offering a range of programs for the local community. Working with MCC to define their future priorities will provide a clear scope for their facility needs into the future.

5.2 Governance Principles Alignment

Principle (b) - priority is to be given to achieving the best outcomes for the municipal community, including future generations.

Principle (g) - the ongoing financial viability of the Council is to be ensured.

Working with MCC to review their facility needs in alignment with the CIF and PMF strategic planning processes will ensure that MCC is considered within all facility needs across the municipality for transparency and equity. MCC is not currently a project within Council's capital works program. Completion of the CIF, clear feasibility about the future of MCC (PMF Stage 1) and consideration of this project as a priority are required for consideration of a capital works budget allocation.

5.3 Financial Considerations

The recommendations of this report can be implemented within existing operational budgets. Further work will require additional budget allocation which can be considered through future council reports and the capital works process.

5.4 Risk considerations

Risk of poor relationships with the public, government, private sector and not-for-profit community services providers due to Council assets that are not fit for purpose to deliver on service needs. Development of the CIF is being actioned to negate this risk.

Author/s:

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Reviewed and Approved By:

Erin Pattie, Team Leader Health and Social Policy
Susan Quach, Acting Manager Inclusive Communities
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Samantha Krull, General Manager Infrastructure and Open Space

9. Infrastructure and Open Space Reports

Ordinary Council Meeting

24 February 2025

Agenda Item No: 9.1

RESPONSE TO RESOLUTION - NOTICE OF MOTION 13/2024 - CHELTENHAM YOUTH CLUB GYMNASTICS

Contact Officer: Sara Townsend, Team Leader Strategic Projects

Purpose of Report

This report responds to 13/2024 for Council to consider Cheltenham Youth Club (CYC) support and presents an overview of gymnastics in Kingston.

Disclosure of Officer / Contractor Conflict of Interest

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

RECOMMENDATION

That Council:

1. Receive the report; and
2. Receive a further report detailing the outcomes of the Cheltenham Youth Club planning permit amendment and their market rental review, with potential options to support the Club.

1. Executive Summary

In 2023, Council was approached by the Cheltenham Youth Club (CYC) seeking Council's support to develop or secure ongoing access to a purpose-built gymnastics facility in Kingston for the CYC.

CYC are in negotiations with their landlord to exercise the first of two five-year options at their existing site and await the findings of a market rental review to determine the rent increase for the initial five-year period. Concurrently, a request to amend the existing planning permit to increase occupancy numbers is under review by Council's Statutory Planning team with an outcome expected within the next two months.

Officers are currently unable to provide a recommendation until the outcomes of both processes are determined. A future report will be presented to Council, including addressing any potential options, as required, to support CYC.

2. Background

13/2024 - Cr Bearsley – Cheltenham Youth Club Pathway was resolved at the 26 August 2024 Council Meeting, that:

Noting that Cheltenham Youth Club (CYC) is the only facility in the southeast that provides pathways for gymnasts to compete at an elite and Olympic level, that Council:

1. *Commit to supporting CYC in helping find an appropriate venue location with the correct space and ceiling height for trampolining and CYC's student numbers.*
2. *Provide a report as soon as possible, but not later than February 2025, that outlines financial and/or other options for CYC to maintain a Kingston location. In preparing the report council officers will liaise with CYC management as to CYC's current, ongoing and future needs.*
3. *Undertake advocacy to relevant stakeholders about securing further funding for a new CYC location.*
4. *Any options to support CYC presented in the report and endorsed by council, be included in the preparation of the next budget cycle.*

A series of briefing reports were presented to Councillors during 2024 detailing the differences between the various models and the complex nature of the provision of gymnastics in Kingston.

CYC is one of four gymnastics providers in Kingston, alongside Mordialloc Community Centre (a not for profit), Edge Gymnastics and AspiStars Gymnastics (both private companies). These organisations operate from various venues including community centres, private factories in industrial estates, and a primary school.

Club	Structure	Members	Facility Ownership
CYC	Not for Profit	1235	Private
AspiStars Gymnastics	Company	93	School
Mordialloc Gymnastics	Not for Profit	272	Council
Edge Gymnastics	Company	661	Private

Gymnastics plays an important role in our community with approximately 2,300 regular participants across these four providers. The sport is particularly popular among females under 18, a demographic of interest in terms of enhancing equitable access to physical activity and sports opportunities for all genders.

Gymnastics programs are developed to focus on providing children with early childhood development, confidence building, physical literacy, and overall health and wellbeing. For females aged under 18, gymnastics is the fourth most popular recreation activity in Kingston, with 2,361 young females participating at least once in the past year. This represents 19% of the female population in Kingston aged under 18 which closely aligns with the state participation rate of 18.6%.

While all Kingston providers deliver recreational gymnastics, CYC also offer an elite training program for high performance athletes, in a range of disciplines including trampolining. CYC have proven to provide a successful pathway for developing elite athletes, as seen

with two of their members representing Australia at the Paris Olympics, Kate McDonald was part of the women's artistic team who placed 10th and Brock Batty competed in the trampoline competition finishing 13th.

The provision of gymnastics across LGAs is inconsistent, with no one size fits all approach, unlike other sports such as basketball, netball, tennis, and football. Private and community-based options are available, operating from facilities of varying sizes.

Gymnastics Victoria (GV) has traditionally overseen the support and development of gymnastics in Victoria. Affiliation and payment of registration fees is required for clubs to enter GV run competitions. These affiliations generate revenue that GV use to deliver services. With the entrance of Belgravia Leisure as an alternative provider, GV's membership has declined, reducing its capacity to support clubs and to deliver a clear elite pathway. The implication is that whilst the elite sports pathways typically transfer to a State-run facility like other sports, in the case of gymnastics, the onus is placed on the Club to provide the facilities and training for the elite pathways for their gymnastics and trampolining programs.

3. Discussion

3.1 Cheltenham Youth Club

CYC is a long-standing and successful not for profit community group established in 1956 and originally operated all activities from Cheltenham Youth Hall on Charman Road, Cheltenham. The Club reports a membership base of 1,265 members, with 73% of its members residing in Kingston. CYC operates under an incorporated association model, managed by a committee with profit re-invested into the club to support its activities. In 2015, CYC entered discussions with Council to provide a financial loan to purchase a warehouse similar to their current rented facility. Council did not support this at the time. Since this time the Club has proactively contributed to a facility improvement fund for potential future partnerships.

In recent years CYC has experienced challenges including planning permit restrictions on the number of people allowed on the premises after 4pm and on weekends to no more than 110 individuals, including staff. This restriction hinders CYC's ability to expand. Daytime occupancy is even more restrictive, with a cap of 32 people on site.

The Club is approaching the end of their lease and initially requested for Council to assist in finding a new facility.

The current lease agreement has the option to extend for two additional five-year periods, securing the Braeside venue until 2036. CYC has confirmed to Council their intent to exercise the first five-year option. Officers understand that negotiations between CYC and the landlord are currently underway, with an independent market rent review expected shortly.

3.2 Exploration of alternate options within Kingston for CYC

In August 2023, potential options for a gymnastics facility in Kingston were reviewed. CYC also engaged the services of commercial real estate agents to undertake independent investigations to find a property within the municipality that meets the physical and fiscal requirements of the club.

These options included:

- Looking for an alternative industrial site for cheaper rent

No alternative venue was found.

- An existing industrial warehouse that could be purchased by Council and fitted out for gymnastics, with a floor space of 2,000 – 3,000 m², internal height clearance of 10m and sufficient car parking

Nine sites were identified as meeting most or all criteria, though none were considered viable in the short to medium term. Costs ranged between \$7M and \$14M.

- Purchase of land or use of existing Council open space for the development of a purpose-built facility. Either brownfield sites or existing Council owned open space

Estimated land values for non-Council owned sites varied between \$10M and \$14M. It is expected that construction costs and fit out would be in the vicinity of \$10m+. While some Council owned land meets the criteria, utilising this land would impact either open space or other current and planned services. Build cost estimated between \$20m-\$24M.

3.3 CYC Current Situation

The Club's existing lease agreement offers the option to extend for two additional five-year periods, securing the Braeside venue until 2036. CYC has confirmed their intent to exercise the first five-year option which the landlord has accepted depending on agreement for rental increase. Officers understand negotiations between CYC and the landlord are currently underway, with an independent market rent review underway.

Another major barrier to delivering their service is the current ceiling height, which does not meet the standards required for elite trampolining as mandated by the International Gymnastics Federation. The facility must have a ceiling height of at least 10 metres.

Recently, an option to expand into a 400m² vacant part of the factory became available. Due diligence has shown that the roof of this space can be raised to the necessary height, thus resolving both the ceiling height issue and enable CYC to grow and provide their elite pathway. This is also subject to the planning permit amendment submitted by the Club and the Club funding these improvements.

3.4 CYC Planning Permit Amendment

The current planning permit limits the number of people on the premises after 4pm and on weekends to no more than 110 individuals, including staff. This restriction hinders CYC's ability to expand. Daytime occupancy is even more restrictive, with a cap of 32 people on site.

Increasing occupancy by 70 people, along with additional floor space, would allow CYC to boost revenue and will assist to offset the anticipated rent increase. This expansion would also help alleviate the current waitlist for their programs.

CYC have applied to amend permit 572 – change of use, to include the following:

- Increase the permitted capacity from 110 to 185 people.
- Adjust the operating hours to begin at 7.30am Monday to Friday.
- Expand permitted area into the vacant storage area at the site (400m²)
- Raise the roof of the storage area by approximately 3 metres.

CYC have discussed their intent with abutting neighbours prior to lodgement of the application and has existing agreements to utilise neighbours parking outside of their operation hours. Officers understand these conversations have not identified any potential objections to the increase in occupancy numbers after hours and on weekends.

The application was submitted to Council on 10 December 2024, with an outcome expected within a three-month period.

Subject to approval of the permit amendment, the proposed works at the site will be funded from CYC reserves and are expected to be in the vicinity of \$450K. The increased rental and capital investment to the site may place financial pressure on CYC and may require adaption to their operating model.

4. Recommendation

It is recommended that after the outcomes of the planning permit amendment and market rent review are received, a further report be presented to Council which will include any potential options to support CYC.

5. Consultation

5.1 Internal Consultation:

Officers from Active Kingston, Property Services, City Economy and Innovation, and City Development teams have been engaged.

5.2 Community Consultation:

Discussions have been undertaken with CYC, including site visits to their Braeside facility by the Active Kingston team, previous Councillors, Cr Hadi Saab, and local MP Tim Richardson and Federal MP Mark Dreyfus.

Officers have completed stakeholder engagement sessions and visits to all local facilities including Cheltenham Youth Club, Edge Gymnastics, AspiStars, and Mordialloc Community Centre. Officers have also visited Knox Gymnastics Centre, Waverley Gymnastics Centre, Brighton Recreation Centre and Highett Gymnastics Club and met twice with representatives from Gymnastics Victoria.

Officers from the City Development and Active Kingston Teams met with Cheltenham Youth Club prior to the submission of its application to amend the current planning permit – these matters relate to parking and usage times at their facility.

6. Compliance Checklist

6.1 Council Plan Alignment

Strategic Direction: Healthy and inclusive - We are progressive, inclusive and prioritise the wellbeing of all members of our community.

Strategy: Support our community's physical wellbeing

6.2 Governance Principles Alignment

Principle (b) - priority is to be given to achieving the best outcomes for the municipal community, including future generations.

Principle (d) - the municipal community is to be engaged in strategic planning and strategic decision making.

Principle (e) - innovation and continuous improvement is to be pursued.

Principle (h) - regional, state and national plans and policies are to be taken into account in strategic planning and decision making.

Principle (i) - the transparency of Council decisions, actions and information is to be ensured.

6.3 Financial Considerations

This would be the subject of a further report to Council.

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Reviewed and Approved By: Bridget Draper, Manager Active Kingston
Samantha Krull, General Manager Infrastructure and Open Space

Ordinary Council Meeting

24 February 2025

Agenda Item No: 9.2

2024/25 CAPITAL BUDGET - QUARTER 2 REVIEW

Contact Officer: Andrew Prowd, PMO Lead
Mitchell Williams, Project Analyst
Vivi Saputra, Project Accountant

Purpose of Report

The purpose of this report is to provide Council with a summary of the progress of the Capital Works program at the end of Quarter 2 and seek Council endorsement of 24/25 Capital Works Program adjustments.

Disclosure of Officer / Contractor Conflict of Interest

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

RECOMMENDATION

That Council:

1. Note that the 2024/25 capital works program is on track with the baseline forecast;
2. Note the updated forecast timing of expenditure in 2024/25 for the Mordi Aquatic Centre project; and
3. Endorse the recommended Capital Works Program Quarter 2 adjustments as outlined in this report.

1. Executive Summary

This report summarises the capital works undertaken in the first two quarters of the 2024/25 financial year (refer Appendix 1). The current forecast expenditure is 2% above the proposed adjusted spend. Over the remaining Q3 and Q4, further savings will be considered to address this forecast overspend to bring it back to budget.

During the first two quarters of the 2024/25 financial year, a number of minor amendments to the adopted program have arisen. These are documented for Council's consideration, and are generally financial, scope or timing changes to projects that have arisen in the normal course of construction and due to unforeseen circumstances.

The Mordi Aquatic Centre forecast spend for 2024/25 has reduced from the original cashflow, following the award of the construction contract, and has been amended to reflect the contractor's program. This is the timing of the expenditure only, the total project budget remains unchanged.

This report presents to Council the Capital Works Program Quarter 2 adjustments for consideration and endorsement.

2. Background

Officers have assessed the progress of all capital projects at the end of Q2. Some projects have been delivered under budget while others have exceeded their allocation. This is normal as early cost estimates prior to budget adoption can vary as projects progress, for a variety of reasons.

Some projects have been deferred and others have been brought forward, to respond to changes and unexpected events.

Therefore, a minor amendment of the capital program is required.

3. Summary of 2024/25 Capital Works Program Forecast

In the financial year 2024/25, Council adopted a \$50.3m capital works program (excluding Mordi Aquatic Centre).

At the end of quarter 2, the revised forecast expenditure is \$51.3m (excluding Mordi Aquatic Centre) which is 2% above the adopted 24/25 budget. This includes a growth of \$2.5m through unbudgeted external grants.

The Project Management Office (PMO) will look for opportunities in Q3 and Q4 to address this forecast overspend to bring it back to budget.

Council adopted a project budget of \$87.5m for the Mordi Aquatic Centre over three financial years. The original adopted budget for 2024/25 was \$35m and has been adjusted in Q2 to \$17.5m. The cashflow and 2024/25 budget expenditure for the Mordi Aquatic Centre was adopted prior to the award of the contract for construction and was an estimate. Following the contract award, with the contractor's program incorporated, the cashflow for the project expenditure has been revised to spread differently over the three years. The total project budget remains unchanged. This project is reported on separately below.

This adjustment reduces the forecast total 2024/25 capital works program expenditure by \$16.9m.

The below table provides a breakdown of the total budget, including and excluding the Mordi Aquatic Centre at Q1 and Q2.

Table 1 – Budget Movement Summary Q1 & Q2

	BUDGET	Q1 FORECAST	Q2 FORECAST	Q2 MOVEMENT TO BUDGET (-) DEFERRALS / SAVINGS (+) BRING FWD / OVERSPEND
TOTAL CAPITAL WORKS (ALL PROJECTS, INCLUDING MORDI AQUATIC CENTRE)	\$85,106,238	\$62,969,296	\$68,812,102	(\$16,294,135)
MORDI AQUATIC CENTRE	\$34,752,451	\$12,726,715	\$17,529,297	(\$17,223,154)
REMAINDER OF CAPEX PROGRAM	\$50,353,787	\$50,242,581	\$51,282,805	\$929,019

4. Discussion

4.1 2024/25 Capital Works Program (excluding Mordi Aquatic Centre) – Q2 Forecast

The 2024/25 capital works program excluding Mordi Aquatic Centre has an adopted budget of \$50.3m. At the end of quarter 2, the revised forecast expenditure is \$51.3m (excluding Mordi Aquatic Centre) which is 2% above the adopted 24/25 budget.

The PMO will look for opportunities in Q3 and Q4 to address this forecast overspend to bring it back to budget.

Table 2 below outlines the movements to the adopted budget in Q1 and Q2.

Table 2 – Movements to 2024/25 Capital Works Program (Excl. Mordi Aquatic Centre)

Adjustment	Movement		
	Budget vs Q1	Q1 vs Q2	Budget vs Q2
	50,353,787	50,242,582	50,353,787
Deferral / Delayed projects	-3,518,701	-167,525	-3,686,226
Savings	-2,605,789	-575,111	-3,180,900
Overspend - projects that have exceeded their budget YTD	746,466	407,911	1,154,377
Forecast Overspend (recommended to proceed)	2,793,440	1,374,950	4,168,390
Budget Growth (overspend funded by grants)	2,473,399	0	2,473,399
Forecast 2024/25 Budget (Excl. Mordi Aquatic Centre)	50,242,602	51,282,807	51,282,827
Variance to Budget (savings / deferral) overspend	-111,185	1,040,225	929,040

Deferred projects are those projects which were planned to be delivered in 24/25 but for unanticipated reasons will not be delivered in the financial year and are deferred to the next or future years. Reasons for deferral include delays incurred from external authorities (eg. an external agency being delayed in granting approvals); value management being required; changes to scope following public consultation, site issues when construction commences, etc.

Savings refers to projects that have been delivered under the allocated budget.

Overspend refers to projects that have exceeded their budget. Generally, this arises because of an unanticipated latent condition, additions to scope, or when tender prices exceeded the pre-tender cost estimates.

Forecast overspend refers generally to minor project works that arise unexpectedly over the course of the financial year that can be funded by savings in other areas. Examples could include emergency works or projects that respond to an unanticipated community request that has significant merit.

Budget growth refers to unbudgeted additional grant funding received.

4.2 2024/25 Mordi Aquatic Centre – Q2 forecast

The Mordi Aquatic Centre project has an adopted budget of \$87.5m which is allocated over multiple years. The current cash flow for this project anticipates that \$17.5m will be expended this year. It should be noted that the budget and cashflow for the Mordi Aquatic Centre was adopted prior to contract award and was an estimate. After contract award, with the contractor's program incorporated, the cashflow for the project has since been revised as outlined below. The total project budget remains unchanged.

Table 3– Mordi Aquatic Centre forecast cashflow

Year	Original cashflow	Post contract award cashflow (Jan'25 update)
23/24	\$3.4m	\$ 3.4m
24/25	\$35.0m	\$17.5m
25/26	\$33.6m	\$48.6m
26/27	\$7.5m	\$17.8m
27/28	0	\$176k

5. Consultation

5.1 Internal Consultation:

There is ongoing collaboration between Finance and Project Management Office on financial matters, as well as various service owners throughout the organisation are actively engaged in the recalibration of the budget.

5.2 Community Consultation:

N/A

6. Compliance Checklist

6.1 Council Plan Alignment

Strategic Direction: Well-governed - Council will be collaborative, accountable, transparent, responsive, well-informed and efficient.

Strategy: Look after the community's financial resources responsibly and efficiently

6.2 Governance Principles Alignment

Principle (g) - the ongoing financial viability of the Council is to be ensured.

6.3 Risk considerations.

The financial sustainability of council will be challenged by inflation and budget pressures, and this requires active management from council and officers.

6.4 Financial Considerations

The capital budget is forecast and balanced to be in line with the community expectations as outlined in the adopted budget.

Budget

The capital budget is forecast and balanced to be in line with the community expectations as outlined in the adopted budget.

Staff Resources

There are no resulting impacts or changes to staffing resources.

6.5 Risk considerations

There are no material risks arising from this report.

Appendices

Appendix 1 - Q2 Capital Works Program Quarterly Update (Ref 25/32558)  

Appendix 2 - Q1&Q2 Forecast Tables (Ref 25/44961)  

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9.2

2024/25 CAPITAL BUDGET - QUARTER 2 REVIEW

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Capital Works Program Quarterly Update

Q2 - FY 2024/25

community inspired leadership



Playspace Strategy Implementation Program

Projects underway

- The contracts for the Meribah Court Reserve, Dowling Road Reserve and Glyn Court Reserve Playground Upgrades were all awarded in December 2024, with works scheduled to commence from March 2025 for completion prior to the end of the 2024/25 financial year.
- All the playspaces will feature new play equipment, furniture and landscaping. Improvement works to the existing half basketball court will also take place as part of the playspace upgrade at Dowling Road Reserve.



Meribah Court Reserve (Parkdale) Playground Upgrade



Dowling Road Reserve (Oakleigh South) Playground Upgrade



Glyn Court Reserve (Cheltenham) Playground Upgrade

Projects in design

- Following community consultation on the draft Concept Designs for the playspace upgrades at Bourke and Patty Street Reserve, Judd Parade Reserve and Sheldon Place Reserves, detailed design work is now in progress for all three sites. Feedback received from the community has been reflected in the updated designs for all three sites.
- The playspace upgrades are scheduled for completion in the 2025/26 financial year.

Bourke and Patty Street Reserve, Mentone

- The design includes a full upgrade to the existing playground including the installation of a new combination unit, new tri-swing set, new carousel, new sandpit and nature play area, new shelter, seating and landscaping.



**Bourke and Patty Street Reserve, Mentone
Playground Upgrade**

Judd Parade Reserve, Cheltenham

- The design includes a full upgrade to the existing playground including the installation of a new combination unit, new tri-swing set, new carousel, new pedestrian footpath, new furniture and landscaping.



**Judd Parade Reserve, Cheltenham
Playground Upgrade**

Sheldon Place Reserve, Clayton South

- The design includes a full upgrade to the existing playground including the installation of a new combination unit with agility trail, new carousel, new tri-swing set, new see-saw, new pedestrian pathways, new furniture and landscaping.



**Sheldon Place Reserve, Clayton South
Playground Upgrade**

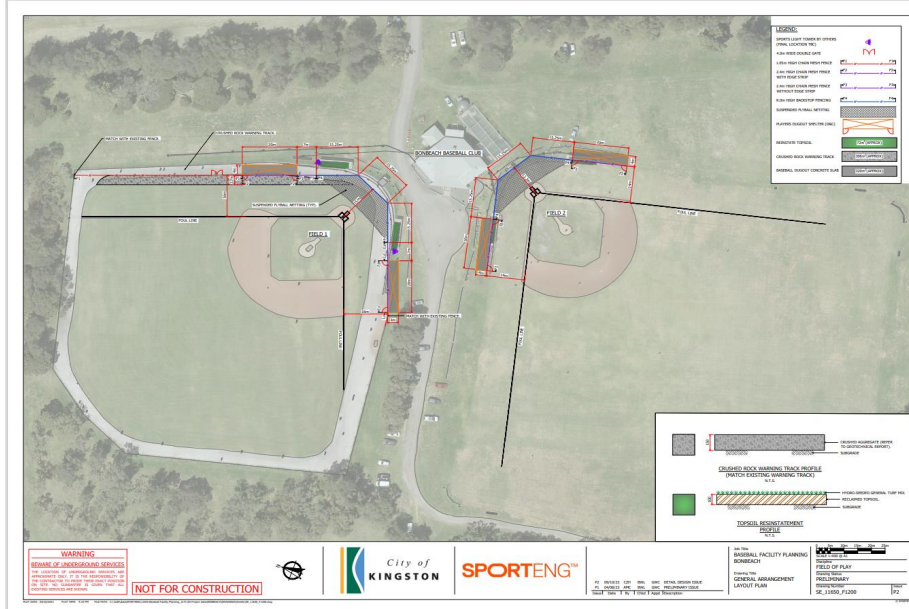
Community Sports Club Infrastructure Renewal Fund



Project in procurement

Baseball Dug Out Designs

- Following a condition audit on Councils baseball facilities a priority project list has been created to guide the baseball upgrades at Bonbeach and Dingley Reserves.
- A sports engineer was engaged to provide detailed design and tender specification for Bonbeach St. Chads at Bicentennial Park and the tender package will Active Kingston are will advertised in late October.
- To assist in the delivery and to ensure compliance with the tender specification, a suitability qualified sports consultant will be engaged to attend hold point inspections and provide technical support during the procurement and delivery phases.



Community inspired leadership

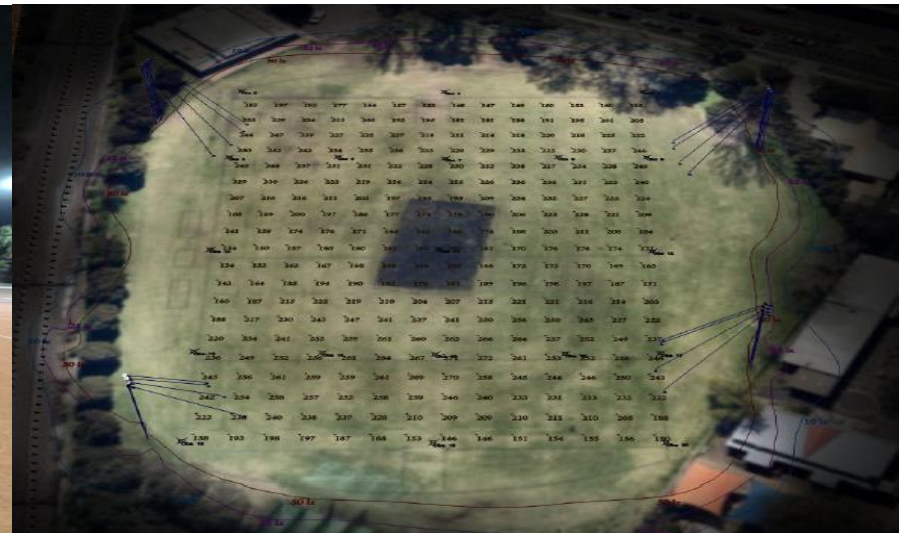
Sportsground Lighting Program

Projects underway

- Beazley Reserve and Dane Road Reserve Sports Lighting Projects have been awarded with orders placed for lighting masts and replacement LED globes and fittings to be installed prior to the commencement of the winter tenancy period for AFL and Racing Rugby (April 2025). State Government funding of \$225,000.00 was received to assist in delivery of projects.

Projects in design

- Sports lighting upgrades are currently in design phase for Rowan Rd Baseball, Diamond One and Keys Rd Reserve. Both projects are scheduled for delivery in 25/26.



Dane Rd Reserve - Render Image

community inspired leadership

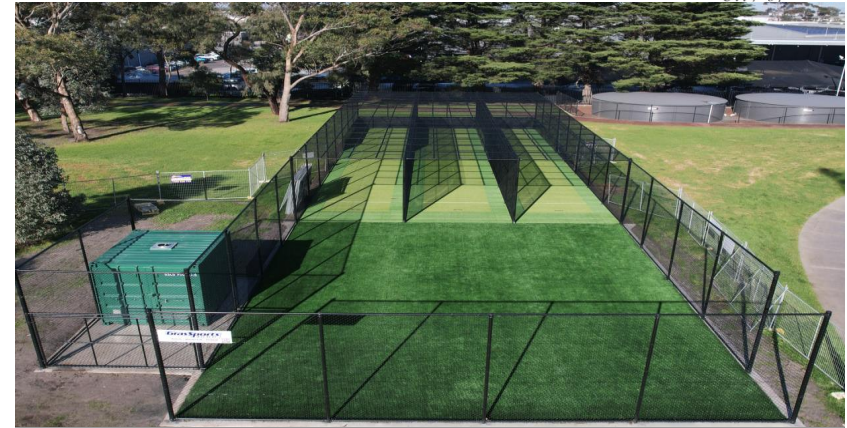
Cricket Infrastructure Renewal & Upgrades



Projects in procurement

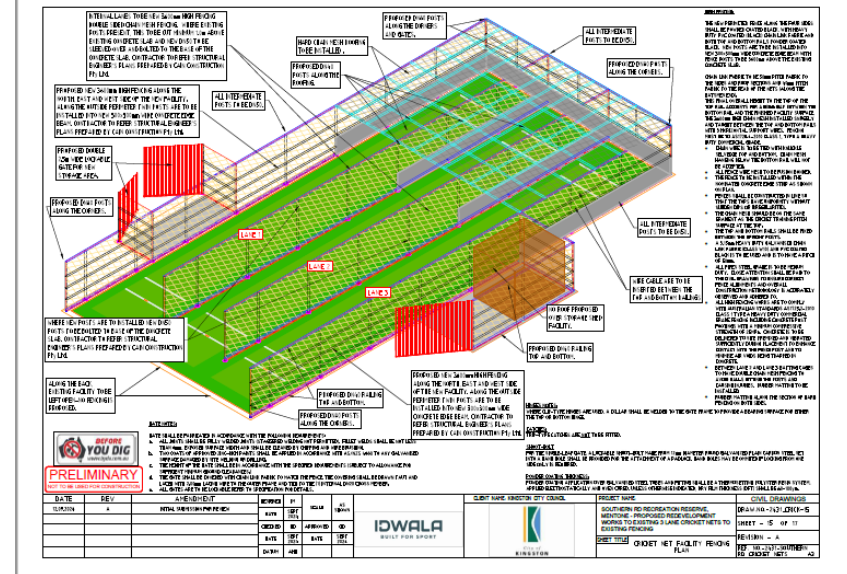
Southern Rd Cricket Net

- The preferred contractor has been determined with contract preparation underway. Works are proposed to commence in February with construction expected to be completed by the end of March 2025.



Beazley Reserve Cricket Nets

- Detailed design is now complete with preparation of tender specifications now underway. This project will see improved fencing and new synthetic grass to meet Cricket Victoria standards. This project will be delivered within the 25/26 capital program.



Southern Rd Cricket Net Design

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Hockey Pitch Resurfacing, Kingston Heath Reserve

Project Complete

Council have partnered with the Southern United Hockey Club, to replace the existing synthetic hockey pitch at Kingston Heath Reserve.

In addition to the synthetic grass resurfacing the scope will also include:

- Recycling of the synthetic grass and shock pad.
- Removal of the old scoreboard
- Installation of a new shock pad and sand dressed Polegas Synthetic Grass
- Resurfacing of the warmup area
- New technical shelter – as shown in the example
- FIH Certification

The photos show the removal of the synthetic grass and shock pad. The Sections of synthetic grass approximately 1.8m are being rolled up using a specialist machine, which are then loaded onto a truck, ready to be transported to the Re4orm recycling facility.

More information on the recycling company can be found www.re4ormrecycling.com.au



Active Recreation & Exercise Equipment Program

Projects underway

The contract for the Bicentennial Park Outdoor Gym Upgrade was awarded in October 2024. Works commenced on 13 January 5 weeks to complete. The new gym will include an aerobic/flex unit, strength unit, static strength unit, multi-bench unit, double pull-up unit, sit up unit, stretching unit, cardio unit (cycling & elliptical trainer). New rubber under-surfacing and seating will complement the upgrade works.

Projects in design

Namatjira Park Outdoor Gym Upgrade

Initial design work for the Namatjira Park outdoor gym upgrade has commenced. A concept design based on the existing Masterplan and current Playspace & Active Recreation Strategy will be developed for presentation to the community. We will be seeking feedback as to what type of new outdoor gym equipment meets the needs of the community. Based on the input received, the design will be revised and shared back with the community early 2025. Works to upgrade the outdoor gym at Namatjira Park are scheduled for the 2025/26 financial year.

BICENTENNIAL PARK OUTDOOR GYM UPGRADE

We're excited to be moving ahead with our plans to upgrade the outdoor gym at Bicentennial Park in Chelsea!

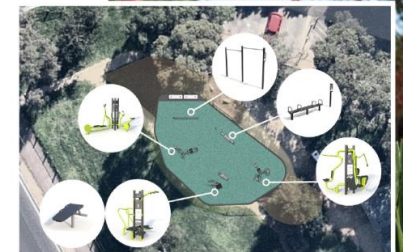
Highlights include:

- Aerobic/Flex unit
- Strength unit
- Static strength unit
- Multi-bench unit
- Double pull-up unit
- Sit up unit
- Stretching unit
- Cardio unit (cycling, elliptical trainer)

During community consultation, there was overall support for removing the perimeter fence and footpath along the southern edge of the outdoor gym area to improve accessibility and allow for more green space at the site.

Impacts and timeframes

Construction works will commence in January and take approximately 5 weeks to complete, weather permitting. Access to Bicentennial Park will be maintained throughout construction, with temporary fencing and signage installed around the works zone for the safety of the community. Several parking bays may also be unavailable at times throughout the works. We apologise for any inconvenience and will minimise disruption wherever possible.



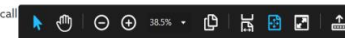
Outdoor gym design



Further information

Contact Council's Active Kingston team via:
✉ info@kingston.vic.gov.au ☎ 1300 653 356
📮 PO Box 1000 Mentone 3194

For interpreter services please call



Final design for the Bicentennial Park Outdoor Gym Upgrade as shown on the community information sign that has been installed on site in the lead-up to the upgrade works.

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GR Bricker Master Plan



Project Status

Following the construction of the new pavilion, cricket net upgrades and associated works, Council are completing the final stages of the master plan.

Works include:

- Upgrading the existing discus cages, including repositioning them to a more suitable location
- Installation of concrete tracks for the high jump cover
- Extension of the existing concrete timekeepers stand
- Fencing upgrades and access improvements along Rowan Road
- Installation of a new drinking fountain, near the exercise equipment
- Construction of a synthetic grass entry pad to the cricket oval

Works commenced in December and temporary fencing has been used to create small works zones to minimise disruption to the athletics club and reserve users.

Officers are exploring Wayfinding signage requirements for the entire reserve, which is subject to available budget.

GR Bricker Reserve - design of new athletic throw cages

STEEL MEMBER SCHEDULE

No.	SIZE	FOOTING SIZE
P1	DN80 GALVANISED ROUND SECTION	CONCRETE DIA.300 x 900mm DEEP
P2	DN80 GALVANISED ROUND SECTION	CONCRETE DIA.300 x 900mm DEEP
P3	DN80 GALVANISED ROUND SECTION	CONCRETE DIA.300 x 900mm DEEP
P4	DN40 GALVANISED ROUND SECTION	N/A

SITE INFO:

- GATE SHALL BE FABRICATED IN ACCORDANCE WITH THE FOLLOWING REQUIREMENTS:
 - ALL WELDS SHALL BE FULLY WELDED AND STITCHED USING HOT TIGHTENING. WELDS SHALL BE NOT LESS THAN 10mm. EXPOSED SURFACE WELDS SHALL BE GRIND BY CHIPPING AND WIRE BRUSHING.
 - THICKNESS OF APPROVED INCH-PAINTS SHALL BE APPLIED IN ACCORDANCE WITH ASSETS AND TO ANY GALVANISED SURFACE EXPOSED BY CUTS, SLITS OR DRILLING.
 - THE MEMBER OF THE GATE SHALL BE IN ACCORDANCE WITH THE SPECIFIED REQUIREMENTS (SUBJECT TO ALLOWANCE FOR TOLERANCE WITHIN MANUFACTURING TOLERANCES).
 - THE GATE SHALL BE COVERED WITH CHAIN LINK FABRIC WITH TIGHT TENSILE FORCE. THE OPENING SHALL BE DRAWN TIGHT AND LACED WITH 12mm LATCH WIRE TO THE WELDED FRAME AND TIED TO THE INTERNAL DIAGONAL MEMBER.
 - ALL GATES ARE TO BE LOCKABLE REFER TO SPECIFICATION FOR DETAILS.

DISCUSSION:

USE OF TYPED BRUSHES ARE USED A CLEAR SHALL BE HELD TO THE GATE FRAME TO PROVIDE A BEARING SURFACE FOR OTHER THE TOP OR BOTTOM RING.

NOTES:

THE TYPE GATES ARE NOT TO BE FITTED.

SHOWN:

FOR THE SINGLE USE GATE A LOCKABLE (HINT-BOLT) HINGE FROM 120mm DIAMETER SHOWN SHALL BE USED PLAIN CARBON STEEL SET WITH A 10mm RISE SHALL BE PROVIDED FOR THE ATTACHMENT OF A PLAIN CARBON WELDED HINGE THAT MAY BE WELDED FLANGING FROM THE SIDE ONLY IS REQUIRED.

FINISHES:

PAINTING APPLICATION OVER GALVANISED STEEL SHALL BE A THERMOZINC POLYESTER FINISH SYSTEM APPLIED ELECTROLYTICALLY AND OVER COATED UNLESS OTHERWISE INDICATED BY THE ARCHITECT'S NOTE SHALL BE 40-100um.

CLIENT NAME: CITY OF KINGSTON COUNCIL
PROJECT NAME: G R BRICKER RESERVE - 105 - 117 ROWAN ROAD, MOORABBIN - PROPOSED NEW THROWING CAGES AND MINOR SURFACING WORKS
CIVIL DRAWINGS: DRAWING NO - 2/17 - 12
 SHEET - 12 OF 28
 REVISION - A
 REF. NO. 2/17-16 P BRICKER RES. 43

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Public Open Space

Projects Completed

Granary Lane Pocket Park, Mentone

Following the demolition of the toilet block in Granary Lane, Council's newest Pocket Park is now open. The new space features bespoke seating, a path and open lawn areas. The mosaic artwork that previously adorned the toilet has been digitally preserved and is now showcased along the existing fence, adding colour and a nod to the history of the area.



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Public Open Space

Projects Completed



Spring Rd Reserve, Wetland Fencing

Completion of 1.2 km long fencing at Spring Rd Reserve, delivered as part of stage one works of the Spring Rd Reserve Masterplan. The fence has been installed around the wetland to protect its habitat value and ensure the bird species have a space to thrive. The wetland is a hub of biodiverse birdlife in Kingston, with over 60 species recorded in the area. Thanks to Bushland & Flora and Fauna in the area



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Sportsgrounds and Reserves

Projects Completed – Reserve Improvements @ Iluka Reserve Dog Park

Reserve Improvements at Iluka Reserve Dog Park

Minor improvements were delivered at Iluka Reserve Dog park, addressing high wear areas while also providing a new experiences for dogs to explore different materials while using the park. Recycled timber logs were used for casual seating and agility purposes, while the front entrance point was converted into a granitic apron with hybrid turf installed at the gateway.



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Sportsground and Reserves

Projects Completed

Reserve Improvements at Regents Park Reserve, Aspendale

Following the recent construction of the new sports pavilion at Regents Park Reserve, the Open Space department delivered a variety of improvements to compliment and improve amenities within the reserve including New bins, new path connections, additional bollards & gates, passive turf viewing area, new furniture, pressure wash of all player shelters, mulching and additional planting within garden beds.



Sportsground and Reserves

Projects Completed

Dowling Rd Reserve & Victory Park Reserve Minor Improvements

- Furniture and picnic shelter upgrade @ Dowling Rd Reserve, Oakleigh Sth
- Playground equipment renewal @ Victory Park, Chelsea



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Sportsground and Reserves

Projects Completed

Turf Wicket Table Renewal- Heatherton Rec Reserve

Heatherton Rec Reserve turf wicket table renewal is now completed and handed over to the club for matches to resume. The existing 5 wicket turf table was renewed, including soil importation, resizing of asset, releveling, turf works and irrigation improvements.



Sportsground and Reserves

Projects Underway

Southern Road Reserve

Construction works at Southern Rd Reserve have been fully delivered with the project now entering the establishment phase. Project scope included: reshaping of oval, irrigation and drainage renewal, new goal posts and synthetic cricket wicket and new turf installation across the 1.4Ha playing surface.



Sportsground and Reserves

Project In Progress

Minor Reserve Improvements at Southern Road Reserve

Minor reserve improvements include new granitic paths connecting the playground and pavilion to the reserve, new bins, new furniture, new reserve fencing and access gates.



Major Projects

Projects Completed

SOUTER PAVILION, DINGLEY RESERVE

Council approved the demolition and redevelopment of the Dingley Pavilion, which was funded jointly by City of Kingston, Victorian State Government and through club contributions.

The new two-storey pavilion includes additional change rooms, new multipurpose room, kitchen and community space, kiosk, and public toilets. The new pavilion also has an elevated open terrace viewing platform.



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Major Projects

Projects Underway

MORDI AQUATIC CENTRE

October 2024

- Site possession granted
- Contractor mobilise and establish site
- Design Development completed to the D&C program
- Contract Documentation commences as a 5 stage Building Permit process to progress works on site

November 2024

- Soil abatement works commence
- Stamped Town Planning Plans issued

December 2024

- Building Permit 1 issued for inground works and piling



Major Projects

Projects Completed

NORTH CHELTENHAM PRESCHOOL

Council approved the allocation of budget and site (71 Argus Street) to be used for an expanded Preschool program. The site was operating as a preschool center, catering for 33 children, the new project is to support several 66 children on site, with the construction of the new facility is completed, waiting for the new occupants at the beginning of school term 4.

There is a range of new features and facilities the new childcare centre offers, which include:

- 2 new activity rooms
- new kitchen serving both rooms
- new kid's amenities
- new large veranda overseeing the playground
- new storage areas
- new storage areas
- new office and meeting room for staff



Dingley Stage 2 Update

Project Completed

The new building will start operational in School Term 1 2025.

The new Dingley Village Neighborhood Centre and Early Years building includes:

- 4 x Early Years rooms with associated office
- 2 x Maternal & Child Health Rooms and waiting area
- Neighborhood Centre Office and Staff Room
- Kitchen
- Children Play area
- Carparking
- Basketball Court

In addition, 3 x meeting rooms extensions to the rear of Harold Box Hall has been completed in the previous update.



Civil Infrastructure Update

G0002 - Footpath Renewal Program



Projects Completed:

- Wells Road, Patterson Lakes (740 Wells Rd to Patterson River)** – access road reconstruction
- 100 Lochiel Ave to 111 Kinross Ave, Edithvale** – road reconstruction and drainage upgrade
- Como Parade West, Mentone Shopping Centre** – west side footpath replacement
- Scull Drive, Chelsea Heights** – stroller crossing construction
- Dahmen Street, Carrum** – ramp construction
- 47 Governor Road, Mordialloc** – pram crossing construction
- Intersection of Elizabeth Street/Collins Street, Mentone** – pram crossing construction
- 458 Station Street, Bonbeach** – drainage construction
- Thompson Road, Patterson lakes** – path maintenance
- Centre Dandenong Road, Cheltenham** – between Kevin Court and Warrigal Road footpath reconstruction

Projects Underway:

- Carrum Boardwalk Extension to Patterson River** – boardwalk extension
- Bondi Road Outfall Drain, Bonbeach Sports Reserve Stage 2** - major drainage works
- Torquay Close, Dingley Village** – footpath and kerb reconstruction



Centre Dandenong Road, Cheltenham – footpath reconstruction during construction



Centre Dandenong Road, Cheltenham – footpath reconstruction after construction



Dahmen Street, Carrum – ramp during construction



Dahmen Street, Carrum – ramp after construction



Como Parade West, Mentone Shopping Centre – west side footpath replacement during construction



Como Parade West, Mentone Shopping Centre – west side footpath replacement after construction

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Building Renewals

Projects Completed

Lewis U3A House

Renewal of community room



Mordialloc Courthouse U3A - Refurbishment

Renewal of community room and
kitchen



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Building Infrastructure Update

G0004 - Buildings Renewal Program



Projects Completed:

Chelsea Yacht Club

External renewal of the building



Carrum Family Children's Centre

Flooring renewal throughout the building



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2024/25 Capital Works Program Q1 & Q2 Amendments Summary

1.0 Program Deferral

The programs/projects in Table 1 below have encountered unforeseen delays and are recommended to be deferred.

Table 1 – Deferral/Delayed Programs

Program	Q1	Q2	Total movement to Budget
Green Wedge Implementation	-800,000	-	-800,000
Other renewal Works	-706,540	-115,000	-821,540
Other Projects	-1,457,307	-50,000	-1,507,307
Carrum Activity Hub Car Park Upgrade – sth car park	-190,000	-	-190,000
Dog Off Leash Park Upgrade Program	-169,000	-	-169,000
CEERP (Climate and Ecological Emergency Response Plan) Program	-95,854	-2,525	-98,379
Other Major Works	-100,000	-	-100,000
Total	-3,518,701	-167,525	-3,686,226

2.0 Program savings

The programs/projects in Table 2 below have been or are very likely to be delivered under the allocated budget.

Table 2 – Programs/projects with Savings

Program	Q1	Q2	Total movement to Budget
Foreshore Renewal Program	-973,229	-	-973,229
Road Renewal Program	-401,467	0	-401,467
Footpath Renewal Program	-	-70,652	-70,652
Kingston Industrial Development Program	-200,000	-	-200,000
Other Renewal Works	-232,226	-391,717	-623,943
Other Projects	-286,311	-23,062	-309,373
Public Art and Cultural Assets Program	-97,479	1,680	-95,799
Kingston Arts Moorabbin Precinct	-95,494	-	-95,494
Irrigation and Drainage Renewal Program	-200,000	-	-200,000
Other Major Works	-44,924	-	-44,924
Open Space Strategy and Master Plan Implementati	-64,659	-4,360	-69,019
Roy Dore Sports Precinct Program	-10,000	-	-10,000
Sportsground Lighting Program	-	-87,000	-87,000
Total	-2,605,789	-575,111	-3,180,900

3.0 Program Over Expenditure

The programs/projects in Table 3 below have or are likely to be delivered with minor budget over expenditures.

Table 3 – Programs/projects that have exceeded their budget YTD

Program	Q1	Q2	Total movement to Budget
Footpath Renewal Program	366,548	-	366,548
Other Major Works	147,926	331,391	479,317
Other Environmental Sustainability	56,251	4,643	60,894
Other Projects	167,011	71,877	238,888
LXRA related Asset Renewal	8,730	-	8,730
Total	746,466	407,911	1,154,377

4.0 Forecast Program Over Expenditure

Some projects have been allocated budget or have been recommended for inclusion in the program due to unforeseen events. These overspends have been quantified below and are recommended to proceed.

Table 4 – Request for overspend through forecast

Project	Q1	Q2	Total movement to Budget
Other Projects	1,019,094	(30,601)	988,493
Buildings Renewal Program	581,323	141,828	723,151
Other Major Works	173,209	91,624	264,833
Other Renewal Works	203,000	-817	202,183
Off Street Carpark Renewal and Upgrade Program	700,000	-	700,000
Drainage Flood Mitigation Program	-	1,000,000	1,000,000
Walking & Cycling Strategy Implementation	-	143,362	143,362
Traffic Management Program	32,034	27,458	59,492
Landfill Remediation	9,780	-	9,780
Aspendale LSC	75,000	-	75,000
Pavilion Renewal Program	-	2,096	2,096
Total	2,793,440	1,374,950	4,168,390

5.0 Budget Growth

The projects in table 5 below represent budget growth. Overspends that are fully funded by external grants.

Table 5 - Budget Growth (overspend funded by grants)

Project	Q1	Q2	Total movement to Budget
Road Renewal Program	245,399	-	245,399
Irrigation and Drainage Renewal Program	30,000	-	30,000
Other Major Works	1,340,000	-	1,340,000
Other Projects	858,000	-	858,000
Total	2,473,399	0	2,473,399

10. Customer and Corporate Support Reports

Ordinary Council Meeting

24 February 2025

Agenda Item No: 10.1

GOVERNANCE AND COMPLIANCE REPORT

Contact Officer: Gabrielle Pattenden, Council Governance Officer

Purpose of Report

The purpose of this report is to present various governance and compliance related matters to Council to:

- Note the Informal Meetings of Councillors Records
- Adopt the updated Terms of Reference of the Business and Economic Development Advisory Committee (BEDAC)
- Adopt the revised Chief Executive Officer (CEO) Employment and Remuneration Policy

Disclosure of Officer / Contractor Conflict of Interest

No Council officers who have provided advice in relation to this report have declared a Conflict of Interest regarding the matter under consideration.

RECOMMENDATION

That Council:

1. Receive and note the Informal Meetings of Councillors Records at Appendix 1; and
2. Adopt the updated Terms of Reference of the Business and Economic Development Advisory Committee at Appendix 2; and
3. Adopt the revised Chief Executive Officer Employment and Remuneration Policy at Appendix 3.

1. Executive Summary

1.1 Informal Meetings of Councillors

This report contains records for meetings defined as an Informal Meeting of Councillors under Rule 1 of Chapter 6 of the Governance Rules.

The Governance Rules require Informal Meetings of Councillors records to be reported to the next possible meeting of Council. This seeks to promote openness and transparency of Council decision making.

1.2 Terms of Reference for the Business and Economic Development Advisory Committee and Chief Executive Officer Employment and Remuneration Policy

In accordance with a Council resolution made at the 25 November 2024 Ordinary Council Meeting, this report seeks Council's adoption of the revised terms of reference and policy to increase the Councillor membership numbers of the Business and Economic Development Advisory Committee and the CEO Employment Matters Committee.

2. Discussion

2.1 Informal Meetings of Councillors

As prescribed by Rule 1 of Chapter 6 of the Governance Rules, if there is a meeting of Councillors that:

- is scheduled or planned for the purpose of discussing the business of Council or briefing Councillors;
- is attended by at least one member of Council staff; and
- is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting

the Chief Executive Officer must ensure that a summary of the matters discussed at the meeting are:

- a) tabled at the next convenient Council meeting; and
- b) recorded in the minutes of that Council meeting.

2.2 Terms of Reference for the Business and Economic Development Advisory Committee and Chief Executive Officer Employment and Remuneration Policy

At the 25 November Ordinary Council Meeting, Council resolved as follows:

That Council:

1. *Determine the following appointments to committees and organisations;*
2. *Defer the appointment to the Municipal Association of Victoria until the December Ordinary Council Meeting; and*
3. *Be presented with a further report to revise the terms of reference to reflect this resolution of Councillor appointments.*

This report seeks Council's adoption of:

- the updated Terms of Reference for the Business and Economic Advisory Committee to reflect an increase in the maximum Councillor membership from three to four
- the revised Chief Executive Officer Employment and Remuneration Policy to reflect a change in membership of the CEO Employment Matters Committee to comprise the Mayor and three other Councillors (previously the Mayor and two other Councillors).

3. Compliance Checklist

3.1 Council Plan Alignment

Strategic Direction: Well-governed - Council will be collaborative, accountable, transparent, responsive, well-informed and efficient.

Strategy: Hold ourselves to the highest standard of governance and integrity

3.2 Governance Principles Alignment

Principle (a) - Council actions are to be made and actions taken in accordance with the relevant law.

The tabling of Records of Informal Meetings of Councillors is in accordance with Rule 1 of Chapter 6 of the Governance Rules.

Principle (i) - the transparency of Council decisions, actions and information is to be ensured.

The recording of informal meetings of Councillors and updates to Council policies provides public transparency regarding the actions of Council.

3.3 Financial Considerations

Not applicable.

3.4 Risk Considerations

There are no operational or strategic risks arising from the recommendations contained in this report.

Appendices

Appendix 1 - Informal Meetings of Councillors Records - January / February 2025 (Ref 25/30344)

Appendix 2 - Draft Business and Economic Development Advisory Committee Terms of Reference for adoption February 2025 (Ref 25/30418)

Appendix 3 - Draft CEO Employment and Remuneration Policy for adoption February 2025 (Ref 25/30501)

Author/s: Gabrielle Pattenden, Council Governance Officer
Reviewed and Approved By: Sharon Lozsan, Team Leader Council Governance
Kelly Shacklock, Manager Governance Risk and Integrity
Dan Hogan, General Manager Customer and Corporate Support

10.1

GOVERNANCE AND COMPLIANCE REPORT

1	Informal Meetings of Councillors Records - January / February 2025	197
2	Draft Business and Economic Development Advisory Committee Terms of Reference for adoption February 2025...	205
3	Draft CEO Employment and Remuneration Policy for adoption February 2025	209

Councillor Attendance Record



Submitted on	4 February 2025, 3:06PM
Receipt number	109
Related form version	17

This form must be completed and submitted by the appropriate attending Council officer for reporting to Council.

Name of Council officer completing this form	Gabrielle Pattenden
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Informal Meetings of Councillors should be selected if:

- the briefing is planned for the purpose of discussing the business of Council
- attended by at least 6 Councillors and at least one Council staff member
- is not a Council meeting or Delegated Committee Meeting
- the meeting subject to the Planning Interactions Policy

Councillor Attendance Form should be selected to record Councillors attendance at:

- Council meetings
- Councillor information sessions
- Planning meetings in their ward
- Workshops and training sessions
- Advisory committees of which the relevant Councillor is a member

Type of record	Informal Meetings of Councillors Record
Title of meeting	Councillor Briefing
Meeting date	28/01/2025
Meeting time	5.30pm
Meeting location	In person

Attendance

Councillors in attendance	Cr Georgina Oxley (Mayor) Cr Chris Howe (Deputy Mayor) (attended online, camera off) Cr Jane Agirtan Cr Kirralee Ashworth-Collett Cr Tony Athanasopoulos Cr Chris Hill Cr Tess Law Cr Sarah O'Donnell Cr Hadi Saab (attended online) (arrived at 6.03pm) (left at 6.55pm) Cr Caroline White
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Council officer(s) in attendance	Peter Bean, Chief Executive Officer
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Jonathan Guttman, General Manager Planning and Place
 Dan Hogan, General Manager Customer and Corporate Support
 Kate Waters, Acting General Manager Community Strengthening
 Samantha Krull, General Manager Infrastructure and Open Space
 Bernard Rohan, Chief Financial Officer
 Carly Mandich, Acting Manager Governance Risk and Integrity
 Gabrielle Pattenden, Governance Officer
 Tracey Cheeseman, Manager Advocacy, Communications and Engagement
 Tara Bell, Team Leader Urban Design and Place
 Susan Quach, Acting Manager Inclusive Communities
 Trent Carpenter, Team Leader Community Capacity and Partnerships
 Marjorie Tanchevez, Community Leadership and Capacity Officer
 Bridget Draper, Manager Active Kingston
 Jeanne Rossouw, Acting Manager Infrastructure

External attendees	Nil
Apologies	Cr Georgia Erevnidis
Summary of matters discussed	<ol style="list-style-type: none"> 1. Acknowledgement of Country 2. Apologies 3. Disclosures by Councillors, Officers and Contractors of any Conflict of Interest 4. Notes of the Draft Agenda Briefing of 9 December 2024 5. Executive Updates 6. Community Safety Advisory Committee - Meeting Notes - 27 November 2024 7. Draft Agenda - Ordinary Council Meeting 8. Planning and Place Reports 8.1 Town Planning Application Decisions - December 2024 9. Community Strengthening Reports 9.1 Kingston Women of the Year Awards 2025 Nominations and Selection of Winners 10. Infrastructure and Open Space Reports 10.1 Federal Grant Funding – Play Our Way – Bentleigh Greens Soccer Pitch for Women and Girls 10.2 Response to Resolution - Notice of Motion 8/2024 - Electronic Scoreboards 10.3 CON-24/062 Northcliffe Road (Station Street to Munro Avenue) and Munro Avenue (Bayside Avenue to 50m north of Northcliffe Road), Edithvale - Road Reconstructions 11. Customer and Corporate Support Reports 11.1 Governance and Compliance Report Taken as read, no discussion required. 12. Chief Finance Office Reports Standing Items Councillor/CEO Only Discussion • Councillor Workshop weekend
Did a Councillor or Council officer disclose a conflict of interest?	Yes

Conflicts of interest

If more than one conflict was declared, provide the details for one conflict and then click 'add' to provide details for another.

Conflict 1	Name of Councillor/officer that declared the conflict of interest Cr Ashworth-Collett
	Type of conflict of interest General (G)

Did the Councillor/officer leave the meeting prior to discussion?

Yes

Informal Meeting of Councillors Record



Submitted on	17 February 2025, 11:01AM
Receipt number	112
Related form version	18

In accordance with Chapter 6 of the Governance Rules, this form should be completed if there is a meeting of Councillors that is:

- planned for the purpose of discussing the business of Council or briefing Councillors; and
- attended by at least six Councillors and at least one Council staff member; and
- not a Council meeting or Delegated Committee Meeting; or
- subject to the Planning Interactions Policy

Name of Council officer completing this form	Kim Marshall
Title of meeting	Councillor Planning Workshop - Day 1
Meeting date	15/02/2025
Meeting time	9am-5pm
Meeting location	In person

Attendance

Councillors in attendance	Cr Oxley, Cr Howe, Cr Agirtan, Cr Saab, Cr Hill, Cr Ashworth-Collette, Cr White (online for morning, in person for afternoon), Cr Erevnidis, Cr O'Donnell, Cr Law, Cr Athanasopoulos
Council officer(s) in attendance	Kim Marshall, Peter Bean, Dan Hogan, Kate Waters, Bernard Rohan, Samantha Krull, Jonathan Guttman, Steve Tierney, Jaclyn Murdoch, Paul Marsden
External attendees	Chris Kotur - Faciliator
Apologies	Nil
Summary of matters discussed	Land Use Planning Induction, 25/26 Budget, Capital Budget, Advocacy
Did a Councillor or Council officer disclose a conflict of interest?	No

Informal Meeting of Councillors Record



Submitted on	17 February 2025, 11:01AM
Receipt number	113
Related form version	18

In accordance with Chapter 6 of the Governance Rules, this form should be completed if there is a meeting of Councillors that is:

- planned for the purpose of discussing the business of Council or briefing Councillors; and
- attended by at least six Councillors and at least one Council staff member; and
- not a Council meeting or Delegated Committee Meeting; or
- subject to the Planning Interactions Policy

Name of Council officer completing this form	Kim Marshall
Title of meeting	Councillor Planning Weekend - Day 2
Meeting date	16/02/2025
Meeting time	9am-1pm
Meeting location	In person

Attendance

Councillors in attendance	Cr Oxley, Cr Howe, Cr Agirtan, Cr Saab, Cr Hill, Cr Ashworth-Collette, Cr White, Cr Erevnidis, Cr O'Donnell, Cr Law, Cr Athanasopoulos (online)
Council officer(s) in attendance	Kim Marshall, Peter Bean, Dan Hogan, Kate Waters, Bernard Rohan, Samantha Krull, Jonathan Guttman, Susan Quach, Dillon Greche, Erin Pattie
External attendees	Chris Kotur - Facilitator
Apologies	Nil
Summary of matters discussed	Council and Wellbeing Plan
Did a Councillor or Council officer disclose a conflict of interest?	No

Informal Meeting of Councillors Record



Submitted on	19 February 2025, 12:00PM
Receipt number	114
Related form version	18

In accordance with Chapter 6 of the Governance Rules, this form should be completed if there is a meeting of Councillors that is:

- planned for the purpose of discussing the business of Council or briefing Councillors; and
- attended by at least six Councillors and at least one Council staff member; and
- not a Council meeting or Delegated Committee Meeting; or
- subject to the Planning Interactions Policy

Name of Council officer completing this form	Sharon Lozsan
Title of meeting	Strategic Briefing
Meeting date	17/02/2025
Meeting time	6.02pm
Meeting location	In person

Attendance

Councillors in attendance	Cr Georgina Oxley (Mayor) Cr Chris Howe (Deputy Mayor) Cr Jane Agirtan Cr Kirralee Ashworth-Collett Cr Tony Athanasopoulos (arrived at 6.28pm) Cr Georgia Erevnidis (attended online) Cr Chris Hill Cr Tess Law Cr Sarah O'Donnell Cr Caroline White (arrived at 6.05pm)
Council officer(s) in attendance	Peter Bean, Chief Executive Officer Jonathan Guttman, General Manager Planning and Place Dan Hogan, General Manager Customer and Corporate Support Kate Waters, Acting General Manager Community Strengthening Samantha Krull, General Manager Infrastructure and Open Space Bernard Rohan, Chief Financial Officer Marleen Mathias, Manager Compliance and Amenity Kelly Shacklock, Manager Governance Risk and Integrity Andrew Hockley, Advocacy Lead Sharon Lozsan, Team Leader Council Governance
External attendees	Tony Raunic, Hunt and Hunt Lawyers

Apologies	Cr Hadi Saab
Summary of matters discussed	Notes of Briefing of 10 February 2025 Executive Updates Council Policy Reviews Introduction to the Domestic Animal Management Plan 2026-2029 Response to Resolution - Notice of Motion 14/2024 - Mentone Heritage Train Station
Did a Councillor or Council officer disclose a conflict of interest?	No

Terms of Reference Business & Economic Development Advisory Committee



Name of Committee:	Business and Economic Development Advisory Committee
Purpose of Committee:	<p>The Business and Economic Development Advisory Committee (BEDAC) has been established to provide advice to the City of Kingston in relation to the growth and development of the Kingston economy and issues relating to the creation of local employment opportunities within the community.</p> <p>The BEDAC acts as an advisory committee to Council, with one or more Councillors (maximum of three) nominated on a biennial basis upon establishment and renewal of this Terms of Reference.</p> <p>The establishment of the BEDAC provides an important forum for identifying municipal-wide issues and opportunities as well as advising Council on effective policy and service provision regarding business and economic development within the City of Kingston.</p> <p>As with all City of Kingston Advisory Committees, the BEDAC has a strategic focus relevant across the entire municipality and at a regional level.</p> <p>The committee should provide specialist advice to Council as an input into decisions that impact municipal-wide Council policy.</p> <p>Council may, on occasion, approach BEDAC and its members to provide an independent judgement to business related matters, such as participating in the evaluation of grants programs and consultation on important issues.</p> <p>BEDAC has no delegated decision-making power from Council.</p>
Council Plan Objectives:	<p>To provide advice to Council on the provision of:</p> <ul style="list-style-type: none"> • Vibrant active urban centres • An informed, learning and connected City of Kingston • A thriving, profitable and sustainable local economy • A community with functional traffic, parking and transport links
Criteria for membership:	<ul style="list-style-type: none"> • Currently operating a business within the City of Kingston or a local resident with specific expertise in a business related area such as research and development relevant to business (e.g. a researcher at CSIRO or a University involved with the development of an advanced manufacturing process); • Strong business networks and linkages; • An ability to constructively participate in an advisory capacity; • An ability to represent a broad range of views that reflect the diversity of the community; • A broad understanding of the influence of business and economics on the local community and its social, environmental and economic well-being.

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Advisory Committee Terms of Reference

	<ul style="list-style-type: none"> • A strong understanding of the local and regional economies and the changes that are occurring globally; • Good knowledge and understanding of the local issues that are relevant to business, employment, logistics and economic development; • A willingness to contribute positively to meetings in a fair and unbiased manner; • An ability to look beyond personal interests for the benefit of the community and residents of the City of Kingston; • An ability and willingness to encourage participation from and provide feedback to the community regarding business and economic development; • A capacity to commit to the Advisory Committee for the required duration; • A willingness to celebrate the success and achievements of businesses in the City of Kingston.
Selection of Members:	<p>The selection of the membership will involve calling for nominations. An advertisement may be placed in the local media and on Council's website. Specific representatives may be invited to nominate.</p> <p>Council can also directly appoint members if it chooses. A nomination form must be completed by interested representatives and all nominations will be assessed against the Criteria for Membership.</p> <p>Appointments will be for a period of two years by Council Resolution. Should there be a need for the BEDAC to continue beyond this time, a re-appointment process will be undertaken for all members in accordance with the selection.</p>
Chairperson	<p>The role of Chairperson shall be undertaken by a Councillor.</p> <p>A Councillor may also choose not to undertake the role of Chair. In this case an independent Advisory Committee member may be elected to the role through a vote or consensus among the independent members.</p> <p>The appointed Chairperson is responsible for the conduct of meetings, ensuring fair and equitable opportunities for views and opinions to be voiced and discussed by the Advisory Committee.</p> <p>A deputy Chairperson should be elected to chair meetings in the absence of the Chairperson.</p>
Quorum and Voting:	<p>The Committee will operate with 'one third plus one' of the total membership. It is preferable that decisions of the BEDAC are made by consensus however; there may be circumstances where a matter is decided by a vote.</p> <p>Each member is entitled to one vote, except that the Chairperson who may exercise a casting vote should this be necessary.</p>
Executive Support:	<p>The Governance Department will:</p> <ul style="list-style-type: none"> • Provide terms of reference to new committee members. • Facilitate a review process for the committee and its Terms of Reference every two years. • Provide information and education on good governance issues such as; conflict of interest, confidentiality and register of interests. • Offer training for the chairperson if required.

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Advisory Committee Terms of Reference

	<ul style="list-style-type: none"> Oversee the recruitment and selection process for committee membership. <p>A representative from the Kingston Business team will:</p> <ul style="list-style-type: none"> Compile and circulate agendas, attend meetings, compile and distribute minutes. <p>The General Manager of Planning and Development and selected Council Officers will provide professional advice to the committee as required.</p>
Membership:	<p>The BEDAC will consist of the following membership structure:</p> <ul style="list-style-type: none"> A maximum of four (4) Councillor representatives (appointed by Council resolution) A maximum of ten (10) representatives from business operators, service providers/agencies or organisations who have expertise and experience in business operations, economic development, employment or logistics in the City of Kingston
Meetings:	<p>Meetings of the BEDAC will be held quarterly or more often by arrangement with the committee members and Chairperson. A schedule of meetings will be developed and agreed to annually. Under special circumstances a meeting may be cancelled or re-scheduled. A Council venue that is central for all members to access will be nominated for meetings.</p> <p>It is expected that each member of the BEDAC will attend a minimum of three (3) meetings each year.</p> <p>The BEDAC may hold joint meetings to deal with issues that cover the reach of more than one Advisory Committee.</p>
Conflict of Interest and Confidentiality:	<p>The Local Government Act identifies general and material conflicts of interest which require disclosure as and when they arise. Members of the BEDAC must be fully aware of their responsibilities with regard to the management of interests in relation to the discharge of their duties as members of the BEDAC.</p> <p>Any matter deemed by a member to represent a Conflict of Interest shall be reported to the Chairperson and the Governance Department either prior to a meeting or before the specific item is discussed and dealt with in line with the Act and any relevant Council policies or guidelines.</p> <p>It is intended that the BEDAC will be a forum for discussing proposed policies and actions that may impact the Kingston Community.</p> <p>It is envisaged that members will be provided with information that is not available in the public realm. It will be critical that committee members are seen as a group that can be trusted with confidential information.</p> <p>The BEDAC's ability to fulfill its purpose will be severely hampered if that trust is undermined in any way. Given the level of confidentiality that will be associated with some of the information provided to members, any discussion with non-committee members is limited to information already available to the public.</p> <p>Confidential discussion will not be disclosed without the Chair's prior approval.</p>
Guiding Principles:	<ul style="list-style-type: none"> We are inclusive, open minded and respectful of everyone's perspective We put our personal agendas aside and provide advice for the greater good of the diverse City of Kingston community Challenging and exploring are an integral part of what we do and how we

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Advisory Committee Terms of Reference

	<p>operate</p> <ul style="list-style-type: none"> • We represent and commit to the value of the committee • We actively participate and engage in the work of the committee • We are punctual, well prepared, timely with responses and we follow through • We are realistic about what we can achieve • We have a strong focus on outcomes
Reporting:	<ul style="list-style-type: none"> • A report of each BEDAC meeting is to be presented to a Councillor Information Session. • Minutes each meeting will be provided to all Councillors of the City of Kingston.
Related Documents:	<p><u>Council Plan 2021-2025</u> <u>Living Kingston 2035</u></p>

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Chief Executive Officer Employment and Remuneration Policy

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1 Document Information

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

RESPONSIBLE GENERAL MANAGER	General Manager Customer and Corporate Support
RESPONSIBLE MANAGER (Policy Owner)	Manager Governance, Integrity and Risk
APPROVED/ADOPTED BY	Council
APPROVAL DATE	TBC
REVIEW DATE	TBC
CM REF AND VERSION	21/238607 [v#3]
VERSION HISTORY	26 October 2021 28 March 2022

2 Purpose

The purpose of the Chief Executive Officer Employment and Remuneration Policy (this Policy) is to provide a clear and transparent framework for the employment, management and remuneration of the Chief Executive Officer (CEO) that is consistent with leading employment practice principles and compliant with the requirements of section 45 of the *Local Government Act 2020* (the Act).

3 Definitions

<i>Committee</i>	means the Employment Matters Committee established by resolution of Council.
<i>Council</i>	means the City of Kingston Council.
<i>Independent Professional Consultant</i>	means a consultant engaged by Council to provide advice to assist Council to carry out its responsibilities pertaining to the appointment of the CEO.
<i>Independent Member</i>	means a suitably skilled and qualified person appointed by Council resolution to the Employment Matters Committee.
<i>Recruitment Agency/Consultant</i>	means an agency or consultant engaged by Council to administer and conduct the process of selection of a suitable candidate for the position of CEO.

4 Scope

This Policy applies to Council in relation to its legislative responsibility for the appointment and management of the CEO.

This Policy applies to the CEO and prospective applicants for the role of CEO for clarity regarding the employment, remuneration and management processes undertaken by Council in relation to the role of CEO.

In the event of any inconsistency between this policy and the CEO's Contract of Employment, the provisions of the CEO's Contract of Employment shall prevail to the extent of the inconsistency.

5 Policy Details

Pursuant to section 45 of the Act, this Policy has been developed to provide clear processes for all aspects of the CEO's employment including:

- Obtaining independent professional advice in relation to the matters dealt with in this Policy
- All processes relating to the recruitment and appointment of the CEO
- The CEO Contract of Employment
- Establishment of Key Performance Indicators (KPIs)
- Quarterly and/or bi-annual performance reviews
- Annual performance and remuneration reviews

Council will make CEO employment decisions based on a timely and proper assessment of the individual's organisational executive leadership skills and performance against the position description and KPIs.

Council will have regard to the following employment principles when fulfilling its legislative responsibilities:

- Employment decisions are based on merit
- The employee is treated fairly and reasonably
- The Performance Review process is transparent, and reviews are timely
- Equal employment opportunity is provided
- The employee has a reasonable avenue of redress against unfair or unreasonable treatment

5.1 Independent Professional Advice

Council will appoint an experienced and qualified independent professional consultant to provide advice to assist Council to carry out its responsibilities pertaining to the appointment of the CEO (including provisions included in the Contract of Employment and establishment of KPIs), associated quarterly and/or bi-annual and annual performance and remuneration reviews in accordance with legislative requirements and the employment principles outlined in clause 5 of this Policy.

Council will also appoint an independent, suitably skilled and qualified person to the Employment Matters Committee outlined in clause 5.2 of this Policy to provide ongoing impartial, professional feedback and perspectives with regard to the employment and management of the CEO.

5.2 CEO Employment Matters Committee

Council will establish by resolution a CEO Employment Matters Committee (the Committee) to oversee the implementation of this Policy. The Committee is advisory in nature only and has no delegated decision-making power or authority. The Committee will provide regular advice and recommendations to enable Council to make decisions in relation to the matters included in this Policy.

The Committee is to be established at the commencement of the CEO's recruitment process.

The Committee shall operate in accordance with the Council resolution and the Committee Procedures and Operations contained in Appendix 1 of this Policy.

Support to the Committee will be provided by the General Manager Customer and Corporate Support, who in collaboration with the independent professional consultant, the Manager Governance, Integrity and Risk and the Executive Manager Legal as required, will ensure the following support is provided to the Committee:

- Coordinating meetings of the Committee
- Preparing relevant documentation including reports to Council and contractual documents
- Procuring independent legal advice on contractual or employment matters at the request of the Committee
- Maintaining appropriate records regarding performance reviews

5.2.1 Composition and Scope of Committee

The Committee shall be comprised as follows.

- The Mayor
- Three (3) other Councillors appointed by Council
- One (1) Independent member appointed by Council in accordance with the process outlined in clause 5.2.2 of this Policy, who will be remunerated for their role

The Committee shall advise on and make recommendations regarding:

- CEO recruitment and appointment process
- Employment and remuneration
- Performance Issues
- Any other matters relevant to the employment and performance of the CEO in accordance with the CEO's Contract of Employment and the Act

5.2.2 Independent Member of the Committee

The appointment of a suitably skilled and qualified Independent Member to the Committee will ensure consistent, informed and independent perspectives and feedback to the Committee and Council. The Independent Member will attend all Committee meetings but does not have voting rights.

The administration of the appointment process of the Independent Member will be undertaken by the General Manager Customer and Corporate Support.

Notwithstanding the appointment of an Independent Member, the Committee may at any time obtain independent additional professional advice to help it discharge its obligations in respect of any matter dealt with in this Policy.

Appointment and Tenure

The appointment of the Independent Member will be conducted as follows:

- Council will call for Expressions of Interest from interested persons to be an Independent Member of the Committee
- Where there is a vacancy in the position of Independent Member (or an impending vacancy) the Committee will call for Expressions of Interest
- The Committee will prepare a shortlist, conduct interviews and make a recommendation to Council on the appointment of the Independent Member. The list of all Expressions of Interest considered by the Committee will be provided to Council

The Independent Member may be appointed for up to five (5) years, or the term of the CEO's contract, whichever is the lesser period.

The Independent Member may be re-appointed by Council subject to Council's procurement requirements.

Remuneration

The Independent Member will be remunerated at a rate to be determined by the Council from time to time.

Key Competencies

The Independent Member must possess and demonstrate the following key competencies:

- Strong leadership and communication skills
- Skills, expertise and experience in one or more of the following:
 - Human resources management (including Executive recruitment, remuneration and talent management)
 - Senior business or government (including local government) experience
 - Experience with and understanding of employment law
 - Demonstrated ability in performance management and development of Executive level staff
- Understanding of good governance and previous experience working with Governance bodies or Boards
- Ability to work effectively with Councillors and the CEO
- Knowledge and understanding of the issues affecting the City of Kingston

5.3 CEO Recruitment and Appointment Process

The processes leading to a decision to appoint a new CEO will be based on an open and competitive process against objective selection criteria.

In accordance with Council's Procurement Policy and with the support of the General Manager Customer and Corporate Support, Council will appoint an experienced and qualified recruitment agency/consultant to administer and conduct the process of selection of a suitable candidate for the position of CEO. The Committee will make recommendations to the Council when appointing a recruitment agency/consultant, determining the CEO position requirements, selection criteria and developing the CEO's contract of employment.

The recruitment agency/consultant will liaise with the Committee to manage the end to end recruitment process including:

- Review and Finalisation of Position Description
- Establishment of Selection Criteria
- Establishment of KPIs for the first 12 months of employment
- Identify, attract and encourage suitable applicants to apply
- All aspects of the selection process
- Contract negotiations (including remuneration and conditions)
- Reporting to the Committee throughout the process

The Mayor, supported by the Committee, will lead the process to enable the Council to appoint the CEO. The Committee will provide recommendations and assistance to the Mayor where required and will play a role in ensuring Council is compliant with legislative requirements.

5.4 CEO Contract of Employment

The appointment of the CEO will be the subject of a Council resolution and the appointee and Council must execute a Contract of Employment outlining the terms and conditions of employment.

The CEO contract will at minimum outline:

- The Position Description
- KPIs
- Conflict of interest management requirements
- The total remuneration package and its inclusions
- Leave and other terms and conditions of employment
- Legislative obligations including those continuing after appointment
- Processes for managing unsatisfactory performance and early termination provisions

Council will utilise the independent professional consultant when developing the provisions of the Contract of Employment with a law firm selected from Council's Workforce and Industrial Relations legal services panel. Where required, external additional professional advice may also be obtained regarding the Contract of Employment.

Council's consideration of the option of reappointment or contract renewal and relevant recommendations from the Committee shall be in accordance with the Act and the CEO's Contract of Employment.

5.5 Performance and Remuneration Review

5.5.1 Performance

The Committee will develop annually, in conjunction with the CEO, KPIs and make recommendations to Council and accepted by CEO.

KPIs are to be reviewed and adopted by Council annually, based on the Committee's recommendations, to ensure consistency with the Council's priorities and plans as they develop over time. The KPIs are to remain consistent with the intent of the CEO's Position Description and Contract of Employment.

With the assistance and support of the independent professional consultant, Council will provide constructive feedback to the CEO by undertaking:

- Quarterly and/or Bi-annual performance reviews
- An annual review based on a formal submission from the CEO outlining their achievements to the KPIs

These reviews are to clarify Council's expectations and ensures the direction and priorities of the Council and the CEO are aligned.

5.5.2 Remuneration

For the purposes of this policy, total remuneration includes:

- Salary
- Cost to employer of motor vehicle (as per Council's Vehicle Policy)
- Superannuation
- Other employment benefits (inclusive of any associated Fringe Benefits Tax)

The Committee will make recommendations to Council on the remuneration of the CEO and undertake an annual review of the total remuneration package as part of the CEO's annual performance review, in accordance with the CEO's contract of employment.

The Committee in collaboration with the independent professional consultant will present a Council report on any recommendation to adjust the CEO's remuneration (and conditions) in accordance with the Contract of Employment and having regard to the prior year performance assessment.

Council will also have regard to any Determination that is currently in effect under section 21 of the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019* in relation to remuneration bands for executives employed in public service bodies, as well as any statement of policy issued by the Government of Victoria which is in force with respect to its wages policy (or equivalent).

5.6 Performance Management and Disciplinary Action

This section outlines the protocols to be followed in the event the matter pertains to the CEO and seeks to ensure concerns are addressed before they become significant.

5.6.1 Early communication of concerns

If a Councillor has a concern that the CEO's performance or conduct has been unsatisfactory, the Councillor must communicate any concerns to all members of the Committee, in writing at an early stage. The Councillor should also copy in the Independent Professional Consultant.

The CEO will arrange to meet the Councillor with the concern as soon as practicable after being informed. The Mayor (or the Deputy Mayor, if the concern has been raised by the Mayor) and the Independent Member and the Independent Professional Consultant will be present at the meeting.

The CEO and the Councillor with the concern, will discuss the matter in good faith with a view to resolving the issue.

The CEO will document the outcomes of that communication in an email to the Councillor, copying in the members of the Committee.

5.6.2 Engagement of an Independent Mediator

Where concerns cannot be resolved following the process in clause 5.6.1, the involved Councillor, the CEO, the Mayor or Deputy Mayor may request the independent professional consultant refer the dispute to an independent mediator as agreed by the parties, or otherwise as nominated by a legal services provider on Council's panel.

The Councillor/s and CEO will:

- Agree to participate in any mediation process in good faith, with such mediation to operate in a manner as agreed by the CEO and Council
- Acknowledge the right of either the CEO or Council to appoint, in writing, any other person to act on their behalf in relation to any mediation process

The cost of the mediation service will be met by Council.

The CEO and Council will each be responsible for paying costs of any advisor or nominated representative used by them.

5.6.3 Performance Management

Should concerns not be resolved or escalate, the following protocol is to be followed and the processes considered by the Committee as soon as practicable, preferably through the quarterly / bi-annual performance review process, and only actioned after being resolved on by Council.

If the Council forms the reasonable opinion that areas of the CEO's performance have not been satisfactory, it must notify the CEO of the issues in writing as soon as practicable after forming that opinion (by resolution).

The written notification should clearly set out:

- The details of the performance concerns
- The standard of performance which Council expects to see
- A reasonable timeframe during which the Council requires those areas of performance to be improved to the required standard

The Council must provide whatever counselling, advice and assistance are reasonably necessary to enable the CEO to improve their performance during that period.

At the end of those timelines, the Council may:

- If it considers that the CEO's performance has reached the required standard, take no further action; or
- If it considers that the CEO's performance has not reached the required standard:
 - Extend the timelines for specified improvement for a further specific period; or
 - If the Officer's performance is still unsatisfactory, take further action against the Officer (which may include dismissal upon the minimum amount of notice required by the Fair Work Act 2009 or any industrial instrument, (whichever is the greater) or payment in lieu of such notice.

All communications to the CEO regarding performance management matters must be in writing and sent by the Mayor, or in the Mayor's absence the Deputy Mayor, and copied to the independent professional consultant.

When responding to communications regarding performance management matters, the CEO should respond to the Mayor (or Deputy Mayor, as applicable) and copy in the independent professional consultant.

If the Councillor forms the view that the matter has not been dealt with to a satisfactory standard, the Councillor will have the option of raising the concerns with the Committee and ultimately for consideration by Council.

5.6.4 Disciplinary Action

If the Council forms the reasonable opinion that the CEO has engaged in misconduct, the Council may take disciplinary action against the CEO.

Disciplinary action may include:

- Counselling – for situations involving relatively minor misconduct
- Written warnings – for situations where the misconduct is sufficiently serious that repetition may warrant dismissal
- Dismissal with notice – for situations where the misconduct is sufficiently serious to warrant dismissal, or where misconduct has continued or been repeated despite the provision of a warning or warnings
- Dismissal without notice – if the CEO has engaged in conduct which meets the criteria for dismissal without notice under their employment agreement

When taking or considering taking disciplinary action, Council should consider the principles of natural justice.

All communications to the CEO regarding disciplinary matters must be in writing and sent as soon as practicable by the Mayor, (or in the Mayor's absence the Deputy Mayor) and copied to all other Councillors and the independent professional consultant, unless the circumstances (such as the nature of the allegations, and the parties involved) make it inappropriate to include particular individuals.

When responding to communications regarding disciplinary matters, the CEO should respond to the Mayor (or Deputy Mayor, as applicable) and copy in all Councillors, unless the circumstances (such as the nature of the allegations or the response, and the parties involved) make it inappropriate to include particular individuals.

5.7 Integrity of the Process

5.7.1 Conflicts of Interest

Throughout the implementation of this Policy, Council, Committee members and any professional consultants engaged will take care to identify all perceived, potential or actual Conflicts of Interest. Any identified conflicts must be appropriately considered and managed by all parties involved in CEO employment matters.

5.7.2 Confidentiality and Behaviours

All information relating to the recruitment, selection and performance review process must be kept strictly confidential. Councillors and staff involved in the process must take all reasonable steps to maintain confidentiality and respect the privacy of all persons involved.

Respectful, open and frank discussions are a part of the structure of the Committee however inappropriate behaviours and/or a breach of confidentiality as it applies to 'confidential information' as defined in the Act may constitute a contravention of the Councillor Code of Conduct and the Act.

The Committee shall report on any non-compliance matters to Council.

6 Delegation Authority and Decision Guidelines

6.1 Delegations/Authorisations

There are no delegations applicable to this policy unless resolved by the Council and consistent with the Act.

6.2 Exemptions

In the event of any inconsistency between this policy and the CEO's Contract of Employment, the provisions of the CEO's Contract of Employment shall prevail to the extent of the inconsistency.

6.3 Human Rights Charter

This Policy has been reviewed against and complies with the *Charter of Human Rights and Responsibilities Act 2006*.

7 Related Documents and Resources

Legislation

- *Local Government Act 2020 (Vic)*
- *Fair Work Act 2009 (Vic)*
- *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019 (Vic)*
- *Equal Opportunity Act 2010 (Vic)*
- *Gender Equality Act 2020 (Vic)*

City of Kingston Documents

- CEO Position Description
- CEO Contract of Employment
- CEO's Key Performance Indicators
- Council's Procurement Policy and procedures
- Councillor Code of Conduct

Resources / External Documents

- National Employment Standards
- Government Policy on Executive Remuneration in Public Entities
- *Protecting Integrity – Leading the Way. Managing the employment cycle of a council CEO – Local Government Inspectorate (Victoria) (February 2019)*

8 Appendix 1 – Employment Matters Committee Terms of Reference**1. Meeting Schedule**

- a. The Committee will meet at least once every six (6) months.
- b. The Committee will provide a report to Council following each meeting.
- c. Special Meetings may be called by the Committee Chair providing two (2) weeks' notice of and the reasons for the Special Meeting.

2. Chair

- a. The Mayor shall Chair the meetings.
- b. In the event the Mayor is not available the Deputy Mayor shall Chair the meeting.
- c. The Mayor/Chair has the option to appoint an alternate person to Chair or facilitate the meeting in consultation with the Committee.

3. Meeting procedures

- a. Meetings will follow standard meeting procedures.
- b. All Committee meetings and records are confidential as the matters relate to personnel and contractual matters.
- c. All members have equal voting rights in Committee meetings except the Independent Member.
- d. Majority and minority opinions will be reflected in Committee minutes and provided to Council.

4. Conflicts of Interest

- a. If a Committee Member has a conflict of interest relating to any item on the Agenda, the Member must disclose to the Mayor/Chair, the type and nature of the interest immediately before consideration of the matter in question.

5. Quorum and Attendance

- a. A majority of members of the Committee constitute a quorum, providing that the Mayor or Deputy Mayor and one (1) Independent Member are present.
- b. If, at any scheduled Committee meeting, a quorum is not present within 30 minutes after the time appointed for the meeting, the meeting will be adjourned and must re-convene within two (2) weeks of the adjourned meeting.
- c. The CEO will attend meetings, as required.
- d. Virtual attendance is acceptable.
- e. A Member who misses two (2) consecutive meetings without a formal apology may, at the discretion of Council, have their term revoked.

6. Minutes of the Meeting

- a. The independent professional consultant will provide executive support to the Committee.
- b. Where the meeting is also an Informal Meeting of Councillors, an Informal Meeting of Councillors record must also be submitted in accordance with the Governance Rules.
- c. The Agenda shall be distributed at least five (5) working days in advance of the meeting to all Committee members and a call for Agenda items will be made prior to issuing the Agenda.
- d. A copy of the minutes shall be distributed to all Committee members within five (5) working days of the meeting, as far as practicable.
- e. A report to Council will be tabled after every meeting of the Committee, as a confidential report to Council.
- f. Reports to Council should reflect a consensus view. Where consensus cannot be reached, the report should clearly outline the differing points of view i.e., the majority and minority opinions

7. Advice to the Committee

- a. The Committee may obtain legal or other specific expert advice, as required and necessary.
- b. Any formal advice requested by the Committee will be made available to all Committee members and, where relevant and appropriate, will be provided to Council through meeting minutes.
- c. Any advice required by the Committee will be arranged through the Manager Governance, Integrity and Risk to ensure compliance with Council's Procurement policies and procedures.

DRAFT

11. Chief Finance Office Reports

Ordinary Council Meeting

24 February 2025

Agenda Item No: 11.1

QUARTERLY FINANCE REPORT DECEMBER 2024

Contact Officer: Magda Hordejuk, Team Leader Budgeting and Reporting
Vivi Saputra, Project Accountant
Scott Moore, Manager Finance

Purpose of Report

To present the quarterly financial results for the City of Kingston during 2024/25.

Disclosure of Officer / Contractor Conflict of Interest

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

RECOMMENDATION

That Council note:

1. The December 2024 quarterly financial report and investment report;
2. That following a review of the 2024/25 Forecast in August reported to Council on 16 September 2024, subsequent re-forecasts were completed in October, December and January, resulting in an improved net operating surplus of \$10.4 million (an increase of \$2.2 million to the \$8.2 million 2024/25 Budget) for 2025/26 Budget works; and
3. The statement by Chief Executive Officer, as required under section 97(3) of the Local Government Act 2020 that a revised budget is not required.

1. Executive Summary

The quarterly financial report highlights Council's financial position and performance for the six months to December 2024. The report comprises the Income Statement, Cash Flow Statement, Balance Sheet, and Capital Works Statement for the second quarter of the 2024/25 financial year.

The overall financial performance in the second quarter broadly aligns with budget expectations and the previous year, however with the added cost pressures outlined below warranting continuous monitoring:

- The **surplus for the quarter** of \$81.9 million largely represents the accounting treatment whereby Council's primary funding source – revenue from Rates and Waste Service Charges – is recognised at the time that the rates notices are issued (July 2024), with the cash then collected throughout the year. The year-to-date results therefore recognise a full year of this revenue source, in combination with the quarterly results of other revenue items and the operating expenses of providing Council services. Throughout the year, officers are constantly managing staffing levels and contracts for materials and services within the budget parameters approved by Council.

- **Total revenue** raised from rates and charges of \$172.9 million is in line with full year budget. This revenue includes interest on outstanding rates of \$0.4 million, the charging of which has been reinstated in this financial year.
- The timing of **operating expenditure** reflects the profile of service areas and individual expenditure categories. For example, insurance premiums and subscription payments for Information Services and Strategy are paid in advance in July.
- **Materials and services expenditure** YTD was \$3.7 million unfavourable to budget. This was primarily in City Works reactive building maintenance and drain maintenance, reflecting cost pressures in higher than expected reactive maintenance costs in that area. Waste expenses have also increased in December due to seasonality factors and busy holiday rubbish collections, green waste collection and dumped rubbish increases. Access Care (home care services) brokerage costs paid to third parties were also \$0.6 million higher in line with higher Packaged Care income (which offsets these costs).
- Council's **total cash and investments** holding has reduced to \$82.7 million, which is a reduction of \$25.5 million from the opening balance of \$108.2 million. This reduction largely reflects a combination of factors including the expected profile of receipts and payments anticipated in the budget and prior year trends. This reduction is in line with budget and prior year actual trends.
- The rate of **revenue collection** reflects a consistent result with collectible rates, charges, and Fire Services Levy (FSPL), with debtor balance totalling \$135.8 million compared to last year to date balance of \$125.7 million.

As at 31 December 2024, Council invested with four financial institutions: Commonwealth Bank (CBA), Westpac, National Australia Bank (NAB) and Bendigo Bank. Council meets all risk management guidelines of Council's Investment Policy. The financial institutions are all rated AA- and A-. Council has made investments with those institutions for fixed term periods from 3 months to 12 months. The term investments amount to \$53.1 million, with an average YTD interest rate of 4.87%, which is above 90-day Bank Bill Swap Reference (BBSW) rate.

Council meets all risk management guidelines of its Investment Policy.

2. Background

Under section 97 of the *Local Government Act 2020*, a quarterly budget report must be presented to Council, at a Council meeting open to the public. This reports the second quarter performance for the 2024/25 financial year.

3. Discussion

3.1 Financial Summary

The City of Kingston's **Income Statement** reports a net operating result for the second quarter of 2024/25 that was a surplus of \$81.9 million. This result was \$3.4 million (4.0%) unfavourable to year-to-date budget and reflects a combination of factors, including the following:

- **Rates revenue** favourable by \$0.3 million due to higher levels of supplementary rates – which are rates arising from developments occurring after the general rates notices have been issued (eg subdivisions) and interest applying on outstanding prior-year rates, which is in place from 1 July 2024 and has been approved by Council.

- **Grants and Subsidies revenue** \$0.2 million unfavourable, primarily in Compliance and Amenity due to delay in receiving children’s crossing grant, as well as Access Care Regional Assessment Service (RAS) which has been discontinued in June 2024, but where the corresponding expenditure is also reduced
- **User Fees revenue** \$1.0 million favourable, primarily due to continuing higher memberships and entries income in Active Kingston – Waves (aquatic centre), as well as increased user fees and casual entries in Family and Children’s centres.
- **Other Income** \$0.5 million favourable, primarily relating to a refund paid to Council from the State Revenue Officer in relation to historic (2020/21) Fire Services Levy payments, as well as unbudgeted insurance claims reimbursements and higher than budgeted income from magistrate court in the Prosecutions team in Compliance and Amenity department.
- **Employee Costs** \$1.8 million lower (favourable), primarily associated with AccessCare (\$1.6 million, home care services) with corresponding and offsetting revenue impacts, which has been mainly affected by changes to Regional Assessment Services driven by the Commonwealth Government, as well as staff efficiencies in delivering the program. There have also been other staff vacancies and savings during the second quarter across Council, which forecast to be utilised in the later quarters of the financial year.
- **Materials and Services expenditure** \$3.7 million higher (unfavourable) is mainly in the following areas:
 - City Works – Civil and Building Maintenance teams have experienced higher levels of reactive maintenance than budget due to cost pressures with contract prices over this period. This has been the subject of previous forecast advice to Council and officers are actively managing these costs. Waste management expenditure has also increased in December due to seasonality factors and busy holiday rubbish collections, green waste collection and dumped rubbish increases.
 - Open Space – Reserves & Sportsgrounds team maintenance and mowing costs.
 - Forecast legal costs.
- **Depreciation and Amortisation expenditure** \$2.7 million higher. This reflects the outcome of higher revaluations of assets (primarily buildings) that occurred during the 2023/24 financial year end process, and there is corresponding and higher levels of depreciation from this increased asset base.

The **Cash Flow Statement** as at 31 December 2024 reports:

- **Total Cash, Cash Equivalents, and other Financial Assets** of \$82.7 million, which is a reduction of \$25.5 million from the opening balance at 1 July 2024 of \$108.2 million.

This is broadly consistent with the trend that cash accumulation be used to pay for suppliers and capital works whilst collection of Council’s primary source of revenue, Rates and Charges, progresses throughout the year. Currently \$135.8 million of rates, charges, and fire services levy (FSPL) remain collectible.

- **Net Cash provided by Operating Activities** cash flow is \$3.9 million, which is driven by inflows from various revenue sources and outflows resulting from timing of payments to employees and suppliers.

- Council made \$28.7 million payment towards **capital works** which represents approximately 34% spend of the annual adopted budget including carryovers. Although this is midway through the financial year, capital expenditure will increase significantly over the remaining quarters in line with previous year project expenditure and completion patterns.

The **Balance Sheet** as at 31 December 2024 records:

1. **Total Assets** \$3.2 billion of for the City of Kingston, which is attributable to the level of Cash holdings maintained (\$24.6 million), PIPE assets (\$3.0 billion), and a high level of Trade receivables (\$142.5 million) reflecting the accrual accounting of total rates raised and the rate of collection.
2. **Total Liabilities** \$89.4 million, with notable increase in Trade and other payables (\$19.3 million), and reductions in Trust Funds and Deposits (\$6.0 million) and Unearned Income (\$0.5 million) since the end of the last financial year. At the year-end, these liabilities are expected to match budget as retentions and deposits are refunded during the year and unearned income is reconciled.

The **Capital Works Statement** as at 31 December 2024 records the capital spend was \$28.7 million, which was 34% of the \$85.1 million full year budget.

3.2 Operating Budget Forecast 2024/25 Update

In September 2024, Officers briefed Council on the forecast for the 2024/25 operating budget, particularly in response to recent service contracts brought before Council for approval since the adoption of the Budget. This forecast was presented to Council on 16 September 2024 with a net operating surplus of \$7.9 million, being a \$0.3 million decrease to the \$8.2 million adopted budget.

Since that time officers have further reviewed and worked to manage budget settings within the Council approved parameters included in the 2024/25 budget, with a particular focus on identifying efficiencies. A subsequent reforecast has therefore been completed in December 2024 which is setting up a baseline for the next draft 2025/26 Budget. The current 2024/25 full year forecast net operating surplus is updated to \$10.4 million, which is an increase of \$2.2 million to the \$8.2 million budget, and an increase of \$2.6 million to the \$7.9 million September forecast presented to Council.

The variances between adopted Budget and current Forecast, and between current Forecast and September Forecast previously reported to Council include:

	Movement between Budget to current Forecast	Movement between Sep24 and current Forecasts
Rates	\$2.0m supplementary rates increase, \$0.6m penalty interest revenue increase	\$2.0m supplementary rates increase
Grants and Subsidies	\$1.0m Victorian Government grants for reimbursement of prior years employee costs related to Level Crossing Removal Project (LXRP) and Suburban Rail Loop (SRL) budgeted in 2023/24 and for Chain of Parks prior year expenditure, \$0.8m decrease in Access Care in line with YTD actuals due to Commonwealth Government driven Regional Assessment Services changes	\$0.8m decrease in Access Care in line with YTD actuals due to Commonwealth Government driven Regional Assessment Services changes

**City of Kingston
Ordinary Council Meeting**

Agenda

24 February 2025

	Movement between Budget to current Forecast	Movement between Sep24 and current Forecasts
Capital Grants	\$3.3m increase in various capital grants, including the North Cheltenham Early Year Centre and Dingley Reserve Souter Pavilion.	
Interest Income	\$0.8m increase in investment returns	
Employee Costs	\$0.9m Open Space mowing staffing offset by \$1.7m savings and efficiencies implemented within budget	\$1.7m savings and efficiencies implemented within budget
Materials & Services	\$5.6m approved Open Space mowing contract and other service contracts above budget offset by \$2.7m in savings	\$2.7m savings
Depreciation & Amortisation	\$5.0m depreciation increase due to higher asset valuation in 2023/24 end of financial year process	\$5.0m depreciation increase due to higher asset valuation in 2023/24 end of financial year process
Interest / Borrowing Costs	\$1.4m decrease in borrowing cost as per finalised loan subsequent to the budget adoption	Timing difference - \$1.0m decrease in borrowing cost in line with timing of the drawdown of the loan and reflecting the timing of the project

3.3 Investment report

The Investment Report for December 2024 provides an overview of the performance and status of term deposit investments held by Council. In accordance with Council's adopted Investment Policy, funds not immediately required for operating purposes are invested in accordance with relevant legislative requirements. Consideration is given to risk, the most favourable rate of interest available, and investment type, with preference given to 'green investment products', while ensuring liquidity requirements are met.

As at 31 December 2024, Council had invested with 4 financial institutions: Westpac, Commonwealth Bank (CBA), NAB, and Bendigo. Council meets all risk management guidelines of its Investment Policy. The financial institutions are all rated AA- and A-. Council has made investments with those institutions for fixed term periods from 3 to 12 months. There is a combination of green tailored deposits and non-green deposits, with the priority subject to the availability of the green tailored deposits.

As at 31 December 2024, Council had a total of \$82.7 million held in Cash and Investments. The term investments total \$53.1 million, with an average YTD interest rate of 4.87%, which is above 90-day Bank Bill Swap Reference (BBSW) rate.

4. Consultation

4.1 Internal Consultation:

There is ongoing contact between Finance and Departments on significant transactions and budget variances.

4.2 Community Consultation:
N/A

5. Compliance Checklist

5.1 Council Plan Alignment

Strategic Direction: Well-governed - Council will be collaborative, accountable, transparent, responsive, well-informed and efficient.

Strategy: Look after the community's financial resources responsibly and efficiently.


5.2 Governance Principles Alignment

Principle (g) - the ongoing financial viability of the Council is to be ensured.

5.3 Risk considerations

The financial sustainability of council will be challenged by inflation and budget pressures, and this requires active management from council and officers.

Appendices

Appendix 1 - Quarterly Financial Statements - December 2024 (Ref 25/14877)  [↓](#)

Appendix 2 - Investment Portfolio Report - December 2024 (Ref 25/14878)  [↓](#)

Appendix 3 - Financial Statements Glossary (Ref 25/18918)  [↓](#)

Author/s: Magda Hordejuk, Team Leader Budgeting and Reporting
Vivi Saputra, Project Accountant
Scott Moore, Manager Finance

Reviewed and Approved By: Bernard Rohan, Chief Finance Officer

11.1

QUARTERLY FINANCE REPORT DECEMBER 2024

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Kingston City Council
Quarterly Financial Statements
For the 6 Months ending 31st December 2024

Income Statement								
	Budget	Actual	Year to Date		Ref	Full Year Budget	Full Year Forecast September 2024	Full Year Forecast January 2025
			Variance					
	\$'000	\$'000	Fav/(Unfav) \$'000	%		\$'000	\$'000	\$'000
Revenue								
Rates and Charges	172,632	172,892	260	0.2%		172,935	173,535	175,566
Grants and Subsidies	31,720	31,537	(183)	(0.6%)		58,921	59,952	59,010
Grants - Capital	3,803	3,823	20	0.5%		11,663	15,052	15,052
Contributions	78	73	(6)	(7.2%)		8,700	8,700	8,700
Statutory fees and fines	4,792	4,446	(345)	(7.2%)		9,570	9,348	9,348
User Fees	11,680	12,695	1,016	8.7%		23,261	23,137	23,399
Interest Income	1,977	1,938	(39)	(2.0%)		3,700	4,549	4,549
Other Income	484	972	488	100.8%	1	1,248	1,418	1,545
Total Revenue	227,165	228,377	1,212	0.5%		289,998	295,690	297,168
Expenses								
Employee Costs	64,796	62,955	1,841	2.8%		128,059	128,910	127,213
Materials and Services	56,644	60,341	(3,697)	(6.5%)		111,100	116,725	113,310
Bad and Doubtful Debts	25	(4)	29	116.7%	2	50	50	50
Depreciation & Amortisation	20,192	22,883	(2,691)	(13.3%)	3	40,385	40,385	45,440
Interest/Borrowing Costs	250	273	(23)	(9.0%)		2,309	1,861	818
Total Expenses	141,908	146,448	(4,540)	(3.2%)		281,903	287,931	286,832
Net Gain/(Loss) on Disposal of Infrastructure, Property, Plant and Equipment	50	(3)	(53)	(107.0%)	4	100	100	100
Surplus	85,307	81,925	(3,382)	(4.0%)		8,195	7,859	10,436

Variance Explanations (for material variances > 10%)

Ref	Item	Explanation
1	Other income	Other Income is \$1.0 million and is \$0.4 million favourable to budget, predominantly due to receipt of a State Revenue Office refund, insurance claims reimbursements and higher than budgeted income from magistrate court in the Prosecutions team in Compliance and Amenity department.
2	Bad and Doubtful Debts	There are no Bad and Doubtful Debts in the year to date.
3	Depreciation & Amortisation	Depreciation & Amortisation Costs YTD is \$22.9 million and are \$2.7 million unfavourable to budget. This is due to an increase in capitalised assets in 2024/25 compared to 2023/24 primarily in buildings, together with transport and drainage assets revaluation increment in 2023/24.
4	Net gain on disposal of infrastructure, property, plant and equipment	Net Proceeds from Disposal of Assets is \$53k unfavourable to budget, with minimal disposals at this early stage of the financial year.

Kingston City Council
Quarterly Financial Statements
For the 6 Months ending 31st December 2024

Cash Flow Statement

	Full Year	Year to Date	remaining to collect/ to spend	% received/ spend	Ref	Full Year
	Budget \$'000	Actual \$'000	\$'000	%		Forecast January 2025 \$'000
Cash Flows from Operating Activities						
Rates and charges	173,822	77,540	96,282	44.6%		180,003
Grants - Operating	58,921	28,539	30,382	48.4%		59,010
Grants - Capital	11,663	5,591	6,072	47.9%		15,052
Contributions	8,700	2,537	6,163	29.2%	1	8,700
Statutory fees and fines	9,331	4,446	4,885	47.6%	2	9,348
User fees	22,680	15,541	7,139	68.5%		
Increase/(Repayment) of Trust Funds and Deposits	0	(605)	605	0.0%	3	0
Other Receipts	4,948	2,983	1,965	60.3%		6,094
Payments to Employees	(127,212)	(61,643)	(65,569)	48.5%		(125,854)
Payments to Suppliers	(111,946)	(70,980)	(40,966)	63.4%	4	(114,670)
Net Cash Provided by Operating Activities	50,907	3,949	46,958	7.8%		61,082
Cash Flows from Investing Activities						
Payment for Infrastructure, Property, Plant & Equipment	(81,740)	(28,682)	(53,058)	35.1%	5	(65,772)
Proceeds from sale of Infrastructure, Property, Plant & Equipment	100	107	(7)	107.0%		100
Net Cash Provided by Investing Activities	(81,640)	(28,575)	(53,065)	35.0%		(65,672)
Cash Flows from Financing Activities						
Borrowing Costs	(1,809)	0	(1,809)	0.0%		(318)
Increase/(Repayment) of interest bearing loans & borrowings	27,273	0	27,273	0.0%		11,555
Interest paid - lease liability	(500)	(273)	(227)	54.5%	6	(500)
Repayment of lease liabilities	(382)	(640)	259	167.5%	7	(382)
Net Cash (used in) Financing Activities	24,582	(913)	25,496	(3.7%)		10,355
Net Increase/(Decrease) in Cash and Cash Equivalents	(6,151)	(25,539)				5,765
Cash, Cash Equivalents and Other Financial Assets at the Beginning of the Financial Year	127,075	108,221				108,221
Cash, Cash Equivalents and Other Financial Assets at the End of Period	120,924	82,682	38,242			115,986

Variance Explanations for significant items (below 50% for inflows and above 50% for outflows):

Ref	Item	Explanation
1	Contributions	Contributions received are \$2.5 million as at 31 December 2024. Open space contributions from developers are transferred monthly to a reserve and are brought back to P&L in June month.
2	Statutory fees and fines	Statutory fees are \$4.4 million as at 31 December 2024. The variance to the budget is unfavourable primarily due to unfavourable Parking PIN income.
3	Increase / (repayment) of trust funds and deposits	Trust funds and deposits have decreased by \$0.6 million. This is not budgeted for as it is difficult to predict. Trust funds and deposits include retentions held for capital works in progress and refundable deposits, including asset protection deposits, which will be required to be returned on completion of works.
4	Payments to Suppliers	Payment to suppliers is unfavourable due to cost pressures and higher than expected spend in City Works reactive building maintenance and drain maintenance, as well as in Open Space Reserves and Sportsgrounds team maintenance and mowing costs.
5	Payments for infrastructure, property, plant and equipment	Payments for infrastructure, property, plant and equipment are \$28.7 million and represent 34% spent of the total budget. As the capital works are progressing, this variance will be moving during the year.
5,6	Interest paid and repayment for lease liability	Lease liability interest and repayment show higher spend to full year budget and relate to fleet and equipment leases.

Kingston City Council
Quarterly Financial Statements
For the 6 Months ending 31st December 2024

Balance Sheet							
	Opening balance	Year to Date	Variance YTD v opening balance		Ref	Full Year	Full Year
	Actual \$'000	Actual \$'000	Fav/(Unfav) \$'000	%		Budget \$'000	Forecast January 2025 \$'000
Current Assets							
Cash and cash equivalents	108,221	82,682	(25,539)	(23.6%)		120,924	113,986
Trade and other receivables	21,066	142,519	121,453	576.5%	1	21,614	16,487
Other Assets	6,928	3,425	(3,503)	(50.6%)	2	3,506	5,018
Non-current assets classified as held for sale	0	0	0	0.0%		1,910	1,910
Total Current Assets	136,215	228,626	92,411	67.8%		147,954	137,401
Non Current Assets							
Infrastructure, Property, Plant & Equipment	2,955,974	2,955,291	(683)	(0.0%)		2,867,086	2,977,831
Right of use assets	8,997	9,641	645	7.2%		6,473	7,697
Investment Property	4,704	4,704	0	0.0%		4,437	4,704
Other Assets	250	250	0	0.0%		250	250
Intangible Assets	831	743	(87)	(10.5%)		0	606
Total Non Current Assets	2,970,755	2,970,629	(126)	(0.0%)		2,878,256	2,991,087
Total Assets	3,106,970	3,199,255	92,285	3.0%		3,026,210	3,128,488
Current Liabilities							
Trade and Other Payables	24,041	43,318	19,277	80.2%	3	26,943	24,041
Trust Funds and Deposits	11,590	5,574	(6,016)	(51.9%)	4	11,413	11,590
Unearned income	6,673	6,210	(463)	(6.9%)		7,338	6,873
Provisions	21,921	21,927	6	0.0%		22,818	21,921
Interest Bearing Loans and Borrowings	0	0	0	0.0%		749	565
Lease Liabilities	948	1,076	128	13.5%		802	948
Total Current Liabilities	65,173	78,106	8,043	11.5%		70,062	65,738
Non Current Liabilities							
Provisions	1,802	1,802	0	0.0%		1,885	1,802
Interest Bearing Loans and Borrowings	0	0	0	0.0%		26,524	10,899
Lease Liabilities	8,849	9,451	602	6.8%		8,222	8,467
Total Non Current Liabilities	10,651	11,253	602	5.7%		36,631	21,169
Total Liabilities	75,824	89,359	13,534	17.8%		106,693	86,907
Net Assets	3,031,146	3,109,896	78,750	2.6%		2,919,517	3,041,581
Equity							
Accumulated Surplus	1,519,844	1,589,961	70,117	4.6%		1,532,103	1,523,332
Asset Revaluation Reserve	1,458,828	1,458,828	0	0.0%		1,336,024	1,458,828
Other Reserves	52,474	61,107	8,634	16.5%		51,390	59,421
Total Equity	3,031,146	3,109,896	78,750	2.6%		2,919,517	3,041,581

Variance Explanations for significant items:

Ref	Item	Explanation
1	Trade and other receivables	Trade and other receivables are higher than than opening balance at the start of the year. Of that \$135.8 million is related to rate debtors which are expected to keep decreasing during the year as rate instalments are paid.
2	Other assets (current)	Other assets of \$3.4 million are \$3.5 million unfavourable to budget. Other assets include accrued interest income and Access Care accrued income.
3	Trade and Other Payables	Trade and other payables are \$43.3 million and are higher than opening balance at the start of the year. The budget is a year-end position and the level of creditors and accruals is dependent on the timing of invoices and expenditure receipted as at reporting date.
4	Trust funds and deposits	Trust funds and deposits are lower than opening balance at the start of the year. At the year-end the actuals are expected to match budget as retentions and deposits are refunded during the year. Trust funds and deposits include retentions held for capital works in progress and refundable deposits, including asset protection deposits, which will be required to be returned on completion of works.

**Kingston City Council
Quarterly Financial Statements
For the 6 Months ending 31st December 2024**

Capital Works						
Asset	Annual Adopted with carryovers Budget \$'000	Actual YTD to 0 \$'000	% Complete	Remaining to spend	Ref	Annual Adopted Budget \$'000
Property						
Land	488	92	19%	396	1	300
Buildings	19,143	12,095	63%	7,047		53,379
Plant & Equipment						
Plant, machinery and equipment	706	70	10%	635	2	150
Fixtures, Fittings and Furniture	460	107	23%	353	3	0
Computers and telecommunications	281	264	94%	16		281
Library Books	1,181	745	63%	436		1,181
Cultural Assets	584	149	26%	435	4	200
Infrastructure						
Roads	8,426	901	11%	7,525	5	6,161
Footpaths and cycleways	1,313	1,156	88%	157		3,016
Bridges	0	0	0%	0		0
Drainage	4,750	4,551	96%	199		4,550
Recreational, leisure and community facilities	40,463	7,004	17%	33,460	6	7,652
Parks, open space and streetscapes	7,022	1,544	22%	5,479	7	8,330
Off street car parks	290	4	2%	286	8	540
Total capital works expenditure	85,106	28,682	34%	56,424		85,740
Projects Represented by:						
New asset expenditure	5,721	1,846	32%	3,876		10,450
Asset expansion expenditure	34,921	4,630	13%	30,291		32,455
Asset renewal expenditure	34,341	20,559	60%	13,782		24,852
Asset upgrade expenditure	10,123	1,648	16%	8,475		17,983
Total capital works expenditure	85,106	28,682	34%	56,424		85,740

* The Adopted budget doesn't include carry over from 2023/24. The Annual Adopted with carryovers includes the carry overs, additions and deferrals.

Variance Explanations - less than 50% complete

Ref	Item	Explanation
1	Land	Budget includes Landfill Remediation works on Spring Road, Heatherton Park and Elder Street. These works are in progress.
2	Plant, machinery and equipment	Budget includes works on Kingston City Hall Goods Lift Replacement. Those works are in progress.
3	Fixtures, Fittings and Furniture	Budget includes works Kingston City Hall - Grand Hall House Lighting Upgrade & Banquet Chairs Replacement. These works are in progress.
4	Cultural Assets	Budget includes works on Implementation of Public Art and Cultural Assets and Patterson River Art Trail. These works are in progress.
5	Roads	The budget includes Local Roads renewal program. The works on these projects are in progress.
6	Recreational, leisure and community facilities	The budget includes Aquatic Centre Development, which is in progress.
7	Parks, open space and streetscapes	The budget includes Carrum Beach Elevated Boardwalk Extension, Heights Park Chelsea Heights and Southern Road Reserve Sportsground Renewal. These works are in progress.
8	Off street car parks	The budget includes carpark upgrade at Carrum Activity Hub, which is in progress.



City of Kingston

Investment Report

December 2024

community inspired leadership



1. EXECUTIVE SUMMARY

This report provides an overview of the performance and status of the term deposit investments held by the Kingston City Council. In accordance with Council's adopted Investment Policy, funds that are not immediately required for operating purposes are invested in accordance with the relevant legislative requirements and prudential requirements, with consideration of risk and at the most favourable rate of interest available to it at the time, for that investment type, while ensuring that our liquidity requirements are being met. Council's investment portfolio is based on the following key objectives:

Capital Preservation: Investments are to be managed in a manner that seeks to ensure security and safeguarding the investment portfolio. This includes managing credit and interest rate risk within identified thresholds and parameters.

Liquidity: Investment portfolio will ensure there is sufficient liquidity to meet all reasonably anticipated cash flow requirements, as and when they fall due

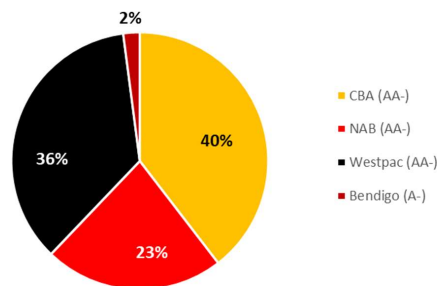
Security: The investment is expected to achieve a prudent rate of return that takes into account the Council having a low risk tolerance in regard to investments.

2. INVESTMENT PORTFOLIO

Risk Profile

As at 31st December 2024, Council has invested with 4 financial institutions and meets all risk management guidelines of its Investment Policy. Please refer to **Chart 1** for breakdown of portfolio. 2% of investments are held with A- rated Financial Institution (Bendigo and Adelaide Bank (**Bendigo**)) while the remaining 98% is held with Financial Institutions rated AA-.

Chart 1 - Short Term Deposit Portfolio



Source: S&P credit ratings from S&P Global rating report.

Investment decisions are based on a combination of factors, including the highest potential return, credit risk rating, projected future cash flow and sustainable investments. The investment in Bendigo bank (rated A-) reflects our commitment to the community banking concept, which yields a social dividend to the local Kingston community. All of the Council's investments with Bendigo bank are in Green Tailored Deposits. These deposits carry the same credit risk as regular Term Deposits. Green Tailored Deposits have been certified to meet the Climate Bonds Standard; an internationally recognized scheme aimed at prioritising investments that effectively contribute to addressing climate change.

Maturity Profile

Council has made investments for fixed term periods from 3 months to 12 months.

3. PERFORMANCE OVERVIEW

As at 31st December 2024 Council had a total of \$82.7 million held in Cash and Investments. These funds were held in the following categories:

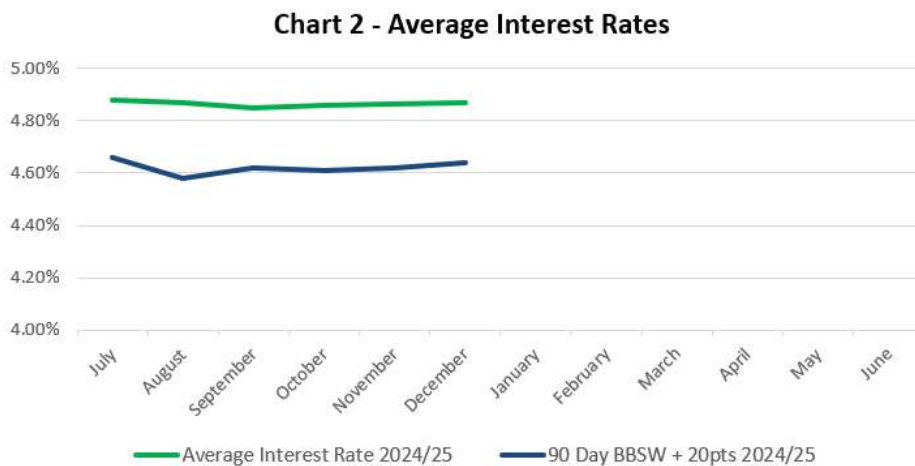
Type of Investment	YTD Dec'24 ('000)	June'24 ('000)
Cash on hand	\$10	\$10
Cash at bank	\$29,572	\$17,406
Term Deposits - current	\$53,100	\$90,805
Total	\$82,682	\$108,221

Average interest YTD: 4.87%

Interest income YTD: \$1.9 million

For detailed cash flow breakdown, please refer to the year to date (YTD) Cash Flow Statement.

The average interest rate is benchmarked to the performance benchmark of the 90-day Bank Bill Swap Reference (BBSW) rate plus 20 points. Please refer to Chart 2 below.



Source: 90-day BBSW obtained from Reserve Bank of Australia. [Statistical Tables | RBA](#)

4. CONCLUSION

This Investment Report underscores Council's commitment to preserving the Council's funds while maintaining liquidity and security through conservative and highly rated term deposits. The portfolio is structured to align with the Council's risk tolerance and short-term financial obligation in accordance with Council's adopted Investment Policy.

Income Statement Category Line Item Glossary		
Income	Description	Example
Rates and charges	These are the taxes levied on ratepayers within the council. Rates are most commonly based on the valuation of the property subject to charge. A number of methods are employed for calculating rates payable by property holders; however, all are linked to either the valuation of the property or its capacity to generate income (such as rental). In addition to rates other specific charges may also be levied as part of the rating process. For example, many councils will include a charge for waste collection as part of the overall rates and charges. Typically, these charges are based on the cost of providing the service and will be levied without regard to the specific property valuation.	<ul style="list-style-type: none"> • Rates • Garbage (Residential & Commercial) • Green waste recycling charge
Statutory fees and fines	A key function of a council is the administration of a range of regulatory functions. These can vary from administering the town planning process through to parking enforcement. Under this regulatory function there will be a range of fees and fines that will be levied by the council. These can be distinguished from user fees and charges (defined below) in that the amount of the fee or fine is (often) set externally (by statute or regulation) and the payment is compulsory.	<ul style="list-style-type: none"> • Statutory Fines • Statutory Fees • Court Recoveries
User fees	All councils generate a level of income through the charging of fees for goods and services. The fees can vary from admission to an aquatic facility through to the payment of a hall hire fee. The one characteristic that all user fees and charges have is that they are entered into at the election of the user rather than as a result of any legislative or regulatory compulsion.	<ul style="list-style-type: none"> • User Charges • Hall and equipment hire • Event revenue
Grants - operating	All councils rely, to a certain extent, on the provision of operating grants to fund the delivery of services. Operating grants typically fall into one of two categories:	<ul style="list-style-type: none"> • Grants - Operating recurrent Commonwealth • Grants - Operating recurrent State • Grants - Operating non-recurrent State • Grants - Operating non-recurrent Commonwealth
Grants - capital	External funding from the other levels of governments to assist in the acquisition, development, and renewal of community assets. These grants are mainly non-recurring in nature essentially for the purposes of funding the purchase of a large asset or capital works project and are usually expended by councils to construct new or upgrade existing assets. The grants are in addition to the funds allocated by council to the capital works project.	<ul style="list-style-type: none"> • Grants - Capital recurrent Commonwealth • Grants - Capital recurrent State • Grants - Capital non-recurrent Commonwealth • Grants - Capital non-recurrent State
Contributions - monetary	Councils receive Monetary contributions, typically from developers, in relation to the development or redevelopment activities occurring within the municipality. Monetary contributions are received to assist the councils deliver additional infrastructure that is required to service new developments.	<ul style="list-style-type: none"> • Contributions - cash
Contributions - non-monetary	Councils receive Non-monetary contributions, typically from developers, in relation to the development or redevelopment activities occurring within the municipality. Non-monetary contributions are received in the form of gifted assets, such as roads, footpaths, drainage and other community facilities, which are brought to account by the council at their fair value.	<ul style="list-style-type: none"> • Contributions - Non cash
Net gain on asset revaluation	Net gain on asset revaluation recognised in profit and loss to reverse prior year losses, in line with AASB 116	<ul style="list-style-type: none"> • Off-street car parks revaluation
Other income	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.	<ul style="list-style-type: none"> • Interest • Cost recoveries
Expenses	Description	Example
Employee costs	These represent the total cost of staff employed in the delivery of council services. These costs are also likely to include temporary or casual staff employed to assist in the delivery of services. In general, they will not include the costs of engaging contractors providing services to the council on an outsourced basis.	<ul style="list-style-type: none"> • Wages • Superannuation • Employee leave entitlements • Fringe Benefits Tax • Other on costs
Materials and services	These are the costs incurred in the purchase of material or other services necessary to deliver council services. The actual costs can be extremely varied; accordingly, councils will often include a note providing a breakdown of the types of costs that make up this category.	<ul style="list-style-type: none"> • Contractor payments • Maintenance costs • Utilities • ICT costs • Consultants and professional services
Depreciation	The consumption of property, infrastructure, plant and equipment is measured through depreciation for physical assets and amortisation for non-physical assets. This is recognised as a cost to council and is measured as an estimate of the reduction of the future value of the assets over the period. While this is a significant cost, it does not represent a cash outflow to the council.	<ul style="list-style-type: none"> • Depreciation building • Depreciation Plant & Machinery • Depreciation Furniture, Equipment & Computers • Depreciation roads, Footpaths, Bridges
Amortisation - intangible assets	An intangible asset is an asset that is not physical in nature. Amortization of intangibles is the process of expensing the cost of an intangible asset over the projected life of the asset accounting purposes.	<ul style="list-style-type: none"> • Software
Amortisation - right of use assets	The right-of-use asset is a lessee's right to use an asset over the life of a lease. The amortization period for the right-of-use asset is from the lease commencement date to the earlier of the end of the lease term or the end of the useful life of the asset.	<ul style="list-style-type: none"> • Right of use vehicles, waste trucks, equipment
Bad and doubtful debts	These are the costs associated with the provision for or writing off of bad or doubtful debts. Councils often have a high level of write off in relations to fines due to the inherently difficult nature of collection. Other receivables such as those related to rates have a very low level of write off due to councils having the ability to recover any outstanding amounts at the time of sale of the subject property or otherwise through legal action.	<ul style="list-style-type: none"> • Fines • Rates • Facility hire fees • Interest on loans

Expenses	Description	Example
Borrowing costs	These are the costs associated with borrowings held by council, typically interest. In certain, qualifying, cases rather than recognised as a cost, borrowing costs can be incorporated into the cost of an asset purchased or constructed by council.	
Finance costs - leases	These are borrowing costs related to leases. As a requirement of the change in accounting standards it's disclosed separately. (Previously was part of Borrowing costs)	<ul style="list-style-type: none"> Leases related Interest & Bank charges
Net loss on disposal of property, infrastructure, plant and equipment	Council will recognise a loss in disposal of a plant asset when the proceeds on disposal is less than the book value.	<ul style="list-style-type: none"> Proceeds from sale Written down value of assets disposed
Other expenses	Other expenses is measured at the fair value of the consideration paid or payable.	<ul style="list-style-type: none"> Councillor Allowances Other Expenses
Surplus/(deficit) for the year		
less: Capital income and other abnormals	Any External capital funding from the other levels of governments, Monetary and Non-Monetary capital contributions typically from developers that is of non-recurrent nature is removed	<ul style="list-style-type: none"> Capital Contributions (cash & non cash) Capital Grants (recurrent and non-recurrent) Developer Contributions (cash & non cash)
add back: Recurrent capital grants	Any External capital grant funding from the other levels of governments that is of recurrent nature is added back	<ul style="list-style-type: none"> Capital Grants of recurrent nature (Roads to recovery)
Adjusted underlying result		

Balance Sheet Category Line Item Glossary		
Current Assets	Description	Example
Cash and cash equivalents	The most liquid of all assets cash is listed here. Cash Equivalents are also lumped under this line item and includes assets that have short-term maturities.	<ul style="list-style-type: none"> • Cash on hand • Cash at bank • Term deposits
Trade & Other Receivables (Current)	This account includes the balance of all sales revenue still on credit, net of any allowances for doubtful accounts (which generates a bad debt expense). As the councils recover accounts receivables, this account decreases and cash increases by the same amount.	<ul style="list-style-type: none"> • Rate Debtors • Infringement Debtors • Other Debtors
Accrued Income	Accrued Income Reported on the Balance Sheet is the amount of accrued income that he council has a right to receive as of the date of the balance sheet will be reported. Also known as accrued receivables.	
Prepayments	Prepayments represents goods or services paid for upfront where the council expects to use the benefit within 12 months. It is a future expense that the council has paid for in advance.	<ul style="list-style-type: none"> • Software paid for a full year
Non-Current Assets	Description	Example
Intangible Assets	Intangible assets are identifiable, non-monetary assets without physical substance. (Intangible assets lack a physical substance like other assets such as inventory and equipment) Like all assets, intangible assets are expected to generate economic returns for the company in the future. As a Non current asset, this expectation extends for more than 12 months.	<ul style="list-style-type: none"> • Intangibles At Cost • Intangibles accumulated depreciation at cost • Intangibles incl software WIP
Trade and other receivables (Non-current)	This account includes the balance of all sales revenue still on credit, that is not due within the next twelve months	<ul style="list-style-type: none"> • Non Current Debtors
Property, infrastructure, plant and equipment	Property, Plant, and Equipment (PP&E) is a non-current, tangible capital asset shown on the balance sheet of the council and is used to generate revenues and profits. PP&E plays a key part in the financial planning and analysis of the councils operations and future expenditures, especially with regards to capital expenditures.	<ul style="list-style-type: none"> • Land • Buildings • Recreational, Leisure & Community Facilities • Plant & Machinery • Furniture, Equipment & Computers
Current liabilities	Description	Example
Trade and other payables	This is the amount the council owes suppliers for items or services purchased on credit expected to be settled in 12 months. As the council pays off their AP, it decreases along with an equal amount decrease to the cash account.	<ul style="list-style-type: none"> • Trade payables • Accrued expenses • Income in advance (current)
Trust funds and deposits	Trust funds and deposits, are to be disclosed separately on the balance sheet. Trust funds and deposits are amounts received by a council with the expectation that they will be returned to the contributor once certain conditions are met.	<ul style="list-style-type: none"> • Asset Protection Security Deposit
Provisions (Current)	Councils are required to recognise, as a liability, the value of leave entitlements (annual and long service) accrued (earned but not yet taken) by existing employees expected to be settled with in 12 months.	<ul style="list-style-type: none"> • Annual leave (current) • Long service leave (current)
Interest-bearing loans and borrowings (Current)	This account includes the total amount of loans and borrowings expected to be settled with in 12 months. This includes the councils outstanding debt, the interest expense, and the principal repayment for the period.	<ul style="list-style-type: none"> • Borrowings - secured (current)
Non-Current liabilities	Description	Example
Provisions (Non-current)	Councils are required to recognise, as a liability, the value of leave entitlements (annual and long service) accrued (earned but not yet taken) by existing employees expected to be settled after 12 months.	<ul style="list-style-type: none"> • Annual leave (current) • Long service leave (current)
Interest-bearing loans and borrowings (Non-current)	This account includes the total amount of loans and borrowings expected to be settled after 12 months. This includes the councils outstanding debt, the interest expense, and the principal repayment for the period.	
Trade and other payables (Non-current)	Councils are required to recognise, as a liability, the value of leave entitlements (annual and long service) accrued (earned but not yet taken) by existing employees expected to be settled after 12 months.	<ul style="list-style-type: none"> • Other non-current creditors
Equity	Description	Example
Accumulated Surplus	An accumulated fund holds excess money received by the council . The accumulated fund grows when revenues are greater than expenses and there is a budgetary surplus.	<ul style="list-style-type: none"> • Developer Reserve Movements • Asset Adjustments
Reserves	Reserves is also known as retained earnings is the portions of the councils profits which have been set aside to strengthen the councils financial position.	<ul style="list-style-type: none"> • Asset Revaluation Reserves • Public Open Space Reserves • Foreshore reserve • Green wedge reserve • Capex Fund reserve • Other Reserves

Ordinary Council Meeting

24 February 2025

Agenda Item No: 11.2

RESPONSE TO RESOLUTION - NOTICE OF MOTION 14/2024 - MENTONE HERITAGE TRAIN STATION

Contact Officer: Peter Gillieron, Team Leader Property Services
Michelle Hawker, Property Services Coordinator

Purpose of Report

To respond to a Council Resolution of 26 August 2024 following Notice of Motion 14/2024.

Disclosure of Officer / Contractor Conflict of Interest

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

RECOMMENDATION

That Council note:

1. The response to Council Resolution of 26 August 2024 arising from a Notice of Motion (NOM 14/2024) about the Mentone Heritage Train Station
2. That the Chief Executive Officer can grant, to the satisfaction of Council's solicitor, an Agreement to Sub-Lease to Mates X / Applehead on the principal terms and conditions contained in this report relating to Mentone Heritage Train Station sublease.

1. Executive Summary

At the Council meeting on 26 August 2024 a resolution of Council was carried in response to Notice of Motion 14/2024 which states:

That Council:

1. *Continue to pursue options for commercial tenants at the site of the Mentone Heritage Train Station as a priority, noting a report is due to Council at the end of August 2024 of interested parties.*
2. *Requires officers to have executed a commercial lease and facilitated the commencement of works on the site to operationalise a commercial tenancy by February 2025. Should this timeframe not be met:*
 - a. *Commit to exploring the concept of a Mentone Renaissance Centre at the site of the Mentone Heritage Train Station.*
 - b. *Engage with stakeholders with capacity to bring the Mentone Renaissance Centre to life including the Arts and Culture Committee of Council, Mentone Library, the Mordialloc and District Historical Association, Friends of Mentone Station and Gardens, Rotary Club of Mordialloc, and other relevant community groups with expertise in art, culture and community events.*

- c. Provide a report back to Council by February 2025 about the Mentone Renaissance Centre option including cost to Council to establish, timelines and other related deliverability factors.

In response to the above resolution, officers negotiated and executed, to the satisfaction of Council's solicitor, an Agreement to Sub-Lease to Mates X / Applehead. Council officers have successfully negotiated lease terms for the Heritage Building with the above nominated tenant. All parties have signed the Heads of Agreement (HOA). Council Lawyers have drafted the sub lease based on the Heads of Agreement, and the sub lease is now with VicTrack (as the property owner) for final approval which is forthcoming.

2. Background

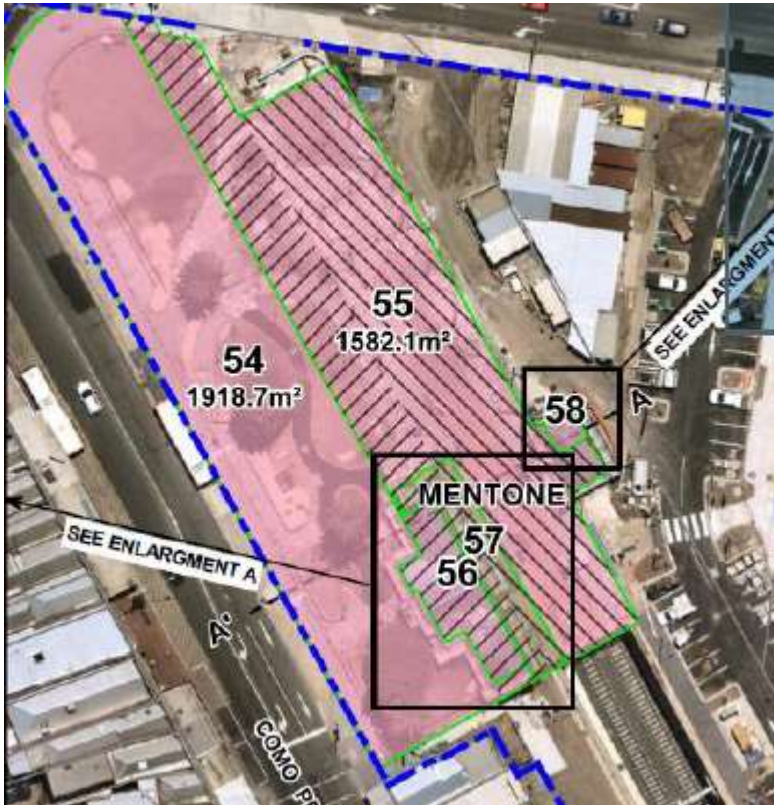
The level crossing removal at Balcombe Rd Mentone resulted in the development of a new station being "trenched" in the existing railway alignment. The locality aerial print below shows the outcome of the redevelopment leaving the previous railway station redundant and surplus to VicTrack's operational requirements.



The Level Crossing Removal Project (LXRP) completed the Level Crossing Removal works in Mentone in 2019.

Council was granted a lease from VicTrack for the surface level of the former Mentone railway station, the station having become surplus to VicTrack's requirements following the removal of the level crossing. The principal terms & conditions of the lease to the council are as following:

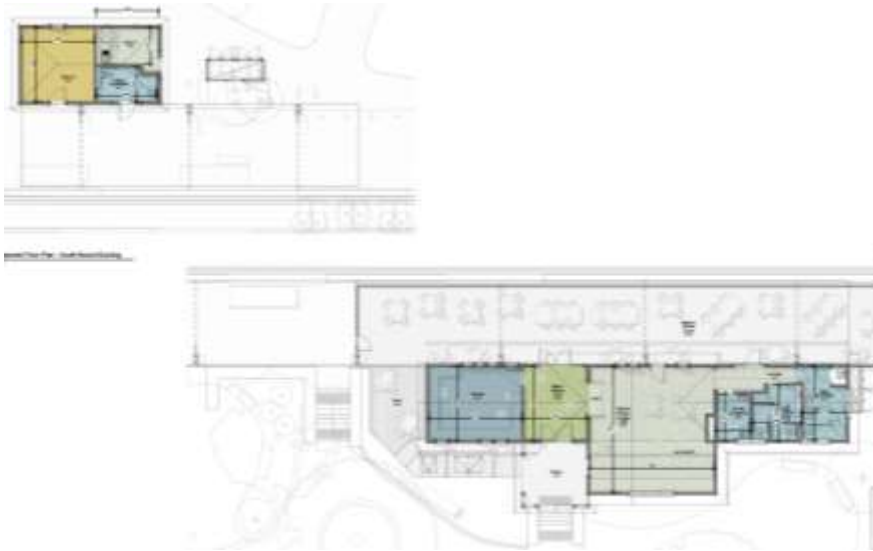
- Commencement date being 1 May 2023.
- Fixed term expiring on 31 December 2032.
- Annual rental being \$1.00pa payable on demand.
- Permitted Use being, "Public or municipal purposes, including ancillary retail use"
- Leased premises shown shaded pink below.



Council has been allocated \$390,000 fit out contribution from the LXP to modify the former railway station building for the permitted use granted under the lease.

Council, acting as the Responsible Authority under the Council's Planning Scheme, has issued Planning Permit KP-2021/832 dated 20 January 2023 for, *"the use of the land for a food and drink premises, for the sale and consumption of liquor (General Licence), for a live music entertainment venue and including a waiver of the car parking requirements."*

In response to Council being granted the lease, Council conducted a leasing campaign referred to lots 56, 57 and part of 58 outlined on the plan below, for the space comprising legacy Mentone Heritage Railway Station. Council also is finalising a lease to the Friends of Mentone Station and Gardens Inc. for the store within the Mentone Heritage Building Precinct, shown as part of lot 58 outlined on the plan below.



The principle terms and conditions of the sublease to *Mates X Applehead* are:

Rental:	\$30,000 p.a. plus GST. adjusted annually by 5%.
Lease Term:	To December 2032.
Tenant Contribution:	\$167,000
Expected Council Contribution:	\$435,000

The proposed rental is supported by a recent rental valuation of the premises by Council's consultant valuer Patel Dore.

3. Discussion

3.1 Proposal Mates X Applehead

Mates X Applehead is a joint venture comprising Applehead Deli in Mentone and Mates Bar and Bottle shop in Mordialloc. Applehead Deli, located on La Trobe Street in Mentone operates a traditional sandwiches and coffee café while Mates Bar and Bottle shop has been operating out of Main Street in Mordialloc selling locally produced products such as craft beer, specialised spirits and new world wines.

The combination of the two local operators will maximise the uses allowed for under the Planning permit granted by the Council.

VicTrack is the property owner and has approval rights over the lease. Council officers provided the proposed sublease to VicTrack in October 2024 and the development plans in late 2024. Council officers are seeking to finalise these arrangements by end of February 2025 in line with the NOM. This is consistent with previous briefings to Council in October 2024. As such, the proposal around the potential Mentone Renaissance Centre utilising this site is not being further pursued.

4. Consultation

4.1 Internal Consultation:

Kingston Business are well acquainted with Applehead and greatly supports their proposal. They believe the prospective tenant has a good offering and a strong local customer base which will activate the site and support the nighttime economy and the general area.

4.2 External Consultation:

Group	Method
Key Stakeholder(s)	Written approval required by Vic Track for the sub-lease.

5. Compliance Checklist

5.1 Council Plan Alignment

Strategic Direction: Liveable - Our city will be a vibrant, enjoyable, and easy place to live.

Strategy: Provide accessible, quality public open spaces for passive and active recreation

The addition of a café/bar to the Mentone Precinct will enhance and further activate the area for residents of Kingston to frequent, enjoy and socially interact.

5.2 Governance Principles Alignment

Principle (b) - priority is to be given to achieving the best outcomes for the municipal community, including future generations.

Council is activating the space now surplus the VicTrack's requirements.

5.3 Financial Considerations

Budget

The capital budget allocated to this overall project is \$638,171. This comprised funds from:

LXRP	\$390,000
Council	<u>\$248,171</u>
Total	<u>\$638,171</u>

Council has already spent \$76,000 on fitout works primarily on the Friends of Mentone Station and Gardens leased area and the public toilets.

Available balance: \$562,171

This adequately covers the redevelopment works, and its funding from Council, proposed by the preferred & nominated operator being:

Expected Council (inc LXRP) Contribution: \$435,000

Staff Resources

Property Services has negotiated and will finalise the documentation requirements following Vic Tracks approval.

The Council's Chief Executive Officer has the delegated authority to approve and execute the Agreement to sub-lease/sublease once approval has been received from VicTrack.

5.4 Risk considerations.

Vic Track may not approve sublease. There is no evidence or advice from Vic Track that it will not approve the sublease.

Author/s: Peter Gillieron, Team Leader Property Services
Michelle Hawker, Property Services Coordinator

Reviewed and Approved By: Peter Gillieron, Team Leader Property Services
Bernard Rohan, Chief Finance Officer

Ordinary Council Meeting

24 February 2025

Agenda Item No: 11.3

33 BALCOMBE ROAD MENTONE

**Contact Officer: Nikolaj Dennis, Manager Property Services
Peter Gillieron, Team Leader Property Services
Michelle Hawker, Property Services Coordinator**

Purpose of Report

The intention of this report is to seek Council's approval to sell the subject property to fund future property acquisitions in line with the adopted Property Strategy 2024.

Disclosure of Officer / Contractor Conflict of Interest

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

RECOMMENDATION

That Council:

1. Authorise the Chief Executive Officer or delegate to give public notice under section 223 of the Government Act 1989, section 114 of the Local Government Act 2020 & Councils Community Engagement Policy of its intention to sell 33 Balcombe Road Mentone.
2. If any submissions are received in response to the public notice, have the submissions considered by a committee of Council comprising of the Mayor Councillor Georgina Oxley, Deputy Mayor, Councillor Chris Howe, Como Ward Councillor Cr Chris Hill, Chief Financial Officer, Manager Property Services and Team Leader Property Services; and a date to be confirmed. In this event a further report will be provided to council.
3. If no submissions are received following the public notice and community engagement process, authorise officers to undertake the necessary procedures to sell the subject property.

1. Executive Summary.

The "subject property," 33 Balcombe Road, Mentone property is a Council owned, former community centre that has been identified as functionally and economically obsolete. Officers have assessed the property in line with Council's adopted Property Strategy.

The property is considered too costly to maintain or modified for a similar or alternative use and has been deemed surplus to Council's operational requirements.

It is recommended that the property is sold on the open market in line with Council's Property Strategy (2024).

2. Background

An aerial photograph of the property is illustrated below:



3. Discussion

Council has considered two recent reports on the subject property and the contents of those reports are included in confidential annexure 1.

3.1 Options

Option 1 The recommended option is to dispose of the property through a public auction.

A current market valuation will be undertaken as part of the public auction process. The sale proceeds will be redirected to other property acquisitions identified as serving council's future needs.

Option 2 Seek to reengage with the housing sector. And reconsider social and housing and social housing.

Option 3 Not sell.

Council, during 2025 will be considering an open space strategy and community infrastructure framework both these strategies are likely to identify property needs to support operational requirements. The proceeds of the sale of the subject property will support other community outcomes.

Council is required to comply with Section 114 of the *Local Government Act 2020* and the *Local Government Act 1989* section 223. The Section requires Council to give at least four (4) weeks public notice of its intention to sell land and undertake a community engagement process in accordance with Council's Community Engagement Policy. The public process will provide any person with an opportunity to make a submission.

In the event submissions are received a 223 Committee will be established and will provide any person with an opportunity to be heard, A report will be returned to council.

3.2 Property Strategy 2024

Council adopted the Strategy in August 2024. One of the Policy Positions (Disposals) in the Strategy is to:

- *Actively sell underperforming properties or those that could yield better value to the community.*
- *The income from these sales supports funding for future land purchases.*

Council's Property Services Department is now engaging across the organisation to ascertain future land requirements that are required to support Council's front end service requirements.

3.3 State Government's 2009 Local Government Best Practice Guideline for the Sale, Exchange & Transfer of Land.

The General Principles underpinning the Guidelines include:

- Sales should be conducted through a public process (i.e. public auction, public tender or by registration of expressions of interest) unless circumstances exist that justify an alternative method of sale, for example the sale or exchange of land by private treaty. A council should explain to its community the circumstances which led to its decision to use an alternative method of sale in the interests of probity, public accountability and transparency.
- Sales, exchanges and transfers of land should be in the best interests of the community and provide the best result, both financial and non-financial, for the council and the community.

4. Consultation

4.1 Internal Consultation:

The property has previously been identified as not serving any council need.

4.2 External Consultation:

If the recommendation to sell on the open market then Council will be required under section 114 of the Local Government Act 2020 to consult with the community in accordance with its Community Engagement Policy.

4.3 Results/Findings:

Will be considered at the conclusion of the community engagement process.

5. Compliance Checklist

5.1 Council Plan Alignment

Strategic Direction: Well Governed.

Look after the community's financial resources responsibly and efficiently.

5.2 Governance Principles Alignment

Principle (b) - priority is to be given to achieving the best outcomes for the municipal community, including future generations.

Principle (i) - the transparency of Council decisions, actions and information is to be ensured.

5.3 Financial Considerations

Budget

The costs associated with the recommended sale of the subject property would be funded from the proceeds from sale.

It is recommended that the property is sold on the open market. The costs associated with the recommended sale of the subject property would be funded from the proceeds from sale.

Staff Resources


If the recommendation to sell the subject property on the open market, Property Services will manage Council's Community Engagement Process and finalise the Lease or Contract of Sale / Vendor's Statement in consultation with Council's legal partner, Maddocks. The process will be conducted in accordance with Council's statutory obligations under Section 114 (Power to Sell or Exchange Land) of Local Government Act 2020.

5.4 Risk considerations

The proposed sale would be conducted in accordance with the Local Government.

The sale documentation would be prepared by Council's solicitor and the property marketed by an experienced real estate agent operating in the Mentone area.

Appendices

Appendix 1 - Summary - 6 Lochiel Avenue Edithvale and 33 Balcombe Road Mentone
(Ref 25/28340) 

Author/s: Nikolaj Dennis, Manager Property Services
Peter Gillieron, Team Leader Property Services
Michelle Hawker, Property Services Coordinator

Reviewed and Approved By: Nikolaj Dennis, Manager Property Services
Bernard Rohan, Chief Finance Officer

11.3

33 BALCOMBE ROAD MENTONE

1	Summary - 6 Lochiel Avenue Edithvale and 33 Balcombe Road Mentone.....	255
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Confidential briefing notes

The “subject properties” at 6 Lochiel Avenue, Edithvale and at 33 Balcombe Road, Mentone are council owned properties that are no longer being used for their former purposes. They have been identified as functionally and economically obsolete. It is, and has been, surplus to Council’s operational requirements. The last two Council resolutions in respect to these two properties have been:

26 June 2023.

That Council, having given public notice on 10 April 2023 of its intention to sell the subject property under section 114 of the Local Government Act 2020 and Council’s Community Engagement Policy, and having considered the one submission lodged in response to Council’s Notice of Intention to Sell:

- 1. Advise suitable social and affordable housing providers that it is considering the future use of 6 Lochiel Avenue, Edithvale 3196 / 33 Balcombe Road Mentone 3194*
- 2. Invite Expressions of Interest from social and affordable housing providers to develop the properties for social and or affordable housing;*
- 3. Receive a report following completion of the Expression of Interest campaign;*
- 4. Authorise the Chief Executive Officer to act on Council’s behalf in this matter; and*
- 5. That a further report be presented to Council detailing where the funds would be spent, invested or allocated.*

An Expression of Interest (EOI) campaign for social and affordable housing options was conducted in December 2023, for both properties, in which 49 social and affordable housing providers were included. Council received six submissions and Council resolved for officers to negotiate leasing terms with Launch Housing. Launch Housing were specifically nominated due to its submission linking to council housing strategy.

Due to funding constraints impacting the social and affordable housing sector, Launch Housing were unable to meet its initial commitments under the EOI, to provide social or affordable housing.

25 March 2024.

- 1. Negotiate with Registered Housing Provider, Launch Housing Limited (Registration No. 45 pursuant to the Housing Act 1983), as its preferred provider to develop the subject properties for social housing in accordance with its proposal attached as Annexure “A”.*
- 2. Subject to the outcome of negotiation with the Registered Housing Provider in 1. above to the satisfaction of Council’s Chief Executive Officer and Council’s legal advisor(s), that Council receive a further report, outlining further details of the proposal and the process of public consultation, (under section 115 of the Local Government Act 2020) of Council’s intention to grant ground leases to Launch Housing Limited for the subject properties on the following principal terms and conditions:*
 - a) A term of thirty years, with an option to extend, at an annual rental of \$1.00 per annum.*
 - b) The permitted use for the development and use of the subject property for social housing on the development plans approved by the Council*

acting as the Responsible Authority under the Kingston Planning Scheme.

- c) Any other terms and conditions advised by Council's legal advisor(s).*
 - d) That it is Kingston Council's preference to house mature aged women (e.g. over 50 years of age) or single mothers with dependants who are homeless or at risk of homelessness.*
- 3. Receive a further report prior to the commencement of the Section 115 Community Engagement Process.*
 - 4. Determine, pursuant to Section 125 of the Local Government Act 2020 that this resolution and minutes, including the names of Councillors voting on the resolution, and the address of the property 6 Lochiel Ave Edithvale / 33 Balcombe Road Mentone 3194 be made publicly available.*

In response to the Council resolutions, officers had meetings with the Launch Housing Project Team and conducted a site visit at Launch Housing's Bellfield development in the City of Banyule. Launch Housing had nominated two options for the activation of the sites – purchase or lease. At the end of July 2024, Launch Housing advised that it would commence commercial modelling on Council's leasing options.

After a period of due diligence, a change to the funding environment and lack of grants available from the Victorian Governments Social Housing Growth Fund, resulted in Launch Housing subsequently advising that a leasing model was no longer a viable option. Officers worked with Launch Housing on other options, which were considered to be non-viable. A change to Launch Housing project team delayed its response.

Launch Housing subsequently advised Council officers on 29 July 2024 of the below:

- Launch Housing cannot proceed to enter into an Agreements for Lease due to this structure preventing us from securing the necessary funding to deliver the projects.*
- Launch Housing is seeking to explore an alternative, and innovative, partnership approach with Council to proceed in delivering much needed housing on these sites.*
- Launch Housing is seeking to alter the proposed terms of the Section 173 Agreement to enable the sites to be used for the purpose of affordable housing rather than social housing*

Launch Housing proposed an alternative approach that would enable Launch Housing to develop the subject sites. This was in response to the State Government's newly released Affordable Housing Partnerships Program which seeks to fund affordable housing rather than social housing. Under this Program, Launch Housing's proposals were a **Joint Venture structure**, whereby Launch Housing and Council would create a Special Purpose Vehicle (SPV). Council would contribute the sites to the SPV as its equity stake and Launch Housing would utilise its Community Housing Provider status to apply for government funding and, if successful, leverage the SPV to develop the sites.

Under the proposed Joint Venture model, at the end of the 30-year term, the lands (and dwellings) would be transferred to Council, with Launch Housing given a first rights option to purchase the properties if Council sought to sell it to the private market.

Access to financing has been a key issue throughout the negotiations. Also, under this arrangement, Council would be an equity partner for the provision of this housing, which had not previously been contemplated or proposed in the leasing (or sale) model).

Agreeing and executing a long term lease is simple and inexpensive. Setting up a Special Purpose Vehicle (SPV) requires legal advice and is an expensive exercise and one which requires ongoing management. Launch Housing is known for being innovative in their approach to deliver social and affordable housing but they have not successfully completed an agreement of this nature previously. With no proven track record this provides a risk to Council.

This model is not recommended due to the uncertainty of the funding model with Launch Housing, and the equity interest risk exposure to Council over this period.

Launch Housing also stated that it no longer has an interest in purchasing the subject properties at any value.

Due to the uncertainty of this proposal, it was not recommended that Council proceed exploring a social or affordable housing outcome with Launch Housing for the subject properties.

Council resolution 25 September 2023:

15.2 Property Matter

Moved: Cr Cochrane

Seconded: Cr Hill

That Council:

1. Determines to undertake the procedures under the Land Acquisition and Compensation Act 1986 (**LACA**) to acquire the land at 78-82 Governor Road, Mordialloc (**Property**) by compulsory process;
2. Delegates to the Chief Executive Officer all necessary powers to:-
 - a. effect service of a Notice of Acquisition on the owner of the Property and any other interested parties and publish a Gazettal Notice in accordance with the provisions of the LACA;
 - b. following the acquisition, negotiate and pay compensation to the former owner of the Property and to any other persons with an interest in the Property in accordance with the provisions of the LACA, having regard to the advice of Council's legal and valuation advisors; and
 - c. complete and execute on behalf of Council all necessary documentation and take all necessary action to give effect to the acquisition of the Property and payment of compensation in accordance with the LACA.
3. Resolves that the acquisition of the Property is to be initially funded from Council accumulated funds, with proceeds from future property sales (to be approved by Council) being used to offset the cost of the acquisition of the Property.

Cr Hua left the meeting at 9:20pm.

Cr Hua returned to the meeting at 9.23pm.

CARRIED

Moved: Cr Staikos

Seconded: Cr Davies

That the meeting be opened to members of the public

CARRIED

The meeting opened to members of the public at 9.25pm.

The meeting closed at 9.25pm.

Ordinary Council Meeting

24 February 2025

Agenda Item No: 11.4

6 LOCHIEL AVE EDITHVALE

**Contact Officer: Nikolaj Dennis, Manager Property Services
Peter Gillieron, Team Leader Property Services
Michelle Hawker, Property Services Coordinator**

Purpose of Report

The intention of this report is to seek Council's approval to sell the subject property to fund future property acquisitions in line with the adopted Property Strategy 2024.

Disclosure of Officer / Contractor Conflict of Interest

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

RECOMMENDATION

That Council:

1. Authorise the Chief Executive Officer or delegate to give public notice under section 223 of the Government Act 1989, section 114 of the Local Government Act 2020 & Councils Community Engagement Policy of its intention to sell 6 Lochiel Ave Edithvale.
2. If any submissions are received in response to the public notice, have the submissions considered by a committee of Council comprising of the Mayor Councillor Georgina Oxley, Deputy Mayor, Councillor Chris Howe, Sandpiper Ward Cr Kirralee Ashworth-Collett, Chief Financial Officer, Manager Property Services and Team Leader Property Services; and a date to be confirmed. In this event a further report will be provided to council.
3. If no submissions are received following the public notice and community engagement process, authorise officers to undertake the necessary procedures to sell the subject property.

1. Executive Summary

The "subject property", 6 Lochiel Avenue, Edithvale is a Council owned former childcare centre that has been identified as functionally and economically obsolete. Officers have assessed the property in line with Council's adopted Property Strategy.

The property is considered too costly to maintain or modified for a similar or alternative use and has been deemed surplus to Council's operational requirements.

It is recommended that the property is sold on the open market in line with Council's Property Strategy (2024).

2. Background

An aerial print of the property is shown below.



Council has considered a number of reports on the subject property.

23 October 2017

Officers provided a report to Council with a proposal was made to proceed with the sale of 6 Lochiel Avenue Edithvale following the relocation of the former childcare operations to the Edithvale Hub building. As part of the process, officers were required to establish a Committee under Section 223 of the *Local Government Act 1989* to consider submissions.

Submissions were received, and discussions took place with submitters who expressed a desire for more community space and access to additional facilities. Officers collaborated with the submitters to explore how the Lochiel Site could otherwise be utilised. It was noted that neither party was in a position to manage a community neighbourhood house and Officers were to continue to find other suitable facilities.

6 Lochiel was licenced to LXRA as a base unit information Centre for the Level Crossing Authority from March to April 2018.

A further report was submitted on 28 May 2018 on the outcome regarding the proposed sale of 6 Lochiel Ave Edithvale.

1.
 2. **28 May 2018:**
 3. In response to the Report, Council resolved:
 4.
 1. Note the submission and officer report.
 2. Thank the submitter for their submission, advising them of Council's decision.
 3. Resolve to sell 6 Lochiel Avenue Edithvale by auction or private treaty (if passed in at auction) at no less than market values and on terms to the satisfaction of Council's legal advisors; and
 4. Authorise the CEO or delegate to execute all required documents to give effect to this resolution.
- 5.

In response to Council's resolution, the subject property was auctioned on 7 July 2018 but failed to sell. It was still on the market for thirty days post auction but did not sell. The property was subsequently withdrawn from the market.

26 April 2021:

Council, noting that the subject property was surplus to operational requirements, resolved:

- Authorise the CEO or their delegate to publish a public notice in accordance with Section 189 of the Local Government Act 1989 ("Act") stating Council's intention to sell 6 Lochiel Ave, Edithvale;
- Authorise the CEO and delegated Council staff to carry out the necessary administrative procedures to allow Council to carry out its functions under section 223 of the Act.
- Authorise the CEO and delegated Council staff to convene, if required, a Section 223 Committee on Tuesday 8 June 2021 at 5:00pm comprising Cr Staikos, Cr Saab, Cr Eden, General Manager City Assets and Environment, and the Manager Property and Arts to hear presentations from parties who wish to be heard in support of their written submissions; and
- In the event no submissions are received, authorise the CEO or their delegate to proceed to sell 6 Lochiel Ave, Edithvale and that the sale price for the property shall be no less than an open-market valuation as determined by a valuer on Council's contracted valuation panel.

6 May 2021:

Public notice of Council's intention to sell.

8 June 2021:

Council's section 223 sub-committee convened to hear three parties in support of their submissions:

- Edithvale Collective
- Two local residents

The submissions opposed the proposed sale and that the subject property should be retained for community use. Neither of the submitters detailed how the subject property would be financed and maintained.

17 January 2022:

Council undertook an expression of interest with submissions closing on 16 February 2022. Submitters were requested to provide information on how the subject property was to be used. This included business operational model, financial capacity, program delivery, planning consideration, facility condition.

Submissions to use the subject property were received from:

- Edithvale Collective.
- Rayza Agencies

The submitters provided a very broad overview on how the property would be used without the any of the detail required under the expression of interest. Both submissions sought Council financial assistance to refurbish the property.

September 2022:

In response to the expression of interest program, Council's Inclusive Communities team met with the Edithvale Collective to discuss the Collective's interest in local spaces to meet and their aspirations for community-based programs to be provided in the Edithvale area. Further information was provided by the Collective regarding their proposed operations as a group, and this will be the subject of ongoing discussions with them. The discussions also covered the refurbishment of the Edithvale shopping strip that was of particular interest to the Collective. Officers advised the Collective that the property was not fit for purpose and surplus to Council operational requirements and would not be available for ongoing community use.

27 March 2023:

Council considered a report to commence the statutory procedures to sell the subject property and resolved:

1. Give public notice under section 114 of the Local Government Act 2020 and Council's Community Engagement Policy of its intention to sell 6 Lochiel Avenue Edithvale 3196.
2. Authorise the Chief Executive Officer and delegated officers to convene a sub-committee, on a date to be set, comprising Cr Saab, Cr Eden, Chief Finance Officer, Manager Property Services, and Team Leader Property Services to hear any submitters who have requested to be heard in support of their submissions lodged in response to the public notice and report back to Council.
3. In the event that no submissions are received that require Council's consideration, authorise the Chief Executive Officer to sell 6 Lochiel Avenue Edithvale 3196 for not less than the market value of the property determined by an independent certified property valuer.

3. Discussion

Further information on the above expression of interest is attached on confidential Appendix 1.

3.1 Options

Option 1. The recommended option is to dispose of the property through a public auction and for the proceeds to be held in reserve for strategic land purchases in the Edithvale and surrounding area.

Option 2. The recommended option is to dispose of the property through a public auction and for the proceeds to be held in reserve for future acquisitions in line with the property strategy.

A current market valuation will be undertaken as part of the public auction process. The sale proceeds will be redirected to other property acquisitions identified as serving council's future needs.

Option 3. Seek to reengage with the housing sector. And reconsider social and housing and social housing.

Option 4. Not sell.

Council, during 2025 will be considering a open space strategy and community infrastructure framework both these strategies are likely to identify property needs to support operational requirements. The proceeds of the sale of the subject property will support other community outcomes.

Council is required to comply with Section 114 of the *Local Government Act 2020* and the *Local Government Act 1989* section 223. The Section requires Council to give at least four (4) weeks public notice of its intention to sell land and undertake a community engagement process in accordance with Council's Community Engagement Policy. The public process will provide any person with an opportunity to make a submission.

In the event submissions are received a 223 Committee will be established and will provide any person with an opportunity to be heard, a report will be returned to Council.

3.2 Property Strategy 2024

Council adopted the Property Strategy in August 2024. One of the Policy Positions (Disposals) in the Strategy is to:

- Actively sell underperforming properties or those that could yield better value to the community.
- The income from these sales supports funding for future land purchases.

As the subject property is surplus to requirements, it is recommended to be disposed and an open market process can realise a return to Council.

Council's Property Services Department is now engaging across the organisation to ascertain future land requirements that are required to support Council's front end service requirements.

3.3 State Government's 2009 Local Government Best Practice Guideline for the Sale, Exchange & Transfer of Land.

The General Principles underpinning the Guidelines include:

- Sales should be conducted through a public process (i.e. public auction, public tender or by registration of expressions of interest) unless circumstances exist that justify an alternative method of sale, for example the sale or exchange of land by private treaty. A council should explain to its community the circumstances which led to its decision to use an alternative method of sale in the interests of probity, public accountability, and transparency.
- Sales, exchanges, and transfers of land should be in the best interests of the community and provide the best result, both financial and non-financial, for the council and the community.

4. Consultation

4.1 Internal Consultation

The property has previously been identified as not serving any council need.

4.2 External Consultation

If the recommendation to sell on the open market, then Council will be required under section 114 of the *Local Government Act 2020* to consult with the community in accordance with its Community Engagement Policy.

4.3 Results/Findings:

Will be considered at the conclusion of the community engagement process.

5. Compliance Checklist

5.1 Council Plan Alignment

Strategic Direction: Well Governed.

Look after the community's financial resources responsibly and efficiently.

5.2 Governance Principles Alignment

Principle (b) - priority is to be given to achieving the best outcomes for the municipal community, including future generations.

Principle (i) - the transparency of Council decisions, actions and information is to be ensured.

5.3 Financial Considerations

Budget

The costs associated with the recommended sale of the subject property would be funded from the proceeds from sale.

It is recommended that the property is sold on the open market. The costs associated with the recommended sale of the subject property would be funded from the proceeds from sale.

Staff Resources

If the recommendation to sell the subject property on the open market, Property Services will manage Council's Community Engagement Process and finalise the Lease or Contract of Sale / Vendor's Statement in consultation with Council's legal partner, Maddocks. The process will be conducted in accordance with Council's statutory obligations under Section 114 (Power to Sell or Exchange Land) of Local Government Act 2020.

5.4 Risk considerations.

The proposed sale would be conducted in accordance with the Local Government.

The sale documentation would be prepared by Council's solicitor and the property marketed by an experienced real estate agent operating in the Edithvale area.

Appendices

Appendix 1 - Summary - 6 Lochiel Avenue Edithvale and 33 Balcombe Road Mentone
(Ref 25/28340)  

Author/s: Nikolaj Dennis, Manager Property Services
Peter Gillieron, Team Leader Property Services
Michelle Hawker, Property Services Coordinator

Reviewed and Approved By: Nikolaj Dennis, Manager Property Services
Bernard Rohan, Chief Finance Officer

11.4

6 LOCHIEL AVE EDITHVALE

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2. *Invite Expressions of Interest from social and affordable housing providers to develop the properties for social and or affordable housing;*
3. *Receive a report following completion of the Expression of Interest campaign;*
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acting as the Responsible Authority under the Kingston Planning Scheme.

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Access to financing has been a key issue throughout the negotiations. Also, under this arrangement, Council would be an equity partner for the provision of this housing, which had not previously been contemplated or proposed in the leasing (or sale) model).

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This model is not recommended due to the uncertainty of the funding model with Launch Housing, and the equity interest risk exposure to Council over this period.

Launch Housing also stated that it no longer has an interest in purchasing the subject properties at any value.

Due to the uncertainty of this proposal, it was not recommended that Council proceed exploring a social or affordable housing outcome with Launch Housing for the subject properties.

Council resolution 25 September 2023:

15.2 Property Matter

Moved: Cr Cochrane

Seconded: Cr Hill

That Council:

1. Determines to undertake the procedures under the Land Acquisition and Compensation Act 1986 (**LACA**) to acquire the land at 78-82 Governor Road, Mordialloc (**Property**) by compulsory process;
2. Delegates to the Chief Executive Officer all necessary powers to:-
 - a. effect service of a Notice of Acquisition on the owner of the Property and any other interested parties and publish a Gazettal Notice in accordance with the provisions of the LACA;
 - b. following the acquisition, negotiate and pay compensation to the former owner of the Property and to any other persons with an interest in the Property in accordance with the provisions of the LACA, having regard to the advice of Council's legal and valuation advisors; and
 - c. complete and execute on behalf of Council all necessary documentation and take all necessary action to give effect to the acquisition of the Property and payment of compensation in accordance with the LACA.
3. Resolves that the acquisition of the Property is to be initially funded from Council accumulated funds, with proceeds from future property sales (to be approved by Council) being used to offset the cost of the acquisition of the Property.

Cr Hua left the meeting at 9:20pm.

Cr Hua returned to the meeting at 9.23pm.

CARRIED

Moved: Cr Staikos

Seconded: Cr Davies

That the meeting be opened to members of the public

CARRIED

The meeting opened to members of the public at 9.25pm.

The meeting closed at 9.25pm.

12. Notices of Motion

Ordinary Council Meeting

24 February 2025

Agenda Item No: 12.1

NOTICE OF MOTION NO. 1/2025 - CR EREVNIDIS - PET REGISTRATION

That Council be provided with options for consideration as part of the 2025/26 budget for reducing pet registration fees for Seniors aged 65 and over, to assist with cost of living and combat loneliness.

Cr Georgia Erevnidis

Guidance Note

Notice of Motion No. 1/2025 – Cr Erevnidis

Pet Registration Fees



Officer Advice

Council administers pet registrations under the provisions of the *Domestic Animals Act 1994*.

Kingston has 20,787 registered animals (dogs and cats) and 2988 of those receive a pensioner discount.

Under Section 15 of the *Domestic Animals Act 1994* Council is required to offer a 50% discount on all pet registration fees for eligible pensioners.

Kingston currently offers a 50% discount on pet registration fees for eligible pensioners as do most Victorian Councils.

The State Government has advised that Council can resolve to offer a greater than 50% discount for eligible pensioners, but that a zero-fee registration is not provided for under the current *Domestic Animals Act 1994*.

Under Section 69 of the *Domestic Animals Act 1994* Council is required to make a payment of about \$4.50 to the State Government for each registered pet each year. This payment supports statewide promotion of responsible dog and cat ownership, animal welfare and research into domestic animal management.

The resolved 2024/25 pet registration fees for Kingston are set out below:

	Cat	Dog
Full Fee (non-desexed)	\$186	\$195
Reduced Fee (desexed)	\$48	\$65
Full Fee (non-desexed) - Pensioner	\$92.50	\$96
Reduced Fee (desexed) - Pensioner	\$32	\$32

Pet Registration renewals are due to be paid to Council on the 10 April each year. The above fees are applied for the registration renewal notices that will be sent out in the coming month for the pet registrations due on 10 April 2025.

One option for pensioner pet registration fee discount is considered below and would be applicable for the registration renewal period on 10 April 2026 and new pet registrations beyond that date.

**City of Kingston
Ordinary Council Meeting**

Agenda

24 February 2025

- 75% discount on pensioner pet registration fees.
 - This would reduce pet registration income to Council by \$47,000; and
 - Would see pensioner registration fees set at the following:

	Cat	Dog
Full Fee (non-desexed) - Pensioner	\$47.25	\$49.50
Reduced Fee (desexed) - Pensioner	\$12	\$16.50

Subject to the direction of the Council further detail can be prepared for pet registration discounts beyond the 50% currently offered to support the 2025/6 budget process.

Author/s: Marleen Mathias, Manager Compliance and Amenity
Reviewed and Approved By: Jonathan Guttmann, General Manager Planning and Place
Peter Bean, Chief Executive Officer

Ordinary Council Meeting

24 February 2025

Agenda Item No: 12.2

NOTICE OF MOTION NO. 2/2025 - COMMUNICATION BOARD TRIAL FOR COMMUNITY SPACES - CR O'DONNELL

That Council:

1. Install and commence a trial of communication boards (similar to the picture below) at Peter Scullin Reserve, Mordialloc, and Bicentennial Park, Chelsea, to support community members of all abilities to communicate and participate equally in our community spaces.
2. Receive a report, to be presented within 12 months of commencing the trial, which presents evaluation findings that include, but are not limited to user feedback, usability, and accessibility and consideration of any future installation sites.

Cr Sarah O'Donnell



Guidance Note

Notice of Motion No. 2/2025 – Cr O’Donnell

Communication Board Trial for Community Spaces



Officer Advice

Officers recommend:

- Trialling one Communication Board at either Bicentennial Park or Peter Scullin Reserve;
- Conducting a review 6-12 months after the installation, focusing on user feedback, useability and accessibility; and
- Presenting a report to Council with recommendations based on the review.

Communication Boards

Communication boards are designed to assist individuals with limited language or those who are non-verbal in communicating. They feature visual symbols, text, or pictograms to help users navigate parks, access essential information, and engage with their environment. While many individuals with limited language skills may have personalised communication boards, public communication boards in parks and community spaces offer an additional means for people to interact and communicate, fostering inclusion and participation. They also play a key role in raising awareness and fostering understanding of individuals with disabilities within the broader community, helping to promote greater inclusion and empathy.

Strategic Alignment and Co-Design Group Feedback

Currently, Council has communication boards in all libraries and customer service centres as part of Priority 1: Changing attitudes and caring communication from Council’s All Abilities Action Plan 2024-2028 (AAAP). The AAAP, developed in 2023 with oversight from a Co-Design Group of people with disabilities and/or carers, was informed by a community consultation with 445 participants. While communication was a key theme, there was no specific feedback on public communication boards.

This week, Officers reached out to the Co-Design Group regarding the potential installation of communication boards in local parks. Feedback was mixed - some supported the idea if there was a clear need, others did not see significant benefits. This highlights the importance of evidence-based decision-making and prioritising accessibility solutions that benefit all park users. Members of the Co-Design Group also suggested more detailed park information on the Council website, including photos, accessibility features, and safety details, and social stories with images to assist with park visit preparation.

Cost and Maintenance

The estimated cost of a public communication board ranges between \$1,000 and \$3,000, excluding installation and ongoing maintenance. Previous feedback from other councils indicates that communication boards are vulnerable to vandalism and graffiti. There is currently no specific budget allocated for the installation or maintenance of communication boards.

Recommended Location

Bicentennial Park or Peter Scullin Reserve are proposed as the trial site for the communication board. Both offer all abilities features, including accessible footpaths, parking, play options, and a Changing Places toilet. Peter Scullin Reserve has been reported as quieter than Bicentennial Park, which may be preferable for families with neurodiverse children. Council approval is not required to install a communication board at Peter Scullin Reserve or Bicentennial Park. Placing a communications board at a Life Saving Club on the foreshore (Crown Land) however, would require a planning permit and consent from the Department of Energy, Environment, and Climate Action.

Evaluation of Trial

The effectiveness, accessibility, and usability of the trial communication board will be evaluated through community feedback and usage data.

Recommendation

As communication boards in parks provide individuals with limited language skills a way to interact, fostering inclusion and raising awareness of disabilities, Officers recommend proceeding with the trial installation of one communication board at either Bicentennial Park or Peter Scullin Reserve, with a review in 6-12 months to assess community benefit.

Author/s: Emma Bruce, Team Leader Programming and Engagement
Susan Quach, Acting Manager Inclusive Communities
Kate Waters, Acting General Manager Community Strengthening

Reviewed and Approved By: Peter Bean, Chief Executive Officer

Ordinary Council Meeting

24 February 2025

Agenda Item No: 12.3

NOTICE OF MOTION NO. 3/2025 - LXP ADVOCACY - CR O'DONNELL

That Council write an urgent letter to the Member for Mordialloc and the LXP requesting the "No Left Turn" be removed from the new intersection of Pine Crescent and Nepean Highway.

Residents have expressed a great deal of concern for the increased traffic pressure this will place on Station Street Aspendale for residents travelling south and that a simple left turn does not present a risk.

Cr Sarah O'Donnell

Guidance Note

Notice of Motion No. 3/2025 – Cr O'Donnell

LXRP Advocacy



Officer Advice

Council officers are aware of the community feedback surrounding the removal of the left turn from the new link road into Nepean Highway. Council has been actively advocating to LXRP and the Department of Transport (DTP) and are currently awaiting a response regarding this advocacy item.

LXRA have indicated to officers that they are understanding of the community feedback and looking for a solution that responds to and address the community's concerns.

It is likely that LXRA will announce the final design in March or April 2025.

Author/s: Samantha Krull, General Manager Infrastructure and Open Space
Reviewed and Approved By: Peter Bean, Chief Executive Officer

14. Confidential Items

14 Confidential Items

This information is confidential information under section 3(1) of the *Local Government Act 2020* and therefore suitable for consideration in closed session. In accordance with the *Local Government Act 2020*, Council may resolve to consider these items in open or closed session.

14.1 Property Matter

Agenda item 14.1 *Property Matter* is designated confidential:

- because it is private commercial information, being information provided by a business, commercial or financial undertaking (section 3(1)(g)), and
- the explanation as to why the specified ground/s applies is that the matter relates to a potential land acquisition and will have price sensitivity to the market.

RECOMMENDATION

That in accordance with section 66(1) and 66(2)(a) of the *Local Government Act 2020*, the meeting be closed to members of the public for the consideration of the following confidential items:

14.1 Property Matter

This agenda item is confidential information for the purposes of section 3(1) of the Local Government Act 2020:

- because it is private commercial information, being information provided by a business, commercial or financial undertaking (section 3(1)(g)), and
- the explanation as to why the specified ground/s applies is that the matter relates to a potential land acquisition and will have price sensitivity to the market.

